

RESOLUTION

NUMBER 256-21

**(RE: NEGATIVE DECLARATION RE: STREETS, SIDEWALKS AND OPENINGS
THEREOF)**

WHEREAS, the Town Board of the Town of Cortlandt has expressed its intent to consider, after conducting a Public Hearing hereon, a Local Law to replace Chapter 261 of the Town Code “Streets and Sidewalks”; 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.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Reasons Supporting This Determination:

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

Update of statute.

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)

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 4 of 2021 | | | |
| Project Location (describe, and attach a location map): Town-wide | | | |
| Brief Description of Proposed Action: A Local Law to replace Chapter 261 of the Town of Cortlandt Code, intended to provide the Town with more stringent control and enforcement measures to ensure companies that disturb the Town's network of roadways promptly restore them. | | | |
| Name of Applicant or Sponsor: Town of Cortlandt | | Telephone: 914.734.1020 | |
| Address: 1 Heady Street | | E-Mail: townclerk@townofcortlandt.com | |
| 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"/> |
| | | | YES <input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: | | | NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? _____ acres | | | |
| b. Total acreage to be physically disturbed? _____ acres | | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres | | | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <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"/> |
| | <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"/> | |
| | <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"/> | |
| | | | |

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"/> |

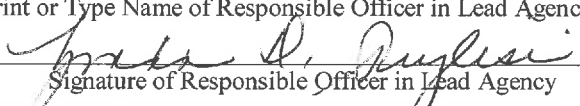
Project: _____

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 Cortlandt | 11/08/2021 |
| Name of Lead Agency | Date |
| Linda Puglisi | Supervisor |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
|  | Signature of Preparer (if different from Responsible Officer) |
| Signature of Responsible Officer in Lead Agency | |

PRINT FORM

**APPROVED
TOWN ATTORNEY**
Date: 11/18/21


RESOLUTION

NUMBER 257-21

**(RE: LOCAL LAW REPLACING CHAPTER 261 OF THE TOWN OF
CORTLANDT CODE: STREETS AND SIDEWALKS)**

RESOLVED, that the Town Board of the Town of Cortlandt does hereby adopt Local
Law No. 4 of 2021.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Local Law No. 4 of 2021

(A Local Law To Replace Chapter 261 of the Town of Cortlandt Code: “Streets and Sidewalks”)

Section 1: Legislative Intent

The Town of Cortlandt has always been very accommodating to companies who request to install infrastructural upgrades within Town roadbeds on behalf of Con Edison. However, companies performing these upgrades have recently taken excessive time to restore these roads to their original conditions. This Local Law is intended to provide the Town with more stringent control and enforcement measures to ensure that companies that disturb the Town’s network of roadways promptly restore them.

Section 2: Replacement of Chapter 261 of the Town Code

The following provisions shall replace the current language found in Chapter 261 of the Town Code (“Streets and Sidewalks”):

Article I. Obstructions, Poles, Wires and Rubbish

§ xxx-1. Permit required to obstruct.

No person shall obstruct any street, sidewalk, public easement or other public place without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with such regulations affecting obstructions as the Department of Environmental Services may prescribe. No owner or lessee of any premises in the Town shall permit any goods, wares or merchandise owned or controlled by him to be kept, stored, displayed or sold on or directly above any sidewalk adjoining such premises. No owner or lessee of any premises in the Town shall permit any refuse or waste from such premises to be kept or stored on or directly above any sidewalk adjoining such premises without first securing a written permit from the Director of the Department of Environmental Services and complying with such regulations and restrictions as may be prescribed in such written permit.

§ xxx-2. Poles and wires.

No person shall, without first securing a written permit from the Town of Cortlandt Department of Environmental Services, erect or cause to be erected or change the location of any telephone, telegraph or electric light or electric transmission pole in or string any wires or construct any conduit over or upon any public street, sidewalk, park or other public place.

§ xxx-3. Rubbish and obstruction of public places and watercourses.

No person shall throw or cause to be thrown in any street, park or other public place or in any public drain, ditch or watercourse any rubbish or other solid matter or cause any obstruction or injury to any such drain, ditch or watercourse or divert or stop the flow thereof.

Article II. Openings (Excavations in Pavement, Sidewalk and Right of way)

§ xxx-4. Permit required; fees and deposits to be paid.

No person shall open or cause to be opened the surface pavement or soil in any portion of the public right-of-way, public easement, park or other public place, without first securing a written permit from the Town of Cortlandt Department of Environmental Services. No work shall be performed in the Town of Cortlandt between November 1st and April 30th except in cases of emergencies. Prior to the issuance of a permit; the applicant shall pay the fees and deposits fixed by resolution of the Town Board.

§ xxx-5. Responsibility for repairs and restoration.

In the case of openings for sewers, drains, water, gas, telephone or other public utility purposes, the applicant for the permit is responsible for the temporary repair of the opening within the public right-of-way, public easement, park or other public place and must pay the fees and deposits fixed by resolution of the Town Board. Any work done on any portion of a roadway shall require repaving in conformance with the Town of Cortlandt's "Minimum Pavement Restoration Limits" guidelines. In such case, the Director of the Town of Cortlandt Department of Environmental Services, in his or her discretion, at the time of issuing the permit, may authorize the applicant for the permit to do all the work required for permanent restoration of any opening within said public right-of-way, public easement, park or other public place and pay the fees and deposits fixed by resolution of the Town Board. In the event that the Town of Cortlandt Department of Environmental Services does not authorize the applicant for such permit to do any of the work required for the permanent restoration of the opening within the public right-of-way, public easement, park or other public place, the regular fees fixed by resolution of the Town Board for this purpose shall still apply. Prior to the issuance of any permits, a performance bond shall be provided to the Town. The performance bond shall equal the price to fully repave all impacted surfaces. This includes an entire roadway. The use of construction demolition debris is strictly prohibited. Recycled material shall not be permitted or used in the backfilling of any water or sanitary sewer trench.

§ xxx-6. Multiple adjacent openings.

