

Local Law No. ___ of 2020**(Omnibus Town Code and Zoning Map Amendments to Facilitate Economic Development and Enhance Residential Property Usage)****Section 1: Legislative Intent**

While enforcing the Town Code, Town staff discovered issues that routinely arise. In order to help Cortlandt get back to work from the effects of the COVID-19 Pandemic, Town staff members have proposed ways to simplify zoning for both residents and potential economic development applicants. The Town has also hired an economic development consultant who has spoken with numerous potential applicants about ways to streamline the approval process. The Town has determined that there are certain applications before the Planning Board and Zoning Board of Appeals, which are effectively pro forma, and are generally approved without many comments from the Board members due to the nature of the applications. While still subject to staff review, these applications will no longer be reviewed by the various Boards. This will reduce the time and costs needed to bring these projects to fruition, and will promote economic development.

Section 2: Modification to Lot Line Adjustment Provisions

Lot line adjustment are when applicants seek to move a property boundary with a neighboring parcel, but do not propose to create a new lot. Currently, lot line adjustments must appear before the Planning Board. To streamline the process, the following changes are made to Section 265-13(D) of the Town Code (additions in **bold**, deletions ~~stricken~~):

Upon receipt of a proper application, ~~and fee for subdivision approval,~~ and a survey illustrating existing and proposed lot lines, a lot line adjustment between two (2) lots, **which does not create a new lot, shall be reviewed internally by the Department of Technical Services, the Town Assessor's Office, and the Town Attorney's Office. Planning Board review shall only be required if any lot increases or decreases in size by more than five (5) acres. All submitted surveys must show existing subsurface sanitary systems and potable wells if not serviced by municipal water.** ~~may be exempted by resolution of the Planning Board from all other procedures and standards otherwise required by this chapter if such adjustment neither creates any additional lot, results in any lot's becoming substandard nor increases or decreases any lot area by more than twenty percent (20%) or twenty thousand (20,000) square feet of its original lot area.~~

Section 3: Modification to Accessory Apartment Provisions

Section 307-45 provides the Special Permit requirements for accessory apartments in the Town. Each time there is a change in ownership or a change in the residence of the owner, there must be a new application before the Planning Board. It is in the community's best interest to have a public hearing on an initial special permit application. Requiring subsequent public hearings on

previously approved applications has not proven to be meritorious. Thus, the following changes are made to Section 307-45(B)(7) of the Town Code (additions in **bold**, deletions ~~stricken~~):

Should there be a change in ownership or a change in the residence of the owner, ~~the special permit use for the accessory apartment shall become null and void~~ **a new application is required to be submitted to the Department of Technical Services to continue the use of the accessory apartment.**

Section 4: Modification to Which Applications Must Receive Planning Board Approval

Due to business cycles, the Town has noticed that stores, such as those in the Cortlandt Town Center, have new tenants from time to time. Currently, whenever a new use is proposed, an applicant must appear before the Planning Board, even if the only changes are internal configurations. These applications are still reviewed by the Department of Technical Services in addition to the Planning Board. In most communities, these types of internal changes are not reviewed by the Planning Board unless actual changes to the site itself are occurring or there is an increase in demand for parking.

Through smart planning, the Town has historically had several thriving shopping centers, primarily located on the Route 6/Cortlandt Boulevard corridor. The Town has a vested interest in maintaining the strength of these shopping centers, and this goal is in conformance with the Town's 2016 Sustainable Comprehensive Plan.

The following changes are made to Section 307-66(A) of the Town Code (additions in **bold**, deletions ~~stricken~~):

Site development plan approval by the Planning Board shall be required for the erection or enlargement of all buildings other than one- or two-family residences in all districts; **and** for all commercial, industrial and other nonresidential uses of land where no building is proposed, ~~for changes of use from one manufacturing use to another and for changes in use as defined by this chapter.~~

Changes of use with respect to plans previously approved by the Planning Board do not need to obtain amended site plan approval unless: site work is necessary pursuant to state and local codes; the applicant proposes discretionary site work exceeding 5% of the entire size of the applicant's lot; the proposed application will result in a shortage of parking spaces; or when a committee composed of representatives of the Town's engineering, planning, and legal staff believe that amended site plan approval is necessary based on an increase in the intensity of use or any significant changes to the criteria listed in § 307-73 of the Town Code. Intensity of use as used in this section is when tenant spaces are combined or modified resulting in excess of a

200% increase in gross floor area of a single tenant space. Referral to the Westchester County Department of Health is required on sites serviced by onsite waste water treatment systems.

