

**ORDER**  
**(Pursuant to Chapter 135-5)**

**DRAFT**

**To: Mr. Anthony Carbone**  
**3 Pine Hill Road**  
**Croton-on-Hudson, NY 10520**

**Re: Dangerous Building**  
**270 Furnace Dock Road**  
**Section 55.12, Block 2, Lot 9**

**Whereas**, members of the public had expressed concern about a structure (the “Structure”) located at 270 Furnace Dock Road (Section 55.12, Block 2, Lot 9) (the “Property”); and

**Whereas**, Steven J. Basini, RA submitted a report to the Town dated November 14, 2018 evaluating the structure located on the Property and concluded that “[i]t is the professional opinion of this inspector that this building should be classified as dangerous as it meets more than half the designated criteria” for a dangerous building; and

**Whereas**, said report was provided to the Property Owner and publicly posted before the adjourned public hearings; and

**Whereas**, on January 22, 2019, members of the Town Staff met with the owner of 270 Furnace Dock Road (the “Owner”) to discuss the removal of the building located at the Property; and

**Whereas**, a series of email exchanges and other communications were had over the last few months with the Department of Technical Services and the Owner and/or his representatives; and

**Whereas**, the Town Board first scheduled a public hearing for its February 2019 agenda to discuss the Property, but has adjourned it ever since in order to provide the Owner with time to remove the Structure; and

**Whereas**, the Owner has failed to demolish the Structure on his own, despite being given adequate time to do so; and

**Whereas**, a Public Hearing for a determination of a dangerous building was conducted at the Town Board’s July 16, 2019 meeting;

**Now Therefore** it is

**Ordered**, that the Structure located at 270 Furnace Dock Road, Section 55.12, Block 2, Lot 9, is hereby declared a Dangerous Structure in accordance with Town Code Chapter 135; and it is further

**Ordered**, that said Structure be demolished and the Property cleared within 30 days of the service of this Order on the property owner; and be it further

**Ordered**, that upon noncompliance by the owner with this Order, the Director of the Department of Technical Services will retain a contractor to preform said work and lien said property in accordance with Chapter 135.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**RESOLUTION**

**DRAFT**

NUMBER \_\_\_\_\_

**(RE: LOCAL LAW AMENDING THE SOLID WASTE LAW WITH RESPECT TO GARBAGE CANS)**

**RESOLVED**, that the Town Board of the Town of Cortlandt does hereby adopt Local Law "A" of 2019.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
At a Regular Meeting  
Held at the Town Hall**

**Local Law No. A of 2019**  
**(Amending Local Law No. 1-1991)**

**DRAFT**

**Section 1: Legislative Intent**

The purpose of this Local Law is to amend Local Law No. 1-1991, which is the basis for Chapter 257 “Solid Waste” in the Town Code. This local law will update relevant provisions to assist the Department of Environmental Services in the collection of solid waste and will update relevant terminology.

**Section 2: Department of Environmental Services**

Throughout Chapter 257 of the Town Code, the term “Central Operations Department” shall be changed to “Department of Environmental Services.”

**Section 3: Director of the Department of Environmental Services**

Throughout Chapter 257 of the Town Code, the terms “Manager of Sanitation”, “Manager of the Sanitation Division”, and “Superintendent of Sanitation” shall be changed to the “Director of the Department of Environmental Services.”

**Section 4: Amending Definition of “Container”**

The Definition for “Container” in Section 257-2 “Definitions” of the Town Code shall be amended to read as follows:

**CONTAINER**

A watertight, nonrusting metal or plastic container of substantial construction with sloping sidewalls, its volume or capacity not to exceed 45 gallons nor its total full weight to exceed 70 pounds, equipped with a tight-fitting cover of the same material as the container and bail or substantial handle(s). The Town shall not be responsible for breakage of plastic containers. Securely-tied plastic bags at least 1.5 mils thick, the weight of which does not exceed the ability of the bag to hold the material without breaking when picked up by the neck, may be substituted as a "container"; an automated compaction unit with a capacity for six cubic yards or dumpsters; or any other container as may be approved by the Director of the Department of Environmental Services.

**Section 5: Amending “Maintenance of Containers”**

Section 257-4 “Maintenance of Containers” shall be amended to read as follows:

A. The container shall be maintained in good condition by the owner thereof and shall not be permitted to have any ragged or sharp edges or any other defects liable to hinder or harm the person collecting the contents thereof.