In case two or more adjacent or neighboring openings are made at one time, the Town of Cortlandt Department of Environmental Services may allow the same under one permit, charging therefore only one fee for issuing the permit but separate fees for the restoration and inspections.

§ xxx-7. Replacement of concrete slabs.

Whenever a concrete slab is cut or broken while excavating for work, the area to be replaced shall include a full slab unless otherwise approved in writing by the Town of Cortlandt.

§ xxx-8. Replacement of curbing.

Any curbing removed by any person shall be reset or replaced. Any person failing to restore curbing to its original condition shall be required to pay an additional fee as fixed by resolution of the Town Board. All newly constructed or substantially improved homes shall be required to install, replace or re-set curbing (IN KIND) along the edge of pavement adjacent to the entire property as directed by the Town of Cortlandt Department of Environmental Services.

§ xxx-9. Additional fees for macadam and concrete sidewalks.

In the case of openings made in macadam or concrete sidewalks, a fee as fixed by resolution of the Town Board in addition to any other required fee shall apply.

§ xxx-10. Limits on multiple openings.

In no case shall permits be granted to anyone other than a public service corporation for more than five openings to be made simultaneously for the area being permitted.

§ xxx-11. Fees and deposits.

The following fees and deposits for restoration shall be fixed by resolution of the Town Board pursuant to this section:

A. In the cases of openings in cinder or dirt roadways:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

B. In the cases of openings in macadam or similarly paved roadways:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

C. In the cases of openings in concrete roadways or roadways with a concrete base:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

D. In case openings exceeding four square yards in area are made in the traveled or paved portion of roadways, additional fees for repairs shall be paid for areas in excess of four square yards, at a rate fixed by resolution of the Town Board:

- (1) In cinder or dirt roadways.
- (2) In macadam or similarly paved roadways.
- (3) In concrete roadways or roadways with a concrete base.

E. In the case of openings in macadam sidewalks.

- F. In the case of openings in concrete sidewalks.
- G. For failure to restore curbing to its original condition.
- H. In the case of connections made to the Town sanitary sewer system.
- I. In the case of connections made to the Town storm sewer system.

§ xxx-12. Insurance.

For street openings, sidewalk openings or any excavation in a public place totaling 500 square feet or less, no permit shall be issued for any such opening until the person desiring to make such opening or the person for whom it is to be made shall furnish to the Town insurance, evidenced by a certificate of insurance naming the Town as additional insured, in form satisfactory to the Town Attorney, with limits of not less than \$1,000,000 for any one person and not less than \$3,000,000 in the aggregate for personal injury, and not less than \$1,000,000 for any one accident and \$3,000,000 in the aggregate for property damage, insuring the Town, its officers, employees and agents against any liability for personal injury or property damage, directly or indirectly resulting from or arising out of the granting of any such permit or any such opening or the method and manner of doing any work permitted or required by any such permit or under this article or any negligent act or omission in connection therewith on the part of the permittee, his employees or agents, provided that a public service corporation may, at its option, file an undertaking, in form satisfactory to the Town Attorney, to indemnify and save harmless the Town, its officers, employees and agents from any such liability, covering all openings made by it. The insurance limits can be lessened if warranted in the discretion of the Director of the Department of Environmental Services, the Director of the Department of Technical Services, or the Town Attorney.

§ xxx-13. Compliance required; requirements.

The person to whom the permit is issued shall see that the requirements contained in this article are observed.

- A. Any excavation, other than for paving, within the right-of-way, where existing underground utilities exist, shall be made by hand and not by power-driven equipment, unless by special permission and oversight of the Town of Cortlandt Department of Environmental Services.
- B. All excavations shall be by open cut, unless by special permission of the Town of Cortlandt Department of Environmental Services.
- C. All trenches within the Town Right of way shall be backfilled using excavated soil, if acceptable compaction of 95% of the maximum density can be achieved. This shall be installed and compacted in layers not to exceed 10 inches in depth. If the soil is not acceptable, the compaction of 95% cannot be achieved, then a controlled low strength material “K-Crete 50”

or NYSDOT (Item 304.14) “Item-4” shall be substituted and compacted in layers not to exceed 10 inches in depth.

- D. All work done under any permit issued hereunder, whether directly by the permittee or by others to whom the work is contracted to shall conform to the requirements of the Town of Cortlandt Department of Environmental Services and shall be under full supervision of the permittee, who shall be solely responsible for the completed work.
- E. If road plates are to be used for temporary closing of a trench they shall be recessed and pinned in accordance with the provided “Town of Cortlandt Road Plate Requirements” document provided with the permit. No road plates shall be left in place for more than 24 hours and at no time shall a trench excavation length exceed 2 pipe lengths before the temporary or permanent repair is completed.
- F. The Town of Cortlandt reserves the right to hire a third party inspection service/inspector to oversee the opening and restoration of any work performed in the public right-of-way, public easement, park or other public place. All fees associated with this service shall be paid by the applicant prior to the issuance of any permit by the Town of Cortlandt Department of Environmental Services. This shall be determined by the Town of Cortlandt at the time of the application for such permit.
- G. At the request of the Town of Cortlandt Department of Environmental Services, the applicant must supply a detailed maintenance and protection of traffic (MPT) plan, as per New York State DOT standards, showing the area of proposed work, all signage to be installed, detour routes, location of traffic control personnel, proposed lane closures, or any other requirement specified by the Town of Cortlandt Department of Environmental Services. The use of the appropriate police agency may be required for additional traffic control. The expense for such personnel usage shall be paid by the applicant. After the Town of Cortlandt Department of Environmental Services approves the MPT plan, the applicant must submit the approved MPT plan to all Town emergency service agencies.

§ xxx-14. Temporary repairs.

The permittee is responsible for the temporary repair of the trench. Temporary trench repair is to consist of two inches of asphalt concrete placed on top of the K-Crete backfill and level with the existing road surface.

§ xxx-15. Time limit for work; closing trench for noncompliance.