Section 5: Modification to Non-Conforming Bulk and Use Provisions

Residents of single-family homes on non-conforming lots have often needed to appear before the Zoning Board of Appeals for minor changes to their properties. This led the Town Staff to re-examine the relevant Town Code provisions to assist residents with completing minor work, such as adding decks, which create no additional nonconformities. In addition, the Town Board desires to clarify non-conforming use provisions to prevent commercial and industrial uses from impacting the character of residential neighborhoods. The following changes are now made to Article XII “Nonconforming Uses and Structures” of the Zoning Ordinance (additions in **bold**, deletions ~~stricken~~):

§ 307-77. Nonconforming use of land.

Except as otherwise provided in this chapter, the lawful use of land existing at the time of adoption of this chapter or its predecessor may be continued although such use does not conform to the regulations specified by this chapter for the district in which such land is located; provided, however, that no such nonconforming use shall be ~~enlarged or increased, nor shall any nonconforming use be~~ extended to occupy a greater area of land than that occupied by such use at the time of the adoption of this chapter, nor shall any such nonconforming use be moved, in whole or in part, to any other portion of the lot or parcel of land occupied by such nonconforming use at the time of the adoption of this chapter or its predecessor; provided, further, that if any such nonconforming use of land ceases for any reason for any continuous period of ~~not less than~~ **or more**, any subsequent use of such land shall be in conformity with the regulations specified by this chapter for the district in which such land is located.

§ 307-78. Nonconforming use of buildings.

Except as otherwise provided in this chapter, the lawful use of a building existing at the time of the adoption of this chapter or its predecessor or a structure as provided for in § 307-96 of this chapter, although such use does not conform to the regulations specified by this chapter for the district in which such building is located, may be continued. ~~Any such use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of the adoption of this chapter, but no such use shall be extended to occupy any land outside such building. If no structural alterations are made, a nonconforming use of a building may be~~

~~changed to another nonconforming use which, in the opinion of the Zoning Board of Appeals, either by general rule or on a specific finding in a particular case, is of the same or of a more restricted nature. The Zoning Board of Appeals must find that such change of use is not substantially more detrimental to the neighborhood than the existing nonconforming use. In making the finding that the change in use will not be substantially more detrimental, the Zoning Board of Appeals shall consider, without limitation, impacts upon the following: traffic volumes, parking adequacy, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, shading, visual effects and neighborhood character.~~

§ 307-79. Effect of cessation of nonconforming use of building.

If any nonconforming use of a building ceases for any reason for a continuous period of ~~not less than~~ one year **or more** or if the building in or on which such use is conducted or maintained is moved for any distance, then any future use of such building shall be in conformity with the regulation specified by this chapter for the district in which such building is located. If any building in or on which any nonconforming use is conducted or maintained is hereafter removed, the subsequent location and use of any building thereon shall be in conformity with the regulations specified by this chapter for the district in which such land is located.

§ 307-80. Enlargement or alteration of nonconformities ~~prohibited.~~

No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations specified by this chapter for the district in which such building is located shall be enlarged, extended, reconstructed, structurally altered or moved unless such use is changed to a use permitted under the regulations specified by this chapter for the district in which said building is located; provided, however, that work may be done ~~in any period of 12 months~~ on ordinary repairs or on repairs or replacements of nonbearing walls, fixtures, wiring or plumbing. ~~to an extent not exceeding 25% of the full value of the building as determined by applying to the assessed value thereof (according to the assessment thereof by the Assessor of the Town for the year in which such work is done) the ratio of full to assessed value as determined by the Westchester County Tax Commission for equalized valuation;~~ provided that the cubical content of the building as it existed at the time of the passage of this chapter shall not be increased and provided, further, that nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by the Director of

~~Code Administration and Enforcement and by him ordered to be strengthened or restored to a safe condition, unless such building has been destroyed to an extent of more than 50% of the full value thereof, determined as aforesaid.~~

§ 307-81 Dimensionally nonconforming structures containing conforming use.