B. Should the container deteriorate to such an extent that the handles thereof become dangerous and liable to injure or hinder the person collecting the contents of said container or should it leak, it must be replaced by a proper container within one week after receipt of written notice from the

Department of Environmental Services of said condition. All such improper receptacles shall be removed by the Town collectors.

C. A Container shall not exceed 45 gallons nor shall its total full weight exceed 70 pounds. All Containers shall contain proper handle(s).

**Section 6:**

This local law shall take effect upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUE ROSE SHATZKIN  
TOWN CLERK**

**Adopted on the 16<sup>th</sup> day of  
July, 2019.**

**RESOLUTION**

**DRAFT**

**NUMBER \_\_\_\_\_**

**(RE: LOCAL LAW AMENDING THE ENERGY CONSERVATION LAW)**

**RESOLVED**, that the Town Board of the Town of Cortlandt does hereby adopt Local Law "B" of 2019.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
At a Regular Meeting  
Held at the Town Hall**

**DRAFT**

**LOCAL LAW NO. "B" – 2019**

**A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN THE TOWN OF CORTLANDT**

Be it enacted by the Town of Cortlandt (the "Municipality") as follows:

**Section 1.** This local law shall be known as the "Energize NY Open C-PACE Financing Program" and shall read as follows:

**ARTICLE I**

**§1. Legislative findings, intent and purpose, authority.**

- A. It is the policy of both the Municipality and the State of New York (the "State") to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, "EIC"), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the "Municipal Agreement") to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the "Enabling Act").
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the "Energize NY Open C-PACE Local Law".

**§2. Definitions**

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

**Annual Installment Amount** – shall have the meaning assigned in Section 8, paragraph B.

**Annual Installment Lien** – shall have the meaning assigned in Section 8 paragraph B.

**Authority** – the New York State Energy Research and Development Authority.

**Benefit Assessment Lien** – shall have the meaning assigned in Section 3, paragraph A.

**Benefited Property** – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

**Benefited Property Owner** – the owner of record of a Benefited Property.

**EIC** – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

**Eligible Costs** – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

**Enabling Act** – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

**Finance Agreement** – the finance agreement described in Section 6A of this local law.

**Financing Charges** – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

**Financing Parties** – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

**Municipality** – the Town of Cortlandt, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

**Municipal Lien** – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.



**Non-Municipal Lien** – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

**Program** – the Energize NY Open C-PACE Financing Program authorized hereby.

**Qualified Project** – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

**Qualified Property** – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

**Qualified Property Owner** – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

**RPTL** – the Real Property Tax Law of the State, as amended from time to time.

**Secured Amount** – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

**State** – the State of New York.

### **§3. Establishment of an Energize NY Open C-PACE Financing Program**

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage

holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

**§4. Procedures for eligibility**

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality's offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

**§5. Application criteria**

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

**§6. Energize NY Finance Agreement**

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”).
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

**§7. Terms and conditions of repayment**

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

**§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien**

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the “Annual Installment Amount”). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the “Annual Installment Lien”) and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.

- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

**§9. Verification and report**

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

**§10. Separability.** If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

**Section 2.** This local law shall take effect upon filing with the Secretary of State.

**Section 3.** This local law shall repeal L.L. No 2-2018 adopted on April 17, 2018.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUE ROSE SHATZKIN  
TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**RESOLUTION**

NUMBER \_\_\_\_\_

**DRAFT**

**(RE: RECEIVE, FILE AND ACCEPT INDEPENDENT AUDITS OF THE TOWN OF CORTLANDT AND OF THE JUSTICE COURT AS REQUIRED BY LAW)**

**RESOLVED**, that the Town Board of the Town of Cortlandt does hereby Receive, File and Accept independent audits by the firm EFPR Group, Certified Public Accountants with respect to the Town of Cortlandt and the Justice Court of the Town of Cortlandt.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

DRAFT

BOND RESOLUTION DATED JULY 16, 2019.

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF ROADS IN AND FOR THE TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,500,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$2,500,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Cortlandt, Westchester County, New York, as follows:

Section 1. The reconstruction and resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements in and for the Town of Cortlandt, Westchester County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$2,500,000.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of the \$2,500,000 of bonds of the Town hereby authorized to be issued therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Cortlandt, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.



Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

**DRAFT**

**RESOLUTION**

NUMBER \_\_\_\_\_

**RE: (AUTHORIZE SNOW AND ICE AGREEMENTS WITH NYSDOT FOR 2019-2024)**

**WHEREAS**, the Town of Cortlandt has engaged in an agreement with NYSDOT for snow and ice removal on certain State highways in the Town of Cortlandt; and,

**WHEREAS**, it is recommended that the agreement be extended through 2024.

**NOW THEREFORE BE IT RESOLVED**, the Town Supervisor is authorized to execute agreements with NYSDOT for snow and ice treatment through 2024.

**BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
at a Regular Meeting  
Held at the Town Hall**

**DRAFT**

**RESOLUTION**

**NO.**

**(AUTHORIZING THE TOWN TO ENTER INTO A SETTLEMENT FOR A NOTICE OF CLAIM FILED BY THE OWNER OF 235 6<sup>TH</sup> STREET IN VERPLANCK)**

**WHEREAS**, the owner of 235 6<sup>th</sup> Street in Verplanck (“Owner”) filed a notice of claim for alleged damages caused by a water main break; and

**WHEREAS**, the alleged damages occurred on February 5, 2019 and the Owner filed a notice of claim on April 29, 2019; and

**WHEREAS**, the Town hired its own independent claims adjuster to assess the damages, and he provided a report stating that he believed there was \$15,805.79 worth of damages; and

**WHEREAS**, the Town made an offer of \$15,805.79, which was accepted by the Owner; and

**WHEREAS**, since the claim is for over \$5,000, the Town needs the authorization of the Town Board before making payment to the Owner;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Comptroller’s Office is authorized to issue payment for \$15,805.79 for the owner of 235 6<sup>th</sup> Street in full settlement of his claim.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

RESOLUTION

**DRAFT**

NO.

**(AUTHORIZING THE TOWN TO ENTER INTO A SETTLEMENT FOR A NOTICE OF CLAIM FILED BY THE OWNER OF 157 8<sup>TH</sup> STREET IN VERPLANCK)**

**WHEREAS**, the owner of 157 8<sup>th</sup> Street in Verplanck (“Owner”) filed a notice of claim for alleged damages caused by a water main break; and

**WHEREAS**, the alleged damages occurred on February 7, 2019 and the Owner filed a notice of claim on March 28, 2019; and

**WHEREAS**, the Town hired its own independent claims adjuster to assess the damages, and he provided a report stating that he believed there was \$8,827.18 worth of damages; and

**WHEREAS**, the Town made an offer of \$8,827.18, which was accepted by the Owner; and

**WHEREAS**, since the claim is for over \$5,000, the Town needs the authorization of the Town Board before making payment to the Owner;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Comptroller’s Office is authorized to issue payment for \$8,827.18 to the Owner of 157 8<sup>th</sup> Street in full settlement of her claim.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROU ROSE SHATZKIN, TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**RESOLUTION**

**DRAFT**

NUMBER \_\_\_\_\_

**(RE: AUTHORIZE LEGAL AND DOTS TO DRAFT A LAW REGARDING ZOMBIE PROPERTIES)**

**RESOLVED**, that the Town Board of the Town of Cortlandt does hereby authorize the Legal Department and the Department of Technical Services to draft a Local Law regarding Zombie Properties and their maintenance.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**DRAFT**

**RESOLUTION**

**NUMBER \_\_\_\_\_**

**(RE: AUTHORIZE THE DIRECTOR OF DOTS TO OBTAIN RFP'S AND DEC PERMITS FOR THE TREATMENT OF LAKE MEAHAGH)**

**RESOLVED**, that the Town of Cortlandt Town Board hereby authorizes the Director of DOTS to obtain RFP'S and the necessary DED Permits for the treatment of vegetation issues for Lake Meahagh.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
at a Regular Meeting held  
at the Town Hall**

**DRAFT**

**RESOLUTION**

NUMBER \_\_\_\_\_

**RE: (RETAIN BEHAN PLANNING AND DESIGN TO COMPLETE A JOINT LOCAL WATERFRONT REVITALIZATION PLAN (LWRP) WITH THE VILLAGE OF BUCHANAN)**

**WHEREAS**, the Town and Village of Buchanan received a \$250,000 grant from the New York State Department of State (NYSDOS) to retain a consultant to assist the Town and the Village of Buchanan to complete a joint LWRP to help guide long term planning for the Town and Village riverfront, and

**WHEREAS**, the Town and Village sent out Request for Proposals (RFPS's) to eight (8) firms including firms on the New York State MWBE/DBE certified list and four (4) firms responded to the RFP, and

**WHEREAS**, the Town and Village staff interviewed all four (4) of the responding firms, and

**WHEREAS**, after thorough review Town and Village staff recommend that Behan Planning & Design, 112 Spring Street, Suite 305, Saratoga Springs, New York be retained to prepare a Joint Local Waterfront Revitalization Plan (LWRP).

