

RESOLUTION

NUMBER 215-20

(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**

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Cortland 09/14/2020

 Name of Lead Agency Date

Linda Puglisi Supervisor

 Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Linda D. Puglisi *JR Shatka*

 Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)

PRINT FORM

APPROVED
 TOWN ATTORNEY
 Date: 9/28/2020



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			
Town Of Cortlandt			
Name of Action or Project: Local Law 3 of 2020 - Cortlandt Boulevard Zoning Text Amendments			
Project Location (describe, and attach a location map): N/A			
Brief Description of Proposed Action: Amendment of existing Special Permit to allow conversion from commercial to residential.			
Name of Applicant or Sponsor: Town of Cortlandt		Telephone: 914.734.1020 E-Mail: townclerk@townofcortlandt.com	
Address: 1 Heady Street			
City/PO: Cortlandt Manor		State: NY	Zip Code: 10567
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"/>
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:			YES <input checked="" 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			NO <input type="checkbox"/>
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, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<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"/>	
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 <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> 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"/>
19. 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: <u>Laroue Rose Shatzkin</u> Date: <u>09/14/2020</u>		
Signature: <u></u> Title: <u>Town Clerk</u>		

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

Project Number N/A

Date: 09/22/2020

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 Town Board of the Town of Cortlandt 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:

Cortlandt Boulevard Zoning Text Amendments (Local Law 3 of 2020, Amending Cortlandt Boulevard Special Permit)

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Amendment of existing Special Permit to allow conversion from commercial to residential units.

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

Cortlandt Boulevard, Town of Cortlandt

Reasons Supporting This Determination:

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

Only includes minor physical changes to existing buildings.

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: Laroue Rose Shatzkin, Town Clerk

Address: 1 Heady Street, Cortlandt Manor, NY 10567

Telephone Number: 914.734.1020

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)

RESOLUTION

NUMBER 216-20

(RE: LOCAL LAW AMENDING CORTLANDT BOULEVARD SPECIAL PERMIT (§ 307-65.7) IN THE ZONING ORDINANCE)

RESOLVED, that the Town Board of the Town of Cortlandt does hereby adopt Local Law No. 3 of 2020.

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

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

Local Law No. 3 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**

RESOLUTION

NUMBER 217-20

(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**

RESOLUTION

NUMBER 214-20

**(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**

RESOLUTION

NUMBER 219-20

(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**

RESOLUTION

NUMBER 220-20

**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**

RESOLUTION

NUMBER 221-20

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
LAROUE ROSE SHATZKIN
TOWN CLERK**

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

RESOLUTION

NUMBER 222-20

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**

**Retention and
Disposition Schedule
for New York Local
Government Records
(LGS-01)**

2020



*New York State
Archives*



***RETENTION AND DISPOSITION SCHEDULE
FOR NEW YORK***

LOCAL GOVERNMENT RECORDS (LGS-1)

Section 185.15, 8NYCRR (Appendix L)

FOR USE BY

CITIES

TOWNS

VILLAGES

FIRE DISTRICTS

COUNTIES

SCHOOL DISTRICTS

BOARDS OF COOPERATIVE EDUCATIONAL SERVICES

TEACHER RESOURCE AND COMPUTER TRAINING CENTERS

COUNTY VOCATIONAL EDUCATION AND EXTENSION BOARDS

MISCELLANEOUS LOCAL GOVERNMENTS

**The University of the State of New York
THE STATE EDUCATION DEPARTMENT
New York State Archives
2020**

THE UNIVERSITY OF THE STATE OF NEW YORK

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Interim Commissioner of Education and President of The University

SHANNON TAHOE

Assistant Commissioner for Archives and State Archivist

THOMAS J. RULLER

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PURPOSE

This *Retention and Disposition Schedule for New York Local Government Records* indicates the minimum length of time that local government officials must retain their records before they may be disposed of legally. It consolidates and revises *Records Retention and Disposition Schedules CO-2, MU-1, MI-1, and ED-1*. It has been prepared and issued by the State Archives, State Education Department, pursuant to Section 57.25 of the Arts and Cultural Affairs Law, and Part 185, Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*.