A dimensionally nonconforming structure containing a conforming use may be enlarged, extended, reconstructed or restored **as of right subject to the property owner obtaining all necessary permits** (except as otherwise provided herein), provided that such action would not increase the degree of any existing dimensional nonconformity nor create any new nonconformity with respect to the requirements set forth in this chapter. **This provision only applies to residential uses.** ~~If at any time any building or self-contained portion thereof in existence or maintained at the time of the adoption of this chapter which does not conform to the dimensional requirements for the district in which it is located shall be destroyed by any means to an extent of more than 50% of the full value thereof, determined as aforesaid, or if such building is moved for any reason for any distance whatever, then in any such event said building and the land on which said building was located or maintained shall, from and after the date of said destruction or moving, be subject to the dimensional requirements for the district in which such land and buildings are located. Any existing building or other structure which is made nonconforming as to dimensional requirements by a taking of land by the federal, state, county or local government shall be considered conforming, however, any new structures or additions to existing structures shall conform to all dimensional requirements. For the purposes of this section, the term "dimensional requirements" shall mean the requirements of this chapter for height, yards and building coverage.~~

Section 6: Amendments to Provisions Pertaining to Front Yards

Certain residential properties are located on corner lots, which means that they likely will have multiple front yards. This severely limits a property owner's ability to use at least two of its yards due to restrictions as to what can be placed in front yards. Certain types of accessory residential structures could be appropriately sited in front yards without any aesthetic detriment to the property. Amending the Town Code would also eliminate certain logical inconsistencies, and would allow the residents to more fully enjoy their properties. To ameliorate recurring issues with corner lots and other uniquely configured lots, the following changes are now made to Section 307-4: Definitions (additions in **bold**):

LOT, CORNER

A lot at the intersection of and abutting on two or more intersecting streets or highways, as said term appears in § 280-a of the New York State Town Law, ~~when the interior angle of intersection of the lines dividing the lot from the street or highway does not exceed 135°. A lot abutting a curved street or highway shall be deemed a "corner lot" if the angle of intersection determined by extending the lines dividing the lot from the streets is not more than 135°.~~ **The setbacks in a Side Yard with frontage on a street or highway of a Corner Lot shall be double those of the underlying Zoning District.** See "lot line, front."

LOT LINE, FRONT

~~A~~ **The** lot line which separates a lot's **front yard** from a street or highway right-of-way. ~~In the case of a corner lot or a double frontage lot, all lines which separate the lot from abutting streets or highways shall be considered "front lot lines."~~

YARD, FRONT

~~A yard extending across the full width of the lot and~~ **The yard** lying between the front lot line and the nearest line of the building **primary access point to the main entrance of the Principal Building. Each lot shall only have one front yard.** See "lot line, front."

Section 7: Denoting Transitional Locations on the Zoning Map

A Transitional Location is defined in Section 307-4 of the Zoning Ordinance as, "[a] lot in a residential district whose side lot line is contiguous for at least one-half (1/2) of its length with a lot in a commercial or industrial district or a lot in a residential district whose front lot line is directly across a street for more than one-half (1/2) its length from a commercial or industrial district." (Town Code, § 307-4). In certain zoning districts, two-family dwellings and business or professional offices are permitted in transitional locations pursuant to a special permit. Town staff often receive questions from potential applicants asking if a property is in a transitional location and believe that adding a special denotation for transitional locations on the Zoning Map would be prudent.

The Town Board approves transitional locations receiving their own designation on the Town Zoning Map.

Section 8:

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 9:

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 November 10, 2020
At a Regular Meeting
Held at Town Hall**

DRAFT

DRAFT

RESOLUTION

NUMBER _____

RE: Town Board Work Sessions and Official Meetings for 2021

MONDAY WORKSESSION 7:00 PM	MONDAY WORKSESSION 7:00 PM	MONDAY WORKSESSION (ISSUES ONLY) 7:00 PM	TUESDAY TOWN BOARD MEETING 7:00 PM
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January 4	January 11	January 25	January 12
February 1	February 8	February 22	February 9
March 8	March 15	March 22	March 16
April 5	April 12	April 19	April 13
May 3	May 10	May 17	May 11
June 7	June 14	June 21	June 15
July 12	July 19	--	July 20
August 2	August 9	--	August 10
September 13	September 20	September 27	September 21
October 4	October 18	October 25	October 19
November 1*	November 8	November 15	November 9
December 6**	December 13	--	December 14

All meetings will take place in the Vincent F. Nyberg General Meeting Room of the Town Hall, unless notified in advance of a change of location.