The Town of Cortlandt Department of Environmental Services may prescribe the time when the work shall be done and the length of time that any trench or other excavation may remain open. The Director or his or her representative may cause any such trench or opening to be filled up or closed at the expense of the person to whom the permit is issued in case of noncompliance with the terms of such permit or other conditions prescribed at any time by the Town of Cortlandt Department of Environmental Services.

§ xxx-16. Permanent trench repair.

Temporary trenches shall be widened a minimum of one foot beyond the original cut or any crack developed from the adjacent pavement settling because of the excavation. Asphalt thickness and materials shall conform to the standard construction details maintained by the Town of Cortlandt Department of Environmental Services. All final pavement restoration limits shall follow the guidelines depicted in the “Minimum Pavement Restoration Limits” diagram as adopted by the Town Board, and amended from time to time. The “Minimum Pavement Restoration Limits” diagram shall be maintained by the Town of Cortlandt Department of Environmental Services. The edges of all trenches shall receive a liberal application of asphaltic emulsion to seal edges

§ xxx-17. Protection around opening.

The person to whom the permit is issued shall maintain sufficient guards, barricades, lights or watchmen to protect persons and property against injury and damage by reason of any such opening.

Article III. Drainage

§ xxx-18. Connection to public stormwater drainage system.

No person shall connect any drain designed to conduct storm-, surface or subsurface water with any part of the public storm water drainage system until the plans thereof drawn to scale shall have been filed with and approved by the Town of Cortlandt Department of Environmental Services and his or her designee has issued the written permit. No person shall backfill any trench in which such drain is laid or constructed until the Director of the Town of Cortlandt Department of Environmental Services and his or her designee shall have inspected the same and issued written approval.

§ xxx-19. Drainage onto streets and sidewalks.

Except in case of temporary emergency, no person shall cause or permit any water or other liquid to be pumped or forced to run from or out of any building or premises upon or across any sidewalk or curbstone or into any street without first securing a written permit from the Town of Cortlandt Department of Environmental Services.

Article IV. Culverts and Gutters

§ xxx-20. Culverts.

No person shall construct, alter, repair or remove any culvert along or near to the line of the gutter of any public street without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with such specifications as the Town of Cortlandt Department of Environmental Services may prescribe. In case any such culvert under any private entrance shall become broken or damaged or insufficient to properly carry off the water flowing thereto, the owner of the premises for which such private entrance is provided shall, upon demand

of the Town of Cortlandt Department of Environmental Services, forthwith reconstruct the same in accordance with such specifications as the Town of Cortlandt Department of Environmental Services may prescribe.

§ xxx-21. Interference with gutters or roadside swales.

No person shall obstruct, or construct any structure interfering or tending to interfere with the free and open operation of, any gutter or roadside swale of any public street without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with such specifications as the Town of Cortlandt Department of Environmental Services may prescribe.

Article V. Sidewalks

§ xxx-22. Snow and ice removal.

- A. The owner, lessee, tenant, occupant or other person having charge of any building or lot abutting upon any paved sidewalk could be required by the Town, in conformance with a comprehensive plan, to keep the sidewalk adjacent to such building or lot free and clear of snow and ice; provided, however, that failure to clear snow or ice from a sidewalk within a period of four hours, not including the time between 9:00 p.m. and 7:00 a.m., after the snow ceases to fall or the ice to form shall not be deemed a violation of this section. In case the snow or ice on the sidewalk shall be frozen so hard that it cannot be removed without injury to the pavement, such person shall, as soon thereafter as the weather shall permit, remove the same and, in the meantime, cause the sidewalk adjacent to such building or lot to be strewed with ashes, sand, sawdust or similar material.
- B. No act of the Town in removing snow or ice from any such sidewalk shall affect any obligation imposed by this section on such person.

§ xxx-23. Curb cuts.

No person shall lower any curb or change the grade of any sidewalk for the purpose of providing vehicular access across such curb or sidewalk without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with the following requirements:

- A. Application shall be made, in writing, by the owner of record of the abutting premises to the Town of Cortlandt Department of Environmental Services. Such application shall set forth the points at which such vehicular access shall begin and end in relation to curb- and property lines and the materials of which it shall be constructed. Driveways shall meet the minimum standards set forth by the New York State Department of Transportation for residential and commercial driveways. Drop curbs and ramps shall comply with all Americans with Disability Act Guidelines. Plans shall be prepared by a licensed design professional authorized to practice in the State of New York.

- B. The Town of Cortlandt Department of Environmental Services shall not grant a permit to lower any curb or change the grade of any sidewalk for the purpose of providing vehicular access across such curb or sidewalk when, in his or her opinion, the actual or intended use of such vehicular access would endanger pedestrians or traffic.
- C. Prior to the granting of any such permit, the Town of Cortlandt Department of Environmental Services shall charge a fee and shall require a cash deposit per linear foot of the width of the proposed curb cut, which deposit shall be refunded upon completion of the curb cut to the satisfaction of the Town of Cortlandt Department of Environmental Services. The Town of Cortlandt Department of Environmental Services shall charge a fee for the inspection of the completed curb cut and may make such rules for the proper care and cleaning of such curb cut as the Director deems advisable. All fees pursuant to this section shall be fixed upon resolution of the Town Board.
- D. No such permit shall be issued until the applicant shall furnish the Town insurance, in a form satisfactory to the Town Attorney, with limits of not less than \$1,000,000 for any one person and not less than \$3,000,000 in the aggregate for any one accident for personal injury and not less than \$1,000,000 for any one accident and \$3,000,000 in the aggregate for property damage, insuring the Town, its officers, employees and agents against any liability or personal injury or property damage, directly or indirectly resulting from or arising out of the granting of any such permit or the making of such curb cut or the method and manner of doing any work permitted or required by any such permit or under this section or any negligent act or omission in connection therewith on the part of the permittee, its employees or agents.
- E. Every such curb cut shall be constructed under the supervision and subject to the direction of the Town of Cortlandt Department of Environmental Services and on condition that, upon failure to comply with the terms of the permit, the Town of Cortlandt Department of Environmental Services may revoke the permit and cause the curb and sidewalk to be restored to their original condition at the expense of the owner of record of the abutting premises.
- F. Should the use of the curb cut, in the opinion of the Town of Cortlandt Department of Environmental Services, be or become dangerous to pedestrians or traffic, the Town of Cortlandt Department of Environmental Services shall mail a written notice to the owner of record of the abutting premises to discontinue use of such curb cut and to restore such curb and sidewalk to the original condition within 10 days of the mailing of the notice, and such owner shall comply with such notice within 10 days. If such owner shall fail to so comply with such notice, the Town of Cortlandt Department of Environmental Services may revoke the permit and cause the curb and sidewalk to be restored to their original condition at the expense of the owner of record of the premises.
- G. In case any part of a curb cut shall not be paved, repaved or repaired according to reasonable requirements of the Town of Cortlandt Department of Environmental Services, the Town of Cortlandt Department of Environmental Services shall mail a written notice to the owner of the abutting premises directing that the same be so paved, repaved or repaired, as the case may be. Such owner shall comply with such notice within 10 days. If said owner fails to comply with such notice, the Town of Cortlandt Department of Environmental Services may cause the curb cut to be paved, repaved or repaired, as the case may be, at the expense of such owner.
- H. The owner of a lot may appeal from any decision of the Town of Cortlandt Department of Environmental Services. The appellant shall submit an application to the Town Clerk's Office to be reviewed by an Appeals Committee consisting of the Town Attorney, Director of the Department of Technical Services, and the Town Planner or any of their designees within 60