The purposes of this Schedule are to:

- 1) ensure that records are retained as long as needed for administrative, legal and fiscal purposes;
- 2) ensure that state and federal record retention requirements are met;
- 3) ensure that records with enduring historical and other research value are identified and retained permanently; and
- 4) encourage and facilitate the systematic disposal of unneeded records.

ABOUT THIS SCHEDULE

This *Retention and Disposition Schedule for New York Local Government Records* provides a single, consolidated resource for all types of local governments to consult to determine the retention period for records they create. There are no longer separate retention schedules for different types of local governments. By consolidating multiple, disparate retention schedules, this schedule helps to ensure consistent retention and disposition guidance for records that are common to multiple types of local governments. This consolidated Schedule also facilitates modifications to retention periods when there are changes to laws, regulations or other mandates that affect retention.

PREVIOUS SCHEDULES SUPERSEDED

Retention and Disposition Schedule for New York Local Government Records supersedes and replaces *Schedules CO-2, MU-1, MI-1, and ED-1*, previously issued by the State Archives. **The consent of the Commissioner of Education to use these schedules is withdrawn, and they may not be used to dispose of records.** The governing body must utilize this *Retention and Disposition Schedule for New York Local Government Records* in order to dispose of any records.

**The remaining 400 pages of this document are on file in the
Office of the Town Clerk**

RESOLUTION

NUMBER 223-20

(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**

**REMOTE WORK REQUEST FORM
FOR COVID-19 RELATED LEAVE**

Effective for requests made through December 31, 2020

Name (please print): _____

Department: _____

Employee Title/Position: _____

Employee Manager: _____

Requested Leave Time (attach a separate sheet, if necessary):

By executing below, I agree that I am requesting to work remotely as described in the lines above, and I certify the following:

1. My child's school or other place of care has been closed due to COVID-19.
2. I do not have other reasonable childcare alternatives.
3. As evidenced by my Manager's signature below, my manager and I have agreed to a plan that will allow me to work remotely.
4. I have all of the equipment needed to work remotely, and there are no other issues which will prevent me from completing the same tasks remotely as I would complete in the office.
5. I understand that not all Town of Cortlandt employees are eligible for remote working, and should any performance or other issues arise, the Town of Cortlandt can immediately require me to return to the office and prohibit further remote working.

Employee Signature: _____

Date: _____

Manager Signature: _____

Date: _____

RESOLUTION

NUMBER 224-20

**(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**

RESOLUTION

NUMBER 225-20

(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
LAROUE ROSE SHATZKIN
TOWN CLERK**

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

RESOLUTION

NUMBER 226-20

**(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
LAROUE ROSE SHATZKIN
TOWN CLERK**

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

RESOLUTION

NUMBER 227-20

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
LAROUE SHATZKIN
TOWN CLERK**

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

RESOLUTION

NUMBER 228-20

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**

RESOLUTION

NUMBER 229-20

**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**

RESOLUTION

NUMBER 230-20

RE: (AUTHORIZE DEPARTMENT OF TECHNICAL SERVICES TO CLEAN UP VARIOUS ZOMBIE PROPERTIES)

RESOLVED, that the Director of the Department of Technical Services is authorized to have various Zombie Properties cleaned up at a cost not to exceed Ten Thousand (\$10,000.); and

BE IT FURTHER RESOLVED, the cost of such cleanup shall be placed as a tax lien against each property, 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
LAROUE SHATZKIN
TOWN CLERK**

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

RESOLUTION

NUMBER 231-20

(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
LAROU SHATZKIN
TOWN CLERK**

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

RESOLUTION

NUMBER 232-20

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**

RESOLUTION

NUMBER 233-20

**(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

NUMBER 234-20

**(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**

RESOLUTION

NUMBER 235-20

(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**

RESOLUTION

NUMBER 236-20

(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**

RESOLUTION

NUMBER 237-20

(RE: AWARD OF CONTRACT FOR HVAC SERVICES TO CLEAN AIR QUALITY SERVICE, INC. 161 BRADY AVE., HAWTHORNE, NEW YORK, 10532)

