

RESOLUTION

NUMBER 212-20

**(RE: SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 22, 2020
TO CONSIDER CORTLANDT BOULEVARD RESIDENTIAL
ZONING TEXT AMENDMENTS)**

RESOLVED, that the Town Board of the Town of Cortlandt, Westchester County, New York will conduct **PUBLIC HEARING** on the 22nd day of September, 2020 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, or virtually via Zoom if Executive Order 202 is still in effect, to consider Cortlandt Boulevard Residential Zoning Text Amendments.

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 August 11, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

(RE: NEGATIVE DECLARATION RE: CORTLANDT BOULEVARD ZONING TEXT AMENDMENTS)

WHEREAS, the Town Board of the Town of Cortlandt has expressed its intent to consider, after conducting a Public Hearing hereon, Cortlandt Boulevard Zoning Text Amendments and

WHEREAS, in accordance with the requirements of the New York State Environmental Quality Review Act (“SEQRA”), the Town Board must make a determination as to the Environmental Impact of this proposed action; and

WHEREAS, in accordance with 6 NYCRR, Part 617.6, the Town Board is the only Agency required to approve the proposed action, and is therefore the Lead Agency; and

WHEREAS, a short Environmental Assessment Form has been prepared, signed by the Supervisor, and accepted by the Town Board; and

WHEREAS, the Town Board has duly considered all of the environmental aspects of the proposed action;

NOW, THEREFORE, BE IT RESOLVED, based on a review of the Project, there appear to be no significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that based upon the Environmental Assessment Form submitted to and reviewed by the Town Board, that this is an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon the Environmental Assessment Form, the Town Board of the Town of Cortlandt does hereby **ADOPT** the attached **NEGATIVE DECLARATION** with respect to this matter.

**Adopted on September 22, 2020
At a Regular Meeting
Held via Zoom**

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

Short Environmental Assessment Form

Part 1 - Project Information



Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

DRAFT

Project Number _____

Date: _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The _____ as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

SEQR Status: Type 1 **G**
 Unlisted **G**

Conditioned Negative Declaration: **G** Yes
 G No

Description of Action:

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person:

Address:

Telephone Number:

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

Local Law No. ___ of 2020**(Amending Cortlandt Boulevard Special Permit (§ 307-65.7) in the Zoning Ordinance)****Section 1: Legislative Intent**

The COVID-19 Pandemic has changed the economic landscape internationally, nationally, and locally. Retail and office use had been declining prior to the Pandemic, but the Pandemic has accelerated this change. Local business owners have requested that the Town review its Cortlandt Boulevard Special Permit Section (307-65.7) to expand the ability of Property owners to convert commercial buildings into apartments. The real estate market trends have indicated that demand for rental residential units is higher than the demand for commercial space.

Section 2: Modification of Section 307-65.7 of the Zoning Ordinance

This Local Law shall insert the following language in bold and remove the stricken language from the below:

Cortlandt Boulevard special permit: Along Cortlandt Boulevard (Route 6), any property with frontage thereon, in which the building was once a residential property that has since either been converted or is able to be converted into a commercial building, may upon application to the Department of Technical Services be granted a special permit ~~for up to two one bedroom each accessory dwelling units.~~ **to convert the entire structure for residential use.** These dwelling units shall meet all of the standards of an accessory apartment listed in § 307-45 hereof except that the provisions thereof shall be modified as follows:

- A. No owner occupancy is required.
- B. **No declaration of covenants is required to be filed and the special permit does not expire upon transfer of title or death of the owner.**
- C. No minimum building size shall apply.
- D. The ~~maximum~~ **minimum** size of the apartment shall be ~~1,000~~ **400** square feet. **There is no maximum size limit.**
- E. Apartments shall only be studios or one bedroom. No two-bedroom allowed.
- F. The units must be within the principal structure **with no expansion of the existing structure permitted.**
- G. The exterior appearance of the building shall **be modified, as necessary, to maintain a residential appearance of the structure. Elevation drawings and referral to the Town's Architectural Advisory Council may be requested by the Department of Technical Services during the review of the application.** ~~continue the architectural aspects of the existing building.~~
- H. **1 parking space per unit is required.**
- I. **Directional signage, pavement striping and other details, to the satisfaction of the Director of Technical Services, shall be required to provide safe ingress and egress to all sites subject to this special permit.**
- J. ~~And all~~ All other requirements of § 307-45 **unless specifically modified by this section.**

Section 3:

If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

Section 4:

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

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NO.