days after the decision to deny a curb cut permit, with an informational copy to the Town of Cortlandt Department of Environmental Services. This appeal shall include a statement of guaranty that all expenses for any required opinion obtained from an independent consulting traffic engineer shall be paid by the appellant and shall be accompanied by a fee as set by resolution of the Town Board.

- I. The Appeals Committee may grant a waiver from the decision of the Town of Cortlandt Department of Environmental Services. In making its decisions, the Appeals Committee must find that the result will, in its judgment, not be in conflict with the public health, welfare and, in particular, with considerations of traffic safety and may attach appropriate conditions and safeguards to such waiver.
- J. The Town of Cortlandt Department of Environmental Services is authorized to promulgate standards and guidelines for the construction and maintenance of driveways. Such standards and guidelines shall be filed with the Town Board upon promulgation.
- K. Properties located in residential zones are permitted to have a single curb cut designed to accepted standards, policies and guidelines referenced herein. Curb and driveway openings shall be limited to 18-ft in width with properly designed radials to allow for unobstructed turning movements. For the R-80 zone a second curb cut and driveway opening may be permitted provided the lot width is in excess of 200-ft. For the R-40A zone, a second curb cut and driveway opening may be permitted upon review of the site development plan to service the second family dwelling. Additional curb cuts or openings used for the off-street parking or storage of motor vehicles are not permitted. Additional parking must be associated and attached to a driveway and be located no closer than 10-ft from the property line. For properties which currently have paved off-street parking areas, these may remain provided they were constructed prior to the adoption of this code and cannot be enlarged or altered in any manner.

Article VI. Penalties

§ xxx-31. Penalties for offenses.

Unless otherwise provided, any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$500 per day for the first two days of the violation and then \$1,000 per day thereafter or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute a separate and distinct offense hereunder for each day the offense is continued.

Section 3. Severability

If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date

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 October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 258-21

(RE: NEGATIVE DECLARATION RE: INCREASING VETERAN'S TAX EXEMPTION)

WHEREAS, the Town Board of the Town of Cortlandt has expressed its intent to consider, after conducting a Public Hearing hereon, a Local Law increasing Veteran's Tax Exemptions; 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.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Reasons Supporting This Determination:

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

Update of Statute.

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)

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 5 of 2021 - Increasing Veteran's Tax Exemption | | | |
| Project Location (describe, and attach a location map): Town-wide | | | |
| Brief Description of Proposed Action: Extending the Veteran's Tax Exemptions to the maximum permitted under Section 458 and related sections of the Real Property Tax Law. | | | |
| Name of Applicant or Sponsor: Town of Cortlandt | | Telephone: 914.734.1020 | |
| Address: 1 Heady Street | | E-Mail: townclerk@townofcortlandt.com | |
| 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"/> |
| | | | YES <input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: | | | NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? _____ acres | | | |
| b. Total acreage to be physically disturbed? _____ acres | | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres | | | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <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"/> |
| | <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"/> | |
| | <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"/> | |

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: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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"/> |

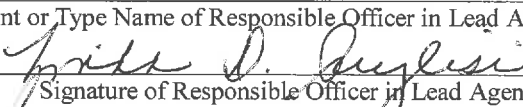
Project:

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 Cortlandt | 11/08/2021 |
| Name of Lead Agency | Date |
| Linda Puglisi | Supervisor |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
|  | Signature of Preparer (if different from Responsible Officer) |
| Signature of Responsible Officer in Lead Agency | |

APPROVED
TOWN ATTORNEY
Date: 11/8/21

PRINT FORM

RESOLUTION

NUMBER 259-21

(RE: LOCAL LAW REGARDING ENHANCED VETERAN'S EXEMPTIONS)

RESOLVED, that the Town Board of the Town of Cortlandt does hereby adopt Local

Law No. 5 of 2021.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Local Law No. 5 of 2021

(A Local Law Increasing Veterans Tax Exemptions)

Section 1: Legislative Intent

The Supervisor and Town Board have tremendous gratitude for the service of our Veterans. Recently, the State passed legislating authorizing local municipalities to increase the Tax Exemptions provided to Veterans. The Town honors its Veterans with events, memorials, and more recently, banners alongside roads. It will now extend the Veteran's Tax Exemptions to the maximum permitted under Section 458 and related sections of the Real Property Tax Law.

Section 2: Increase in Veterans Tax Exemptions

The Non-Combat Veterans exemption will increase from 826 to 1,125 or 15% of assessed value, whichever is less;

The Combat Veterans exemption will increase from 551 to 750 or 10% of assessed value, whichever is less. The Combined exemption amount for Combat veterans remains 25%; and

The Disabled Veterans exemption will increase from 2,754 to 3,750. The exemption amount is calculated at 50% of the disability rating, not to exceed 3,750.