WHEREAS, bids were received on Thursday, September 10th, at 2:00 PM, for HVAC Services (Bid #20-11); and

WHEREAS, the Director of Environmental Services has reviewed the bids, and recommends awarding a contract to CLEAN AIR QUALITY SERVICE, INC., 161 BRADY AVE. HAWTHORNE, NY, 10532 and

NOW, THEREFORE, BE IT RESOLVED, that the contract is hereby awarded to Clean Air Quality Service, and

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

**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**

RESOLUTION

NUMBER 238-20

**(AUTHORIZING THE SETTLEMENT OF A
TAX CERTIORARI 2008 CROMPOND ROAD REALTY CORP.)**

WHEREAS, Crompond Road Realty Corp. filed a tax certiorari for the years 2014, 2015, 2016, 2017 and 2018; and

WHEREAS, after discussions and review with the Town Assessor it was deemed that a reduction in the roll would be appropriate; and

WHEREAS, it is necessary to review and approve this reduction;

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney be and hereby is authorized to execute a Consent Judgment and Stipulation of Settlement with respect to the above referenced tax certiorari proceedings as follows:

Tax Map No.: 33.8, Block 5, Lot 23

Assess. <u>Year</u>	Assessed Valuation		<u>Amount of Reduction</u>
	<u>Reduced From</u>	<u>Reduced To</u>	
2014	\$8,550	\$6,580	\$1,970
2015	\$8,550	\$6,440	\$2,110
2016	\$8,550	\$5,985	\$2,565
2017	\$8,550	\$5,950	\$2,600
2018	\$8,550	\$5,775	\$2,775

BE IT FURTHER RESOLVED, that upon approval of the Justice of the Supreme Court, all appropriate steps will be taken by the appropriate Town Officials to effectuate the changes herein.

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

**Adopted September 22, 2022
At a Regular Meeting
Held Via Zoom**

RESOLUTION

NUMBER 239-20

BOND RESOLUTION DATED SEPTEMBER 22, 2020.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$500,000 BONDS OF THE TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF REPLACEMENT OF THE BATH HOUSE AT THE CHARLES J. COOK RECREATION CENTER IN AND FOR SAID TOWN.

WHEREAS, the Town Board of the Town of Cortlandt, Westchester County, New York (the "Town"), on December 10, 2019, duly adopted a bond resolution authorizing the issuance of \$3,500,000 bonds of said Town to pay the cost of the replacement of the bath house at the Charles J. Cook Recreation Center in and for the Town of Cortlandt, Westchester County, New York, including incidental improvements and expenses; and

WHEREAS, said capital project described has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; and

WHEREAS, it has now been determined that the maximum estimated cost of such object or purpose is \$4,000,000, an increase of \$500,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$500,000 bonds of said Town for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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 revised plan of financing for the replacement of the bath house at the Charles J. Cook Recreation Center is set forth below:

- a) By the issuance of the \$3,500,000 bonds of said Town authorized to be issued pursuant to a bond resolution dated December 10, 2019; and

- b) By the issuance of an additional \$500,000 bonds of said Town hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 11(b) 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 3. 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 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. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. 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 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. 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 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. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated 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 9. **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:

Supervisor Linda Puglisi VOTING Aye

Councilman Richard Becker VOTING Aye

Councilwoman Debra Carter VOTING Aye

Councilman James Creighton VOTING Aye

Councilman Frank Farrell VOTING Aye

The resolution was thereupon declared duly adopted.

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RESOLUTION

NUMBER 240-20

**(AUTHORIZE THE RENEWAL OF AN IMA WITH WESTCHESTER COUNTY FOR
SOLID WASTE AND RECYCLABLES DISPOSAL)**

WHEREAS, the Town of Cortlandt and the County of Westchester have maintained an agreement to efficiently operate the District's Solid Waste Disposal System; and

WHEREAS, the Town of Cortlandt is desirous of renewing the IMA for an additional 5 year period,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Cortlandt is authorized to execute the IMA on the Town's behalf, and

BE IT FURTHER RESOLVED, that the Town Clerk will forward a certified version of this Resolution on to the Westchester County Department of Environmental Facilities.