(AUTHORIZE STAFF TO CIRCULATE THE TOWN BOARD’S NOTICE OF INTENT TO SERVE AS LEAD AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE PORT PROJECT PROPOSED BY AKRF, INC.)

WHEREAS, during the Fall of 2019, AKRF, Inc. (“AKRF”) requested to appear at a Town Board Work Session to discuss its’ idea for a potential port that would be used to manufacture and distribute components of wind turbines (the “Project”); and

WHEREAS, AKRF originally proposed that the Project be on 20 acres of Town-owned land located in Verplanck, also known as Section 43.13, Block 1, Lot 3 (the “Property”),

WHEREAS, AKRF has now stated that the development could include 54 or more acres; and

WHEREAS, the Property was purchased by the Town for recreation and other municipal purposes from Con Edison, so the Project could only be accomplished via sale of the Property; and

WHEREAS, the Project would require zoning text amendments, zoning map amendments, and the conveyance of the Property to the ultimate owner of the Property, which would be subject to permissive referendum; and

WHEREAS, despite AKRF referring to the Project as Port Cortlandt, the Town of Cortlandt has had no involvement in sponsoring the Project; and

WHEREAS, AKRF has served as an outside consultant for the Town for decades, but the Town of Cortlandt did not solicit AKRF to explore the development of the Project, and has not, and will not, pay AKRF for time it has spent working on the Project; and

WHEREAS, AKRF has stated that there are significant state grants and other financing options available for the Project through the State of New York, which would include the Town receiving the delta between a portion of New York State’s cessation fund established to compensate for the unilateral decision to close the Indian Point Energy Center (“IPEC”) and what IPEC would have paid to the Town as part of its Payment in Lieu of Taxes (“PILOT”) Agreement, if IPEC were still fully operational; and

WHEREAS, the technical memoranda provide projected PILOT payments for an additional five (5) years, and state that future PILOT payments beyond the five (5) years would be based on a variety of factors, including further energy solicitation awards; and

WHEREAS, AKRF has submitted unsolicited technical memoranda to the Town and has requested that the Town begin its' review under SEQRA; and

WHEREAS, there are crucial questions that still need to be addressed by AKRF, including, but not limited to: future PILOT payments; the availability of funds for wind energy despite claims from the State government that the budget has been severely depleted due to the Coronavirus (COVID-19) Pandemic; noise; visual impacts; traffic; and community benefits; and

WHEREAS, AKRF has stated that it understands that there are critical questions, which need to be answered, and that it believes the best way to do this is to commence a review under SEQRA to seek community input; and

WHEREAS, AKRF has sought development partners for the Project including National Resources (the purported developer) and Waterson Terminal Services (the purported port operator); and

WHEREAS, AKRF has stated that there will be another development partner that will actually manufacture wind turbine components, but this partner has not yet been selected; and

WHEREAS, AKRF believes that National Resources would be the party to explore whether recreational or other uses could be developed at the Property; and

WHEREAS, AKRF has proposed a timeline for the Town's review, which given all of the outstanding questions, is unrealistic and differs from the Town Board's timeline to review other projects within the Town; and

WHEREAS, AKRF neither owns the Property, nor has it entered into an agreement with the Town to purchase the Property, which makes AKRF's requests to rezone the Property and to commence the SEQRA process unique; and

WHEREAS, it will take a significant amount of time to review the technical memoranda submitted by AKRF, and the Department of Technical Services ("DOTS") is well suited to oversee the review of the application by consultants, including port and maritime specialists; and

WHEREAS, pursuant to the SEQRA regulations found in the Compilation of Codes, Rules, and Regulations of the State of New York ("NYCRR") and the Town's Zoning Ordinance, AKRF does not have standing to make a request for the Town to review an action for Town-owned Property of which it is not a contract-vendee for; and