Section 3. Severability

If any section or subdivision, paragraph, clause, or phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date

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 October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 260-21

**(AUTHORIZE THE TOWN ATTORNEY AND TOWN COMPTROLLER TO
NEGOTIATE WITH WESTCHESTER COUNTY TO INCREASE DEDICATED
COUNTY POLICE PATROLS WITHIN THE TOWN
AS PROPOSED IN THE SPRING 2021 COMMUNITY AND PRECISION
POLICING PROPOSAL)**

WHEREAS, approximately two decades ago, the Town of Cortlandt removed its own municipal police force after securing contracts for police personnel from the State and Westchester County; and

WHEREAS, this has worked out extremely well for the Town's residents in that they are served by excellent police without the cost of maintaining a municipal police force; and

WHEREAS, as part of this plan, the State Police have paid off the bond cost for the barracks located on Memorial Drive, and the Town now receives a nearly \$100,000 payment per year from the State Police for the use of the barracks; and

WHEREAS, the Town's residents already pay County taxes which fund the County police; and

WHEREAS, having the Westchester County Police patrol the area has led to impressive cost-savings, in that the Town could avail itself to the use of K-9 services and specialized equipment in emergencies, such as helicopters, without the Town being responsible for the entire costs of these services; and

WHEREAS, the Town formed a committee to review policing within the Town of Cortlandt, which was chaired by Councilman Jim Creighton; and

WHEREAS, one common theme from the task force was that its members were interested in more community policing to help with quality of life issues, such as loud mufflers and speeding on local roads; and

WHEREAS, after the Town's task force completed its report, the Westchester County Department of Public Safety approached the Town about the addition of one Westchester County police officer; and

WHEREAS, the Department of Public Safety made an informative presentation at a Town Board Work Session, and the Supervisor and Town Board now desire staff to work with the County on the formation of an amended contract;

NOW, THEREFORE, BE IT RESOLVED that Town Attorney's Office and the Comptroller's Office are authorized to negotiate with Westchester County for the addition of a Westchester County Police Officer who would be focused on community policing.

BE IT FURTHER RESOLVED that Town staff is directed to pursue federal and state grants to reduce any costs associated with this proposed community policing enhancement.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 261-21

(CONFIRM STATUS OF ABERDEEN ROAD AS A TOWN ROAD)

WHEREAS, the Subdivision Plat known as “Little Flower Estates” was filed with the Westchester County Clerk’s Office as Map 26952; and

WHEREAS, this Plat included Aberdeen Road, which was improved to Town standards;
and

WHEREAS, the Town has historically treated Aberdeen Road as a Town road;

NOW, THEREFORE, BE IT RESOLVED, that Aberdeen Road is confirmed as a Town road.

BE IT FURTHER RESOLVED that the Town Clerk is authorized to file this Resolution with the Westchester County Clerk’s office.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

- Supplemental Part III Information entitled “Overlook Terrace, Expanded Environmental Assessment Form”, dated June 2021, including the following supplemental studies:
 - Stormwater Pollution Prevention Plan (SWPPP) prepared by Divney Tung Schwalbe, LLP, dated June 2021
 - Tree Inventory, prepared by Bartlett Tree Experts, dated June 4, 2021
 - 16-page drawing set prepared by Divney Tung Schwalbe, LLP entitled “Overlook Terrace, Site Plan Application Drawings” last revised June 23, 2021
- Supplemental submission prepared by Divney Tung Schwalbe, LLP, including the following:
 - Responses to traffic and parking comments, prepared by Provident Design Engineers, dated August 19, 2021
 - Responses to comments from Michael Preziosi, Director of Technical Services (DOTS), prepared by Divney Tung Schwalbe, LLP, dated August 19, 2021
 - Responses to comments from Chris Kehoe, Deputy Director DOTS Planning Division, prepared by Divney Tung Schwalbe, LLP, dated August 19, 2021
 - Responses to SWPPP comments from HVEA, prepared by Divney Tung Schwalbe, LLP, dated August 19, 2021

Name of Action: Overlook Terrace

For Further information

| | |
|--|----------------------------------|
| Contact Person: Chris Kehoe, AICP, Planning Director | Laroue Rose Shatzkin, Town Clerk |
| Town Hall | Town Hall |
| 1 Heady Street | 1 Heady Street |
| Cortlandt Manor, NY 10567 | Cortlandt Manor, NY 10567 |
| 914-734-1081 | 914-734-1021 |

REASONS SUPPORTING THIS DETERMINATION:

(see 617.7(c) for requirements of this determination:

Implementation of the proposed Amendments to the text of Chapter 307 of the Code of the Town of Cortlandt is consistent with the Town’s 2016 Sustainable Comprehensive Plan, *Envision Cortlandt*, including the established goal to “create a wide range of housing choices throughout the Town that provide for the needs of an increasingly diverse population throughout all life stages.” (*Envision Cortlandt* at 50). Furthermore, one of the main policies established in *Envision Cortlandt* is to “[r]evise zoning to allow a mix of uses including residential in commercial zoning districts.” (Id. at 51). The proposed Amendments and Project are in keeping with *Envision Cortlandt*, which states “Cortlandt’s housing policies seek to sustain a full range of socioeconomic diversity while addressing the issues of housing availability, and accessibility for all members of the community. Residential development trends and demographics point toward an increased need for a broad range of housing to serve a varied range of incomes, ages, and family types and meet the needs of residents of all abilities in all life stages. While the Town continues to be dominated by single-family homes, the demand for multi-generational and housing options with a range of pricing is increasing. (Id. at 46).

(a) Environmental issues identified as relevant for the development of the Site:

1. Impact on Land
2. Impact on Plants
3. Impact on Aesthetic Resources
4. Impact on Transportation
5. Impact on Energy
6. Impact on Sanitary Sewers

(b) Analysis of the issues identified and elaboration of the basis and reason for this determination that there will not be a significant impact on the areas of the environment identified in Section (a).