**NOW THEREFORE BE IT RESOLVED**, that Behan Planning & Design, 112 Spring Street, Suite 305, Saratoga Springs, New York be hired as the consultant to prepare a joint Local Waterfront Revitalization Plan (LWRP) for the Town and Village in an amount not to exceed \$250,000 to be funded by a New York State Department of State Grant with the required match to be provided through in-kind services provided by Town and Village staff, and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to execute all necessary contract documents with respect to said grant.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ SHATZKIN  
TOWN CLERK**

**Adopted on July 16, 2019  
at a Regular Meeting  
Held at the Town Hall**

**DRAFT**

**RESOLUTION**

**NUMBER \_\_\_\_\_**

**(RE: AUTHORIZE DIRECTOR OF ENVIRONMENTAL SERVICES TO  
DEMOLISH THE ABANDONED DWELLING LOCATED AT 136, 8<sup>TH</sup>  
STREET IN VERPLANCK.**

**WHEREAS, THE “Emergency Equipment Rental Bid” shall be used for the low bid equipment necessary for the demolition, the abatement, removal and testing of hazardous materials will be completed by the following contractors.**

**WHEREAS, costs to complete the work are shown below:**

**Equipment:**

A. Supino and Sons \$15,450.00 *(Based on Equipment Bid.)*  
P.O. Box 243  
Shrub Oak, NY 10588

**Testing/Abatement:**

GeoEnvironmental \$ 3,410.00  
17 Loder Road  
Yorktown Heights, NY 10598

**Plains Environmental** \$ 3,900.00  
85 Riverdale Avenue  
Yonkers, NY 10701

;and

**WHEREAS, the Director of Environmental Services has reviewed the daily rates and proposals and recommends entering into a contract with A. Supino and Sons, GeoEnvironmental and Plains Environmental,**

**NOW, THEREFORE, BE IT RESOLVED, that the Director of Environmental Services is hereby authorized to enter into a contract with enter into contract with A. Supino and Sons, P.O. Box 243, Shrub Oak, NY, 10588, GeoEnvironmental, 170 Loder Road, Yorktown Heights, NY 10598 and Plains Environmental, 85 Riverdale Avenue, Yonkers, NY 10701 for the demolition of 136 8<sup>th</sup> Street in an amount not to exceed **Twenty Eight Thousand Five Hundred Dollars** which includes the Town of Cortlandt supplied containers and follow up testing, and**

**BE IT FURTHER RESOLVED, that the Town Comptroller is hereby authorized to amend the budget accordingly.**

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
Town Clerk**

**Adopted on July 16, 2019  
at a Regular Meeting  
Held at the Town Hall**



**DRAFT**

RESOLUTION

NUMBER \_\_\_\_\_

(RE: APPOINT ALL 2019 SUMMER SEASONALS)

**RESOLVED**, pursuant to Town Board Policy adopted on February 11, 1997, that the following be and hereby are appointed as seasonal employees in the Town of Cortlandt Government to work in various departments and divisions. The hourly rate of pay varies with the position and all appointments become effective retroactive from June 1, 2019 – August 30, 2019:

**DayCamp**

**Hourly  
Rate of**

<b>Pay</b>	<b>Name</b>	<b>Title</b>
\$6.50	Malaspina, Victoria	Intermediate Counselor
\$9.50	Vasquez, Nicholas R.	Senior Counselor
\$9.50	Williams, Tahari	Senior Counselor
\$3.00	Zern, Kendall A.	Junior Counselor

**5th & 6th Grade Camp**

\$9.50	Tonelli, William	Senior Counselor
--------	------------------	------------------

**7th & 8th Grade Camp**

\$9.50	Miller, Miliana	Senior Counselor
--------	-----------------	------------------

**Hourly  
Rate of**

<b>Pay</b>	<b>Name</b>	<b>Title</b>
\$12.00	Baumeister, Matthew	Lifeguard
\$12.00	Campos, Kayla	Lifeguard
\$12.00	Johannsen, Kami	Lifeguard
\$12.00	Lee, Michael	Lifeguard
\$12.00	McInerney, Kaydi	Lifeguard Swim
\$12.00	Herrera, Sebastian	Instructor