WHEREAS, to commence SEQRA, the Town Board itself would need to vote sua sponte to review AKRF's proposed Zoning Map and Text Amendments and the sale of the Property to the developer of the Project; and

NOW, THEREFORE, BE IT RESOLVED, that Town staff is authorized to circulate the Town Board's notice of intent to serve as lead agency pursuant to the State

Environmental Quality Review Act to review: (i) AKRF's request to rezone the Property so that it is entirely within the MD (Designed Industrial) District; (ii) create a new special permit code section to allow the Project to be completed; and (iii) to consider the sale of the Property to the developer of the Project.

BE IT FURTHER RESOLVED that AKRF may continue to complete its consulting assignments that it is currently working on for the Town, but after these current assignments are completed, AKRF cannot be considered for any additional consulting work for the Town of Cortlandt municipal corporation while it is still part of the development/consulting team for the Project to avoid the appearance of a conflict of interest.

BE IT FURTHER RESOLVED that either AKRF or another member of the development team for the Project must fund an escrow of \$100,000 before any further review of the Project commences.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(AUTHORIZE THE RELINQUISHMENT OF THE TOWN'S RIGHTS WITH RESPECT
TO A PORTION OF CORTLAND STREET)**

WHEREAS, pursuant to the survey dated January 30, 2020 from Baxter Land Surveying, P.C. (the "Survey"), a portion of Cortland Street appears within the boundaries of 20 Cross Road (SBL 34.17-2-3) (the "Property"); and

WHEREAS, the portion of Cortland Street appearing on the Property is a paper street of no use to the Town; and

WHEREAS, the owners of the Property have requested that the Town relinquish its rights to make this portion of Cortland Street a public road; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cortlandt relinquishes its rights to make the portion of Cortland Street located within 20 Cross Road a public road; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute a quitclaim deed conveying any rights the Town may have to Road Parcel "B" as shown on the Survey.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE A CONTRACT EXTENSION WITH RESPECT TO SNOW PLOWING / ICE CONTROL AND USE FOR THE 2020-2021 SEASON, BID#19-18)

WHEREAS, the Purchasing Director previously awarded contracts for **SNOW PLOWING / ICE CONTROL AND USE** and:

WHEREAS, said bids were received and opened by the Purchasing Director on **OCTOBER 15TH, 2019, and;**

WHEREAS, the bid did include language allowing for a one year contract extension based on mutual agreement of both parties,

WHEREAS, the following contractors have been awarded and are used on an “as needed” based on cost, seasonal availability of equipment, and equipment proposed.

Casabella Landscaping
182 Lindsey Ave
Buchanan, NY 10511

Manzer’s Landscape Design (alternate)
6 Winchester Ave.
Peekskill, NY 10566

NOW, THEREFORE, BE IT RESOLVED, that a one year extension of the aforementioned contract is hereby authorized.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**RE: (AUTHORIZE A CONTRACT WITH RESPECT TO THE
AFFORDABLE CARE ACT)**

BE IT RESOLVED, that the Town Board of the Town of Cortlandt does hereby authorize a contract with Corporate Plans Inc. at a cost of \$16,000.00 (SIXTEEN THOUSAND) for Affordable Care Act (ACA) Employees Tracking and Reporting services to in compliance with federal regulations.

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

**Adopted September 22, 2020
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NUMBER _____

AUTHORIZING A RENEWAL AND EXTENSION OF THE CORTLANDT HEATING OIL PROGRAM

WHEREAS, in the winter of 2008/2009, the Town established the Cortlandt Heating Oil Program; and

WHEREAS, said program was highly successful in that over 1,700 residents of the Town entered and maintained membership into said program; and

WHEREAS, it is the desire of the Town Board to allow said program to continue for an additional year;

NOW, THEREFORE, BE IT RESOLVED, that the Cortlandt Heating Oil Program as previously established for the 2019/2020 year shall be extended and continued for the 2020/2021 heating season; and

BE IT FURTHER RESOLVED, that anyone who has previously signed up and joined the program will not need to re-register and their names will be carried over without further cost or charge; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Attorney be and hereby are authorized to execute memorandums of understanding with said companies participating in said program.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

RESOLVED, By the Town Board of the Town of Cortlandt, that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NO.