1. Impact on Land: The property was previously disturbed and developed with a longstanding catering and function hall facility that contains structures, parking lots, landscape areas and associated infrastructure. The proposed Project requires the disturbance of approximately eight (8) acres of the 8.7-acre site to remove the existing improvements and to construct a proposed building, entry driveway, parking areas and infrastructure. An additional approximately 0.25 acres of off-site improvements to reconfigure paved areas and install grass is also proposed along a portion of Donnelly Place to improve traffic operations. Approximately 1.4 acres of regulated steep slopes (greater than 15%) will be disturbed for the construction of the building and parking areas. Approximately 0.8 acres of new steep slopes would be created. The disturbed area at the rear of the site will slope down to a proposed retaining wall and will be planted with shrubs selected for their erosion control characteristics. A physical connection to the road network to the south will be eliminated and a buffer to the neighboring community enhanced. Slopes greater than 3H:1V will be stabilized with erosion control matting, blanketing, and planting.

A Stormwater Pollution Prevention Plan (SWPPP) complying with the Town Code Chapter 262: Stormwater Management and Erosion and Sediment Control will be reviewed and approved for the site prior to construction. An initial SWPPP has been submitted and has been reviewed by the Town Engineer and site-specific details will be addressed as part of the Site Development Plan approval process. A stormwater management plan and erosion and sediment control measures will be implemented as mitigation to control stormwater runoff quality and quantity to prevent erosion and to provide soil stabilization during and after construction. Therefore, no significant adverse environmental impact on the land is expected.

2. Impact on Plants: A tree report and inventory was completed by the Town's arborist. The Applicant is proposing to remove approximately 287 regulated trees as part of the Project. Approximately 113 trees identified in the arborist inventory, (excludes trees in the inventory that are on the adjacent residential parcel not on the Project site), would remain. The proposed building and parking areas have been located within the portion of the Site at distances from Oregon Road and The Overlook comparable to the existing Colonial Terrace structure and primary parking lots. In order to construct the Project so that all parking is located adjacent to the building, the area of the proposed improvements would undergo re-grading and existing trees within the limit of disturbance will be

removed.

The Applicant proposes a landscape plan that includes the planting of a number of evergreen and deciduous trees throughout the site, along with foundation and accent planting around the proposed building. The proposed northwest bioretention basin will be planted with native trees, shrubs and grasses. The proposed northeast stormwater pond will be planted with native grasses and shrubs as well as a stormwater basin seed mix. The rear slope area will be planted with native shrubs selected for their colonization and erosion control characteristics. Larger caliper trees will be planted along the main entry drive from Oregon Road. To the extent practicable, existing trees will be maintained along the periphery of the site along Eton Downs Road and The Overlook, located on the western side and southern side of the site, respectively. The Applicant will work with the Town to evaluate the existing landscape buffers and potential mitigation along Eton Downs Road including vine cutting, cutting/stumping dead or pioneer plants and removal of invasive understory plants. Using a combination of primarily native shade, ornamental, understory and evergreen trees, and deciduous and evergreen shrub planting, the proposed planting plan is expected to meet the Town's required tree mitigation planting. If the requirement cannot be achieved with onsite planting, a combination of planting and fee in lieu of planting will be used to meet the Town's requirement. The proposed planting plan and plant list will be reviewed by the Planning Board and Conservation Advisory Council during the site plan application review process. In light of the mitigation measures proposed, no significant adverse environmental impact on plants, trees and vegetation is expected.

3. Impact on Aesthetic Resources: The proposed Project will result in the demolition of the existing catering facilities and site improvements and the construction of a new three-story active adult residential rental community. The Applicant proposes an attractive tree-lined entry drive featuring new plantings and to incorporate elements of the Colonial Terrace history into the Project. The proposed building will feature architectural design elements characteristic of residential buildings throughout the Town of Cortlandt area including gabled main roofs with front-facing cross-gables, decorative moldings and details, symmetrically placed multi-pane windows, and alternating brick and siding materials in neutral colors. The site-specific building architecture will be reviewed by the Planning Board and the Architectural Advisory Council as part of the Site Development Plan review process. Accordingly, no significant adverse visual or aesthetic impacts from the Project are expected.
4. Impact on Historic Resources: The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) reviewed the Project, including the demolition of the existing Colonial Terrace facility and proposed new construction, and stated in an April 14, 2021 correspondence that, "it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project." The Applicant proposes that photographs of the Colonial Terrace facility from the current owners will be displayed within common areas of the proposed Overlook Terrace for future residents and guests to view. No significant adverse environmental impacts on historic resources

are anticipated.

5. Impact on Transportation: A traffic impact study was prepared for the Project and reviewed by the Town's traffic consultant. The Project is conservatively estimated to generate 38 Peak AM Hour trips and 47 Peak PM Hour trips. The trip generation rates were estimated using Institute of Transportation Engineers (ITE) trip generation rates and further verified with actual traffic counts performed at Jacobs Hill Apartments, which is a similar use in the area. The analysis is additionally conservative by not applying any credit to account for the potential trip generation of the existing as-of-right use, which has the potential to generate significantly higher trip rates during catering events. Levels of Service were projected to be maintained from No-Build to Build conditions. Emergency access is proposed from a connection on Eton Downs Road.

Further consideration of the Eton Downs Road driveway for use as exit only (non-emergency) and improvements to the pedestrian connections adjacent to and near the site will be addressed by the Planning Board during the Site Development Plan approval process. It is noted that there is a potential benefit to allowing full ingress and egress at the Eton Downs access to allow more direct access to Proposed Project-generated traffic that is destined to or originating from Eton Downs Road to the south. The Applicant is committed to providing any access up to full movement access as ultimately deemed necessary as part of the Site Development Plan approval process to still be undertaken with the Planning Board. Any modification to the access scheme does not materially affect the findings of the traffic study. An existing 75-foot-wide roadway dedicated to the Town of Cortlandt, extending from the Oregon Road frontage approximately 245 feet into the center portion of the Site, will revert to the Applicant as part of the Project.