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
Laroue Rose Shatzkin  
Town Clerk**

**Adopted on July 16, 2019  
at a Regular Meeting  
Held at Town Hall**

**RESOLUTION**

**DRAFT**

**NO.**

**(AUTHORIZING A PUBLIC HEARING FOR AUGUST 13, 2019 FOR THE CREATION  
OF THE CORTLANDT BOULEVARD EAST SEWER DISTRICT)**

**WHEREAS**, the Town has received a Petition and accompanying documents from the developer of Pondview Commons (“Developer”) to form a new sewer district or sewer improvement area; and

**WHEREAS**, this was contemplated during Pondview Commons’ approval process and in its approval Resolutions; and

**WHEREAS**, the Town believes that the creation of the Cortlandt Boulevard East Sewer District is preferable as compared to the creation of a sewer improvement area; and

**WHEREAS**, the Town and the Developer agree that it is now the appropriate time to hold the public hearing as construction is ongoing for Pondview Commons;

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing for the creation of the Cortlandt Boulevard East Sewer District shall be held on August 13, 2019; and

**BE IT FURTHER RESOLVED** that the Town Attorney’s office is directed to draft a notice for the public hearing in compliance with New York Town Law.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**RESOLUTION**

**DRAFT**

NO.

**(AUTHORIZING A PUBLIC HEARING FOR AUGUST 13, 2019 FOR THE CREATION  
OF THE PONDVIEW DRAINAGE DISTRICT)**

**WHEREAS**, the Town has received a Petition and accompanying documents from the developer of Pondview Commons (“Developer”) to extend a drainage district; and

**WHEREAS**, this was contemplated during Pondview Commons’ approval process and in its approval Resolutions; and

**WHEREAS**, the Town believes that the creation of the Pondview Drainage District is preferable as compared to the extension of an existing drainage district; and

**WHEREAS**, the Town and the Developer agree that it is now the appropriate time to hold the public hearing as construction is ongoing for Pondview Commons;

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing for the creation of the Pondview Drainage District shall be held on August 13, 2019; and

**BE IT FURTHER RESOLVED** that the Town Attorney’s office is directed to draft a notice for the public hearing in compliance with New York Town Law.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUE ROSE SHATZKIN  
TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**DRAFT**

**RESOLUTION**

**NO.**

**(AUTHORIZING A PUBLIC HEARING FOR AUGUST 13, 2019 FOR THE  
EXTENSION OF THE WESTCHESTER MALL DRAINAGE DISTRICT)**

**WHEREAS**, the Town has received a Petition and accompanying documents from the developer of Cortlandt Crossing (“Developer”) to extend the Westchester Mall Drainage District to encompass its property; and

**WHEREAS**, this was contemplated during Cortlandt Crossing’s approval process and in its approval Resolutions; and

**WHEREAS**, the Town and the Developer agree that it is now the appropriate time to hold the public hearing as construction is finishing on Cortlandt Crossing;

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing for the extension of the Westchester Mall Drainage District shall be held on August 13, 2019; and

**BE IT FURTHER RESOLVED** that the Town Attorney’s office is directed to draft a notice for the public hearing in compliance with New York Town Law.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted July 16, 2019  
At a Regular Meeting  
Held at Town Hall**

**RESOLUTION**

NUMBER \_\_\_\_\_

**DRAFT**

**(RE: SCHEDULE A PUBLIC HEARING FOR AUGUST 13, 2019 TO CONSIDER REGULATING TRANSIENT AND NON-TRANSIENT USES IN THE TOWN OF CORTLANDT)**

**RESOLVED**, that the Town Board of the Town of Cortlandt, Westchester County, New York will conduct **PUBLIC HEARING** on the 13th day of August, 2019 at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, in the Vincent F. Nyberg General Meeting Room of the Town Hall located at One Heady Street, Cortlandt Manor, New York to consider regulating Transient and Non-Transient uses in the Town of Cortlandt.

All persons interested in this proposed action will be heard at this time, date and place specified above, and written comments in regard thereto should be submitted to the Town Clerk no later than 4:00 pm, of the day of said Public Hearings to be included in the transcript of the proceedings of this hearing.

The Town Hall is a handicapped accessible facility.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROUÉ ROSE SHATZKIN  
TOWN CLERK**

**Adopted July 16, 2019  
At a regular Meeting held  
at the Town Hall**