(ADOPTING A REMOTE WORK REQUEST FORM FOR COVID-19 RELATED LEAVE)

WHEREAS, in March 2020, pursuant to the Governor's Executive Orders, the Town of Cortlandt closed its physical facilities to non-essential personnel; and

WHEREAS, in June of 2020, the Town started to phase in its workers, and all workers have been required to work from the office since the end of June; and

WHEREAS, COVID-19 has created childcare issues for working parents employed by the Town of Cortlandt; and

WHEREAS, some of these employees have inquired about working remotely on a more regular schedule in order to take care of their childcare needs; and

WHEREAS, pursuant to guidance from the Federal and State governments, the Town has devised a request procedure which would allow employees able to work remotely to do so on a set schedule to assist them with childcare issues pertaining to COVID-19;

NOW, THEREFORE, BE IT RESOLVED that the Town Board adopts a remote work request form for COVID-19 Related leave.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: AUTHORIZE AGREEMENT WITH THE TOWN OF YORKTOWN
COVERING NUTRITION MEALS UNDER TITLE 3C OF THE OLDER AMERICANS
ACT)**

RESOLVED, that the Supervisor be, and she hereby is, authorized to execute an Inter-Municipal Agreement with the Town of Yorktown on behalf of the Town of Cortlandt; which Agreement authorizes the Town of Yorktown to provide approximately 60 meals to the Town of Cortlandt Nutrition Program under Title 3C of the Older Americans Act, servicing non-homebound seniors; said Agreement to be effective for the period October 1, 2020 to March 31, 2021.

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

**Adopted on September 22, 2020
at a Special Meeting
held via Zoom**

DRAFT

RESOLUTION

NUMBER_____

**(AUTHORIZING A \$5,000 CONTRIBUTION TO THE CEDAR HILL CEMETERY IN
MONTROSE FOR RESTORATION WORK)**

WHEREAS, Tropical Storm Isaias was a catastrophic weather event, which caused significant damage to the Town of Cortlandt and neighboring communities; and

WHEREAS, the Cedar Hill Cemetery (the “Cemetery”) in Montrose received damage, including large, downed tree limbs; and

WHEREAS, remaining, damaged trees will need to be removed; and

WHEREAS, the Cemetery is a non-profit, non-denominational cemetery; and

WHEREAS, the Treasurer for the Cemetery contacted the Town asking for any assistance the Town could provide; and

WHEREAS, if the Cemetery were to ever be abandoned, the Town government would be required to maintain it, so the Town has an interest in ensuring proper care and upkeep for the Cemetery;

NOW, THEREFORE, BE IT RESOLVED that the Town Comptroller is authorized to issue a check for \$5,000 to assist with the cleanup of the Cemetery.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(AUTHORIZING A PARTIAL REIMBURSEMENT OF THE COSTS FOR TREE
REMOVAL)**

WHEREAS, the owner of 176 Westchester Avenue (SBL 43.18-4-16) (the “Property”) uses an undeveloped portion of 9th Street as part of his driveway access; and

WHEREAS, Tropical Storm Isaias caused significant damage in the Town of Cortlandt; and

WHEREAS, a tree fell down in the vicinity of the Property, and there has been a dispute between the landowner and the Town as to who is responsible for the cost of removal; and

WHEREAS, the landowner has obtained an estimate to remove the downed tree for approximately \$1,200; and

WHEREAS, to avoid a further dispute, the Town has agreed to reimburse the landowner for half of the cost of the removal of the tree;

NOW, THEREFORE, BE IT RESOLVED that the Town Comptroller is authorized to issue a check to reimburse the landowner for half of the cost of tree removal upon proof of payment submitted by the landowner.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

RE: (AWARD CONTRACT No. TE 2020.06R CJC COOK POOL TENNIS COURT RESURFACING)