The Applicant's Traffic Impact Study concluded that no significant adverse traffic impacts are expected for the adjacent roadway network, including the intersection at Oregon Road and Eton Downs Road / Pumphouse Road / Heady Street and the Study was reviewed and its conclusions confirmed by the Town's traffic consultant.

The Applicant is aware that a pedestrian crossing does not exist along this portion of Oregon Road and a crossing would be beneficial for existing pedestrians in the area, as well as pedestrians anticipated from the proposed Project to cross to/from the sidewalk on the north side of Oregon Road, as well as to access the Bee Line Bus Stops. The Applicant is willing to voluntarily provide a financial contribution up to \$60,000 to be used for the design of a scope of work or for preferred improvements at the intersection of Oregon Road/Eton Downs/Heady Street/Pumphouse.

In addition, the Applicant is aware that pedestrian crossings do not currently exist along this portion of Oregon Road or Pumphouse Road and that crossings would be beneficial for existing pedestrians in the area, as well as pedestrians anticipated from the proposed Project to cross to/from the sidewalk on the north side of Oregon Road, along the sidewalk on the north side across Pumphouse Road, as well as to access the Bee Line Bus Stops. The Applicant proposes to utilize the existing traffic infrastructure to install a pedestrian crosswalks, curb ramps and pedestrian crossing signals just east of Eton

Downs and across Pumphouse Road. In the event it is later determined that the existing infrastructure cannot accommodate a pedestrian crossing signal, the Applicant proposes to provide a payment in lieu, in the form of a financial contribution up to \$50,000, for the Town to escrow to fund the construction of the planned pedestrian crossing. This payment in lieu of would be in addition to the financial contribution of \$60,000.


The Applicant has agreed to fully cooperate with the Town to obtain additional sources of funding available to improve the intersection of Eton Downs, Heady Street, and Pump House Road, which could be available due to this Project meeting Westchester County's guidelines for affordable housing. Potential sources of funding include the Westchester County Housing Implementation Fund. Cooperation includes entering into an Intermunicipal Development Agreement ("IMDA") if necessary to obtain the funding.

It is not expected that the Project would result in significant adverse environmental impacts on transportation.

6. Impact on Energy: The Applicant is pursuing LEED-Homes v4 certification for the Project and will pursue financial incentives under the NYSERDA program – New Construction Housing (PON 4337). As a part of this incentive program, the Project will certify with the ENERGY STAR Multi Family New Construction program. Key energy-efficient design features of the all-electric development include highly efficient HVAC and hot-water heating mechanical systems, electric cooking ranges in all apartments, and electric washers and dryers. The Project will also include low-flow water fixtures and a high-performing building envelope. Solar photovoltaic systems will be installed on the roof to offset the electricity demand for the property. Accordingly, no significant adverse environmental impacts related to energy use by the Project are expected.
7. Impact on Sanitary Sewers: The Applicant evaluated the existing downstream sanitary sewer mains within the Waterbury Sewer District which included monitoring sewer flows for a 4-week period, inspecting the sewer manholes and evaluating the capacity of the sewer mains to accommodate an increase in sewer flows. While the Project may generate an additional approximately 19,250 gallons per day (gpd) of sanitary flow into the sewer mains, the sewer system has capacity to accommodate the additional flow. The final sewer connections to the sewer system will be coordinated and reviewed with the Town's Engineering Division of the Department of Technical Services as part of the permitting process for the Project. The Westchester County Peekskill Water Resource Recovery Facility and Peekskill Trunk Sewer has a permitted flow of 10.0 million gallons per day (MGD) with an annual average daily flow of approximately 6.5 MGD would have sufficient capacity to accommodate the proposed flow from the Project. No significant adverse environmental impacts on sanitary sewers are anticipated.


Based on a review of 6NYCRR 617.7, and having taken a hard look at all potential adverse environmental impacts, and having evaluated the proposed mitigation measures, there appear to be no significant adverse environmental impacts as a result of the proposed amendments to the Zoning Ordinance and the Project.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF CORTLANDT HELD ON OCTOBER 19, 2021.



Linda D. Puglisi, Town Supervisor

Date 10/20/21

APPROVED
TOWN ATTORNEY
Date: 10/20/21


RESOLUTION

NUMBER 262-21

**(RE: LOCAL LAW REGARDING ZONING TEXT AMENDMENTS FOR
ACTIVE ADULT RESIDENTIAL COMMUNITIES)**

RESOLVED, that the Town Board of the Town of Cortlandt does hereby adopt Local
Law No. 6 of 2021.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Local Law No. 6 of 2021

(Adoption of Zoning Text Amendments Pertaining to Active Adult Residential Communities)

Section 1: Legislative Intent

Periodically, property owners and contract-vendees petition the Town Board for Zoning Text Amendments based on changing market conditions. The Town Board received a Zoning Text Petition dated February 2, 2021 seeking to amend the Town Code to allow for Active Adult Residential Communities. An Active Adult Residential Community would provide the Town of Cortlandt housing for seniors at an affordable price, which accomplishes multiple housing goals from the Town’s most recent award-winning Master Plan.

Section 2: Amendment to Section 307-4 (“Definitions”) of the Zoning Code

The definition for an “Active Adult Residential Community” shall be added as follows:

“A building or buildings containing dwelling units specifically designed for and limited to residents, at least one of whom is aged 55 and older. No full-time medical care shall be provided on the Property.”

Section 3: Amendment to Article XI: Additional Special Permit Standards and Conditions for Specific Uses

A new section for an “Active Adult Residential Community” shall be added as a special permit use granted by the Planning Board with the following standards and conditions:

1. Minimum lot area: 8 acres
2. Maximum Density: 17 units per acre
3. Maximum Building Height: 50 feet with no more than 3 stories
4. Maximum Floor Area: 135,000 square feet
5. Required Parking: 1.0 spaces per dwelling unit
6. Frontage and primary access on a State Road or on Oregon Road
7. Connected to Public Water and Sewer
8. The requirements of this provision shall not be varied by the Zoning Board of Appeals

Section 4: Amendment to the Table of Permitted Uses

The Table of Permitted Uses shall be amended to permit an “Active Adult Residential Community” by Special Permit in a Community Commercial (CC) District.