**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**

RESOLUTION

NUMBER 241-20

(RE: AUTHORIZE INSTALLATION OF A NEW HANDICAPPED PARKING SPACE ON 6TH STREET.)

WHEREAS, The Director of the Department of Environmental Services has evaluated the request for one handicapped space from the resident at 140 Westchester Avenue; and

WHEREAS, after an evaluation, the Department has no objection to providing one handicapped designated space as requested at their driveway entrance on 6th Street,

NOW, THEREFORE, BE IT RESOLVED, that the Department of Environmental Services is authorized to install new pavement markings and signage as required.

ALSO BE IT RESOLVED, that the Town Comptroller is authorized to amend the 2020 budget to fund the project as deemed necessary.

**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 at the Town Hall**

RESOLUTION

NUMBER 242-20

**AUTHORIZING THE USE OF TOWN PROPERTY FOR A SOCIALLY DISTANT
TRUNK-OR-TREAT EVENT**

WHEREAS, a resident of the Town has requested the use of the Muriel Morabito Community Center parking lot for a socially-distanced “Trunk-or-Treat” event; and

WHEREAS, said resident has outlined that this event will follow NYS COVID-19 guidelines for crowd limits, safety measures and social distancing;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt does hereby authorize use of the Muriel Morabito Community Center parking lot on October 24th from 12pm to 4pm; and

BE IT FURTHER RESOLVED, that the Legal Department is directed to prepare any necessary legal paperwork for the event.

**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**

RESOLUTION

NUMBER 243-20

At a meeting of the Town Board of the Town of Cortlandt, Westchester County, New York, held via Zoom, on the 22nd day of September, 2020, at 7 o'clock P.M., Prevailing Time.

PRESENT:

Linda Puglisi
Supervisor

Richard Becker
Councilman

Debra Carter
Councilwoman

James Creighton
Councilman

Frank Farrell
Councilman

-----:
:
In the Matter :
of :
The Increase and Improvement :
of Facilities of the Dickerson Pond :
Sewer District in the Town of :
Cortlandt, Westchester County, :
New York :
:
:
-----:

ORDER
CALLING
PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Cortlandt, Westchester County, New York, has received a plan and report, including an estimate of cost, pursuant to Section 202-b of the

Town Law, relating to the increase and improvement of the facilities of the Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York, consisting of the purchase of the assets of Valeria Sewerage Works Corporation, being the sewage treatment and collection system, and costs incidental thereto, at a maximum estimated cost to the District of \$1,900,000; and

WHEREAS, all proceedings required under the State Environmental Quality Review Act have been satisfied; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Cortlandt, Westchester County, New York, as follows:

Section 1. A public hearing will be held via Zoom due to restrictions related to the COVID-19 Pandemic or at the Town Hall, in Cortlandt Manor, New York, in said Town, on October 20, 2020, at 7 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper of the Town, and also to cause a copy thereof to be posted on the sign board of the Town, such

publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

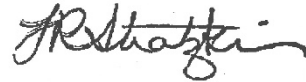
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cortlandt, Westchester County, New York, will meet via Zoom due to restrictions related to the COVID-19 Pandemic or at the Town Hall, 1 Heady Street, in Cortlandt Manor, New York, in said Town, on October 20, 2020, at 7 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increase and improvement of the facilities of the Dickerson Pond Sewer District in said Town, consisting of the purchase of the assets of Valeria Sewerage Works Corporation, being the sewage treatment and collection system, and costs incidental thereto, at a maximum estimated cost of \$1,900,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Cortlandt Manor, New York,
September 22, 2020.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT,
WESTCHESTER COUNTY, NEW
YORK



Town Clerk

Section 4. This Order shall take effect immediately. The question of the adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Linda Puglisi	VOTING	Recused
Councilman Richard Becker	VOTING	Aye
Councilwoman Debra Carter	VOTING	Aye
Councilman James Creighton	VOTING	Aye
Councilman Frank Farrell	VOTING	Aye

The order was thereupon declared duly adopted.

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