* Special Town Board Meeting to Receive & File 2022 proposed budget

** Town Board Meeting and Budget Public Hearing for 2022 budget

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

**Adopted on November 10, 2020
At a Regular Meeting Held
at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

**(AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL
AGREEMENT WITH WESTCHESTER COUNTY FOR MUTUAL AID AND RAPID
RESPONSE)**

WHEREAS, the Town of Cortlandt has a mutual aid agreement with Westchester County for emergency services; and

WHEREAS, this agreement requires municipalities to make police personnel and equipment available to other municipalities in emergency situations; and

WHEREAS, this agreement needs to be renewed from time to time;

NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor is authorized to execute an IMA with Westchester County for mutual aid and rapid response subject to the approval of the agreement by the Town Attorney's Office.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER_____

(AUTHORIZING THE SUPERVISOR TO EXECUTE AN OCCUPANCY LICENSE AND ACCESS AGREEMENT WITH NEW YORK PRESBYTERIAN HUDSON VALLEY HOSPITAL (“NYPHV”))

WHEREAS, the Town of Cortlandt operates the Paramedic Emergency Response Services Program providing advanced life support (“ALS”) (“Paramedics”); and

WHEREAS, the Paramedics were previously housed in a dilapidated trailer, which was inadequate for the important services they provide; and

WHEREAS, NYPHV is allowing the Paramedics space in the Hospital’s birthing cottage to operate until a permanent home is ready for the Paramedics; and

WHEREAS, NYPHV and the Town have agreed in principle for NYPHV to donate the Toddville building located at 3 Locust Avenue to the Town to house the Paramedics; and

WHEREAS, as part of the potential donation, the Town has obtained a consultant to assess remediation costs associated with creation of a permanent home for the Paramedics; and

NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor is authorized to execute an Occupancy License agreement with NYPHV on behalf of the Town to allow the Paramedics to temporarily be housed in the Birthing Cottage at the Hospital.

BE IT FURTHER RESOLVED that the Town Supervisor or designee is authorized to execute an Access Agreement with NYPHV to allow the Town’s remediation consultant access to 3 Locust Avenue.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NO.

**(AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH
AUCTIONS INTERNATIONAL, INC. FOR EXCESS EQUIPMENT)**

WHEREAS, the Town of Cortlandt has a system in which it replaces older equipment in its Department of Environmental Services (“DES”); and

WHEREAS, the excess equipment still has potential use for other companies or municipalities; and

WHEREAS, the Town can increase its revenue by auctioning excess equipment;

NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor is authorized to execute a contract with Auctions International, Inc. to sell excess equipment subject to the approval of the agreement by the Town Attorney’s office.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: AUTHORIZE BUDGET TRANSFERS AND AMENDMENTS AND CLOSE
CERTAIN CAPITAL PROJECTS TO THE 2020 FISCAL BUDGET)**

RESOLVED, that the Town Comptroller be, and hereby is, authorized to make necessary adjustments to the Fiscal 2020 Budget to reflect the receipt of all transfers of funds, and further analysis of the Fiscal 2020 year; and

BE IT FURTHER RESOLVED, that the Town Comptroller will provide the Town Board and the Town Clerk during the month of January, 2021, a detailed substantiation for all such transfers and/or amendments made during this period; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby Authorized to close out any Capital Project Funds and return them to their original source if appropriate.

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

**Adopted on November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

(RE: UPDATE DESIGNATION OF TOWN DEPOSITORIES FOR 2020)

WHEREAS, under Section 64 of the Town Law, it is provided that the Town Board designate, by written resolution, the Banks or Trust Companies in which the Town Officials shall deposit the monies coming into their offices:

NOW, THEREFORE, BE IT RESOLVED, that the following banks be, and the same hereby are, designated as **DEPOSITORIES** in which the Supervisor, Comptroller, Town Clerk and Receiver of Taxes of this Town shall deposit monies coming into their hands by virtue of their offices:

CHASE BANK – CORTLANDT MANOR, AMBERLANDS -CROTON-ON-HUDSON, PEEKSKILL, N.Y.

BANK OF AMERICA - YORKTOWN, N.Y.

KEY BANK– 3000 EAST MAIN ST., CORTLANDT MNR., N.Y.

WELLS FARGO - CROTON-ON-HUDSON, NY

PUTNAM COUNTY SAVINGS BANK – JEFFERSON VALLEY, N.Y.