WHEREAS, three (3) sealed bids were received and opened on September 10, 2020 for Contract No. TE 2020.06R – CJC Cook Pool Tennis Court Resurfacing to resurface the tennis courts in the amounts below:

	<u>Base Bid</u>	<u>Alternate Bid</u>
DeRosa Sport Construction 625 Waverly Ave Mamaroneck, NY 10543	\$80,490.00	\$82,035.00*
Sherwani Contracting Inc. 1863 Flatbush Avenue Brooklyn, NY 11210	\$66,200.00	\$117,950.00
Sport-Tech Construction 410 NY-22 Brewster, NY 10509	no bid	\$89,324.00

* Computational/Mathematical Correction

; and

WHEREAS, the Director of Technical Services has reviewed the bids and recommends awarding the ALTERNATE BID to DeRosa Sport Construction, 625 Waverly Ave, Mamaroneck, NY 10543 in the amount of Eighty-Two Thousand Thirty-Five Dollars and No Cents (\$82,035.00).

NOW, THEREFORE, BE IT RESOLVED, that a variance is hereby granted under Section 237-5 of the Town Code and performance and payment bonds may be accepted in Lieu of the normally required Letter of Credit.

BE IT FURTHER RESOLVED, that the contract be awarded to the lowest responsible bidder DeRosa Sport Construction, 625 Waverly Ave, Mamaroneck, NY 10543 in the amount of Eighty-Two Thousand Thirty-Five Dollars and No Cents (\$82,035.00).

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute the contract documents subject to approval of the same by the Town Attorney; and

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

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

**Adopted on September 22, 2020
at a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE DOTS TO REQUEST PROPOSALS FOR A WATER QUALITY ASSESSMENT OF WALLACE POND / WESTCHESTER LAKE)

NOW THEREFORE BE IT RESOLVED, the Department of Technical Services is hereby authorized to prepare a Request for Proposal for a water quality assessment of Wallace Pond and Westchester Lake.

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

**Adopted on September 22, 2020
at a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**RE: (AUTHORIZE VARIOUS CHANGE ORDERS FOR TE CONTRACT 2019.03
CHARLES J. COOK POOL BATH HOUSE)**

WHEREAS, Atlantic Electric, Inc. is the electrical prime contractor for the Charles J. Cook Pool Bath House; and

WHEREAS, multiple change orders were submitted which will result in the contract total exceeding the awarded amount;

WHEREAS, these change orders have been reviewed by the Town's Consultant Architect, Bar Down Studios and Director of the Department of the Technical Services and are recommended.

NOW THEREFORE BE IT RESOLVED, that the aggregate amount of these change orders shall not exceed Twenty Thousand Dollars (\$20,000.00).

BE IT FURTHER RESOLVED, that the Town Comptroller is hereby authorized to amend the budget with respect to the same.

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

**Adopted on September 22, 2020
at a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER_____

(RE: AUTHORIZE THE PURCHASE/LEASE OF DES VEHICLES)

WHEREAS, the Department of Environmental Services has evaluated the Town fleet of vehicles and equipment and recommends the following purchases and reassignments for 2020,

WHEREAS, the Comptroller and Director of the Department of Environmental Services have evaluated the proposed acquisitions and recommend certain vehicles be leased or purchased out of capital funds and/or fund balance; and,

WHEREAS, the following vehicles are currently recommended for **replacement or reassignment** at this time:

- Dual rear axle garbage truck to replace existing main line truck (214)
- Town Hall Sedan Replacement (305)
- Reassign Hybrid Escape to DOTS (602)

NOW THEREFORE BE IT RESOLVED, the Purchasing Director is hereby authorized to procure the following vehicles using existing municipal contracts, the NYS Office of General Services bid system, or accept bids consistent with town policy:

Dual rear axle garbage truck to replace main line truck	\$ 220,000 TOV charge (lease)
Town Hall sedan	\$ 28,000 (DOTS Fund)
DES SUV -	\$ 36,000 (Water Fund)
(2) 5500 Series trucks w/ snow equipment.	\$ 160,000 (Highway Fund)
Utility Trailer for Mini-Excavator	\$ 9,500 (Highway Fund)
Sidewalk snow removal and maint. equipment	\$ 65,000 (Highway Fund)