TOMPKINS MAHOPAC BANK – PUTNAM VALLEY OR OSSINING, N.Y.

ORANGE BANK & TRUST – CORTLANDT MANOR, NY

AND, BE IT FURTHER RESOLVED, that this resolution be entered in full in the official proceedings of this meeting and said resolution shall become effective November 10, 2020.

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

**Adopted on November 10, 2020
at a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(AUTHORIZING THE EXTENSION OF EXPIRING BOILER, CRIME, AND CYBER
POLICIES TO FEBRUARY 28, 2021)**

WHEREAS, the Town of Cortlandt has numerous insurance policies; and

WHEREAS, its boiler, crime, and cyber insurance policies are set to expire on
December 31, 2020; and

WHEREAS, its general liability policy expires February 28, 2021; and

WHEREAS, it works better administratively for the Town Attorney's Office and
Comptroller's Office for all of the Town's insurance policies to expire on the same day;

NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor is
authorized to execute any documents needed to extend all of the Town's insurance policies through
February 28, 2021; and

BE IT FURTHER RESOLVED that the Town Comptroller is authorized to issue
any necessary payments to extend the Town's insurance policies to February 28, 2021.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER_____

(RECOGNIZING THE CELEBRATION OF JUNETEENTH)

WHEREAS, Juneteenth is the commemoration of the ending of slavery in the United States; and

WHEREAS, it is a celebration of when Major General Gordon Granger from the Union marched to Texas with thousands of federal troops to announce that all slaves were freed; and

WHEREAS, the Town recognizes and celebrates the cultural and historical significance of this holiday; and

WHEREAS, Governor Cuomo signed legislation S.8598/A.10628 designating Juneteenth as an official public holiday in New York State;

NOW, THEREFORE, BE IT RESOLVED that Town employees will now receive an additional paid holiday for Juneteenth.

BE IT FURTHER RESOLVED that any employees required to work on Juneteenth because they perform essential services will be credited with an additional vacation day.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER_____

(AUTHORIZING THE TOWN TO CONTRIBUTE \$1,000 TO ROMAN CATHOLIC CHURCH OF SAINT CHRISTOPHER AND SAINT PATRICK, SUCCESSOR BY MERGER WITH THE CHURCH OF ST. PATRICK (“CHURCH”) FOR VETERANS MEMORIAL)

WHEREAS, the Town received a letter from Rev. George Oonnoony asking that the Town contribute for the creation of a Veterans Memorial area in St. Patrick’s Cemetery in Verplanck; and

WHEREAS, New York Town Law allows the Town to make appropriations used to honor Veterans; and

WHEREAS, the Town Board holds Veterans in the highest regard and has numerous events for Veterans each year;

NOW, THEREFORE, BE IT RESOLVED that the Town Comptroller is authorized to issue payment in the amount of \$1,000 to the Church for the creation of a Veterans Memorial area in St. Patrick’s Cemetery open to all Town residents.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

(OPPOSE DANSKAMMER POWER PLANT PROPOSAL)

WHEREAS, Danskammer Energy, LLC (" Danskammer"), seeks a permit through the State's Article 10 power plant siting process to build and operate a new gas- fired power plant with a potential generating capacity of 525- 575 megawatts on the shores of the Hudson River in the Town of Newburgh, referred to as the Facility Repowering Project, and

WHEREAS, Danskammer has filed an application with the New York State Board on Electric Generation Siting and the Environment (the Siting Board), which includes a description of the proposed facility, potential environmental and health impacts, proposed studies to evaluate those impacts, proposed mitigation measures and reasonable alternatives to the project; and

WHEREAS, several communities in the Hudson Valley have already expressed support or opposition to the proposed plant, while other communities may have deferred taking a position, or have taken no position to date; and

WHEREAS, the Cortlandt Town Board has received requests from residents and others to take a position on the proposed plant, and has received public comments from residents and other stakeholders; and

WHEREAS, gas- powered plants emit pollutants that harm local air quality and public health; the Hudson Valley has ongoing air quality issues, as evidenced, e. g., by Westchester County's " F" ozone rating by the American Lung Association; and

WHEREAS, the existing power plant located at the site is an older facility, currently operating as a "peaker" facility that is used only during periods of peak electric demand less than 3% of the year); and

WHEREAS, the proposed new power plant would produce electricity at a lower environmental impact per kilowatt hour but is expected to operate year- round as a baseload facility and if built would have a decades- long lifespan; as a base load facility, the proposed power plant would emit significantly more pollutants than the current plant does as a peaker facility; and

WHEREAS, the 2018 Reliability Needs Assessment of the New York Independent System Operator (dated November 2018) found no statewide gap in power generation or transmission capacity in the next decade without a new Danskammer facility, notwithstanding the impending closing of the Indian Point nuclear power plants; and

WHEREAS, given the very large increase in proposed renewable energy projects, including offshore wind and utility-scale solar, recently proposed as a result of the adoption of the Climate Leadership and Community Protection Act (CLCPA), future electric generation needs as older fossil fuel plants retire are expected to be met by renewable resources supported by energy storage; and

WHEREAS, two new power plants in the Hudson Valley have recently been built, partly in response to federal incentives to provide capacity for the New York metropolitan region, as

opposed to providing capacity to serve only the Hudson Valley; and

WHEREAS, New York State recently passed the CLCPA, which sets targets of 70% renewable electricity by 2030, 100% carbon-free electricity by 2040, and net zero carbon emissions economy-wide by 2050; and

WHEREAS, the proposed power plant if constructed could increase the levels of greenhouse gases emitted by over 4000%, and increase levels of other pollutants that threaten public health by 300 to 2500%, according to data from Danskammer's Article 10 application;

WHEREAS permanent jobs at the proposed plant will remain approximately the same as the existing plant; and

WHEREAS, the property taxes and other financial payments from the proposed plant will not benefit the Town of Cortlandt;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt, opposes the construction of a new Danskammer power plant on the Hudson River; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Cortlandt urges Governor Cuomo and the Siting Board convened under Article 10 of the State Public Service Law to consider the concerns and position stated herein when considering Danskammer' proposal to build and operate a new facility; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Cortlandt urges Governor Cuomo and New York State to focus additional economic development resources into the Hudson Valley to provide prevailing wage jobs for the construction and operation of clean power generation, brownfield clean-up, or other appropriate economic development projects in the Hudson Valley; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to submit this statement to the Siting Board and to send a copy of this resolution to Governor Andrew Cuomo.

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

**Adopted on November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: DIRECT DOTS TO PREPARE A PRELIMINARY MAP, PLAN AND
REPORT FOR A CORTLANDT BOULEVARD EAST SEWER IMPROVEMENT
AREA AND TO SURVEY THE PROPERTIES)**

RESOLVED, that the Town Board of the Town of Cortlandt does hereby direct DOTS to prepare a preliminary map, plan and report for a Cortlandt Boulevard East Sewer Improvement Area and to survey the involved properties.

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

**Adopted on November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE AN AGREEMENT WITH BEE & JAY WATER SYSTEMS FOR WELL WATER SYSTEM OPERATION AT 167 ROA HOOK RD)

WHEREAS, the New York State Health Department requires that any well that has a chlorine treatment system be continuously monitored and reported to them, and

WHEREAS, New York State currently requires that a specialized license to conduct said continuous monitoring which no current Town staff personnel hold at this time, and

WHEREAS, after an extensive search conducted by the Director DES to locate individuals with the specialized license that not only would meet the NYSDOH requirements but who would also work together with Town staff towards obtaining said required license to run the system in-house in the future, and

NOW THEREFORE BE IT RESOLVED, that the Director of DES is hereby authorized to enter into an annual agreement with Bee & Jay Water Systems, 719 Route 6, Mahopac to become the Town's designated system operator for the DES facility located at 167 Roa Hook Road at a cost not to exceed \$850 per quarter or \$3,400 per year.

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

**Adopted on November 10, 2020
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE A 3-WAY STOP AT THE CORNER OF PINE ROAD AND LINCOLN AVENUE)

WHEREAS, the Town has received a written request from Police Officer Richard Lepore, the Westchester County Police officer assigned as the School Resource Officer at Lincoln Titus Elementary School requesting the creation of a 3 way stop at the intersection of Pine Road and Lincoln Avenue, and

WHEREAS, the Director of DES has conducted a site visit to the area and recommends the Town Board authorize the placement of 2 additional stop signs on Pine Road to establish a 3 way stop intersection pursuant to Police Officer Lepore's request,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Cortlandt does hereby authorize the installation of a 2 additional Stop Signs on Pine Road at the intersection of Pine Road and Lincoln Avenue, in the East and West Bound Direction, pursuant to Chapter 291 (Vehicle and Traffic) of the Town Code of the Town of Cortlandt, and

BE IT FURHTER RESOLVED that the Town Clerk is hereby directed to forward copies of this Resolution to the New York State Police, the Westchester County Police, Town Justices, DOTS Code Enforcement and DES pursuant to Chapter 291-3 of the Town Code.