;and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to amend the budget accordingly to fund the purchases as deemed appropriate from capital and fund balance.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUE SHATZKIN
Town Clerk**

**Adopted on September 22, 2020
at a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

RE: (APPOINT DANIEL BIZZOCO TO THE TITLE OF ASSISTANT ASSESSMENT CLERK IN THE OFFICE OF THE TOWN ASSESSOR)

WHEREAS, the Office of the Town Assessor has a PT vacancy; and

WHEREAS, Councilman Richard Becker, Thomas Waitkins, Town Assessor and Claudia Vahey, Personnel Manager conducted an interview with Mr. Daniel Bizzoco; and

WHEREAS, Mr. Thomas Waitkins, Town Assessor has asked the Town Board to appoint Mr. Daniel Bizzoco to the title of PT Assistant Assessment Clerk; and

WHEREAS, the Town Board has agreed to said request; and

NOW, THEREFORE, BE IT RESOLVED, that Mr. Daniel Bizzoco of 5 Rome Court, Cortlandt Manor, NY be and hereby is appointed to the title of Assistant Assessment Clerk. Mr. Bizzoco will be paid an hourly rate of \$24.46 (3WC-Step 1) and he will work 17 hours per week. This appointment is subject to the successful completion of drug screening and background check.

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

**Adopted on September 22, 2020
at a Regular Meeting
held Via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: AUTHORIZING A LEAVE OF ABSENCE FOR TWO EMPLOYEES IN THE
DEPARTMENT OF D.E.S)**

RESOLVED, that the following employee is hereby approved for a leave of absence under
FLMA effective the following date:

Employee ID # 517020 – Effective 8/17/20 – 10/2/20

Employee ID #92225 – Effective 8/26/20- 10/26/20

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

**Adopted on September 22, 2020
at a Regular Meeting
Held Via Zoom**

RESOLUTION

DRAFT

NUMBER _____

**(RE: AUTHORIZING A LEAVE OF ABSENCE FOR AN EMPLOYEE IN THE
DEPARTMENT OF D.E.S)**

RESOLVED, that the following employee is hereby approved for a leave of absence under
COVID-19 FLMA effective the following date:

Employee ID # 822440 – Effective 9/4/2020 – 11/13/2020

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

**Adopted on September 22, 2020
at a Regular Meeting
Held Via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: AUTHORIZE THE APPOINTMENT OF THE FOLLOWING SEASONAL
EMPLOYEE IN THE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE
YEAR 2020)**

NOW THEREFORE BE IT RESOLVED, the following seasonal employee will be appointed effective September 22, 2020 – December 22, 2020 in the Department of Environmental Services. This appointment is subject to completion of drug screening.

Liam Breen – Department of Environmental Services – Sanitation Division

BE IT FURTHER RESOLVED, all temporary employees in the Department of Environmental Services shall be compensated at an hourly rate of pay of \$14.14.

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

**Adopted on September 22, 2020
at a Regular Meeting
Held Via Zoom**

DRAFT

RESOLUTION

NUMBER_____

(SCHEDULE A PUBLIC HEARING FOR OCTOBER 20, 2020 FOR ZONING TEXT AMENDMENTS)

WHEREAS, the Town has retained an Economic Development Advisor to enhance economic activity within the Town; and

WHEREAS, in consultation with Town staff, there are areas of the Town Code which could be amended to streamline the application process for certain uses; and

WHEREAS, some of these areas include lot line realignments, change of uses, expansion of pre-existing non-conforming uses, and accessory apartments; and

WHEREAS, amendments to the Zoning Map could be made to help potential purchasers understand which properties are located in transitional locations;

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is authorized to advertise a public hearing for Town Code Text Amendments and Zoning Map Amendments for the Town Board's October 20, 2020 Meeting.

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

**Adopted September 22, 2020
At a Regular Meeting
Held via Zoom**