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

**Adopted on November 10, 2020
At a Regular Meeting Held
at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (APPOINT DONNA D'AGOSTINO TO THE TITLE OF STAFF ASSISTANT FOR FINANCE AND ADMINISTRATION IN ACCORDANCE WITH WESTCHESTER COUNTY CIVIL SERVICE)

WHEREAS, the Town Comptroller, Patricia Robcke requested that the current position of Donna D'Agostino be evaluated for correct classification by Westchester County Civil Service; and

WHEREAS, Westchester County Civil Service made the determination that the correct title is Staff Assistant for Finance and Administration; and

WHEREAS, Donna D'Agostino has taken the exam for the title of Staff Assistant for Finance and Administration and Westchester County Civil Service has requested that she be appointed from the Civil Service list; and

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

NOW, THEREFORE, BE IT RESOLVED, that Ms. Donna D'Agostino of 7 Rome Court, Cortlandt Manor, NY be and hereby is appointed to the title of Staff Assistant for Finance and Administration. There will be no change in title for this appointment. This is a probationary appointment for Civil Service purposes.

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

**Adopted on November 10, 2020
at a Regular Meeting
held via Zoom.**

DRAFT

RESOLUTION

NUMBER _____

**RE: (APPOINT WAYNE SMITH AS A SEASONAL INTERN IN THE OFFICES OF
THE COMPTROLLER AND THE TOWN CLERK)**

NOW, THEREFORE, BE IT RESOLVED, Wayne Smith is appointed to the position of seasonal intern in the Office of the Town Comptroller and Town Clerk and Office of the Town Assessor. Mr. Smith will be paid an hourly rate of pay of \$13.50 and he will work from December 7, 2020 – January 23, 2021.

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

**Adopted on November 10, 2020
at a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NUMBER ____

RE: (APPOINT AN INTERN AT THE MURIEL H. MORABITO COMMUNITY CENTER)

NOW, THEREFORE, BE IT RESOLVED, that following student is appointed as an intern at the Muriel H. Morabito Community Center:

Amaavi Miriyagalla
23 4th Street
Cortlandt Manor, NY 10567

BE IT FURTHER RESOLVE, Ms. Miriyagalla will be paid an hourly salary of \$13.50 and will work fourteen hours per week effective December 1, 2020.

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

**Adopted on November 10, 2020
at a Regular Meeting
Held Via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: AMEND RESOLUTION 265-20 EXTENDING A LEAVE OF ABSENCE
FOR AN EMPLOYEE IN THE DEPARTMENT OF RECREATION AND
CONSERVATION)**

RESOLVED, that Employee ID# 775800, be and hereby is GRANTED a leave of absence under FMLA effective retroactive to September 22, 2020 – December 31, 2020.

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

**Adopted on November 10, 2020
at a Regular Meeting
Held Via Zoom**

DRAFT

RESOLUTION

NUMBER _____

**(RE: AMEND RESOLUTION 233-20 EXTENDING 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
FLMA effective the following date:

Employee ID # 517020 – Effective 8/17/20 – 11/30/2020

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

**Adopted on November 10, 2020
at a Regular Meeting
Held Via Zoom**

DRAFT

RESOLUTION

NUMBER _____

NOTICE OF PUBLIC HEARING

Please take notice that the Town Board of the Town of Cortlandt will conduct a Public Hearing on the Benefit Assessment Roll of the Town pursuant to New York State Town Law § 231 et al.

Said Benefit Assessment Roll will be used to collect costs and charges on properties within the Dickerson Pond Sewer District, Cortlandt Boulevard Central Sewer Improvement Area, and the Cortlandt Boulevard West Sewer Improvement Area.

Said Hearing will address the number of units assigned to each property. The owners or their agents may be present and be heard.

Said Hearing will take place at the Town Hall, 1 Heady Street, Cortlandt Manor, New York 10567 or via Zoom due to the COVID-19 Pandemic on December 7, 2020 at 7:00 PM.

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

**Adopted November 10, 2020
At a Regular Meeting
Held via Zoom**