Section 5: Amendment to Table of Off-Street Parking Spaces

Section 307-29(C) of the Town Code shall be amended to require 1.0 parking spaces per dwelling unit for an Active Adult Residential Community.

Section 6: Severability

If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 7: Effective Date

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 October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 264-21

(APPROVE RECREATION FEES FOR PROPOSED DEVELOPMENT AT 119 OREGON ROAD)

WHEREAS, there is a proposed project to be located at 119 Oregon Road, which would replace the existing Colonial Terrace catering hall with an Active Adult Residential Community; and

WHEREAS, all of the 135 units in the proposed Active Adult Residential Community will meet Westchester County's definition of affordable housing; and

WHEREAS, the Applicant is proposing an indoor fitness room and outdoor walking areas on site; and

WHEREAS, based on precedent and offered amenities, the Town Board deems that a \$3,000 recreation fee per unit would be fair to all parties and would provide the Town with \$405,000 in revenue;

NOW, THEREFORE, BE IT RESOLVED, that the Applicant is required to pay \$3,000 per unit as part of a Recreation Fee.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 265-21

(APPROVE RELEASE OF RESTRICTIVE COVENANTS FOR 119 OREGON ROAD)

WHEREAS, the Town owns five lots shown on the filed map of the Waterbury Manor Subdivision; and

WHEREAS, the Town had been asked to agree to revise the use restrictions to allow for additional uses other than just a catering hall; and

WHEREAS, pursuant to Resolution 330-19, the Town Board authorized the Town Supervisor to execute a release of restrictive covenants to be held in escrow until final approval of zoning text amendments; and

WHEREAS, there were over 100 other neighboring residents who have signed the release of the restrictive of covenants; and

WHEREAS, a prior proposal was for an assisted living type facility, but the current proposal for an Active Adult Residential Community is a better fit for the Town since it will provide new housing options for a crucial segment of the Town's population;

NOW, THEREFORE, BE IT RESOLVED, that the Town is authorized to provide the executed Release of Restrictive Covenants to the Property Owner for recording in the Westchester County Clerk's Office.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 266-21

(RE: AUTHORIZE CONTRACTS WITH RESPECT TO SNOW PLOWING AND ICE CONTROL FOR THE 2021-2022 SEASON, BID#21-16)

WHEREAS, the Purchasing Director previously advertised for bids for **SNOW PLOWING AND ICE CONTROL** and:

WHEREAS, said bids were received and opened by the Purchasing Director on **SEPTEMBER 14TH, 2021**, and

WHEREAS, the **LOWEST RESPONSIBLE BIDDER** was **CASABELLA LANDSCAPING, 182 LINDSAY AVE, BUCHANAN, NEW YORK.**, whose bid was \$133.00 (Part A) per hour, per vehicle; \$165.00 (Part B), \$240 (Part C);

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be, and hereby is, authorized to execute a contracts in accordance with the bid specifications previously prepared.

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

**Adopted on October 19, 2021
At a regular Meeting
Held at Town Hall.**

RESOLUTION

NUMBER 267-21

**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 October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 268-21

(INTER-MUNICIPAL STEWARDSHIP PROGRAM FOR CROTON RIVER)

WHEREAS, the Croton Gorge area is a vital and vibrant part of our community accessible for recreation during the summer season; and

WHEREAS, the protection and preservation of this area is of vital importance; and

WHEREAS, by agreement, Croton, Ossining and the Town of Cortlandt have been participating in a Stewardship Program to provide for trained Stewards during the summer seasons; and

WHEREAS, the Town Board of the Town of Cortlandt desires to contribute some additional funding;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cortlandt is authorizing not more than \$3,000. in additional funds toward the cost of providing said Stewards, and the Comptroller is authorized to amend the budget as necessary for this purpose.

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

**Adopted October 19, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 269-21

(RESOLUTION AUTHORIZING THE SUPPLYING OF AERATORS FOR WATER BODY FRONTING ON TOWN ROAD (WATCH HILL) AND AGREEMENT FOR OPERATING OF SAME)

WHEREAS, there is a lake abutting Watch Hill Road and the neighborhoods surrounding Lakeview Avenue and Lake Road; and

WHEREAS, Blue Mountain Middle School is located across the Street from the Lake; and

WHEREAS, the Lake is filled with invasive species, which are emitting an odor and are unsightly; and

WHEREAS, the residents located near the lake are willing to install electrical improvements for aerators which will cost approximately \$60,000; and

WHEREAS, the Applicants have requested that the Town purchase aerators to help return the Lake to its prior status as a healthy waterbody; and

WHEREAS, the Town owns Watch Hill Road and a property which directly abuts the Lake; and

WHEREAS, under New York State Town Law, the Town Board has the ability to provide solutions to abate public health nuisances; and

WHEREAS, the neighboring homeowners and the hundreds of students who attend Blue Mountain Middle School on a daily basis should be breathing healthy, non-malodorous air;

NOW, THEREFORE, BE IT RESOLVED, that the Town is authorized to purchase aerators in an amount not to exceed \$27,000 to improve the ecology of the Lake.

BE IT FURTHER RESOLVED that no money shall be expended until an agreement is reached with the abutting owners for the use and operation of the aerators.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 270-21

RE: (AUTHORIZE A SALARY INCREASE FOR PART-TIME EMPLOYEES AT YOUTH CENTER)

WHEREAS, John Palmiotto, Director of the Department of Recreation and Conservation and Katherine Sclafani, Director of the Youth Center have asked the Town Board to consider a salary increase for part-time employees at the Youth Center; and

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

NOW, THEREFORE, BE IT RESOLVED, all part time employees at the Youth Center are authorized an increase in accordance with the request of the Director of the Department of Recreation and Conservation, the Director of the Youth Center, Town Comptroller, Patricia Robcke; and

| | | 2021 | 2021 | NEW 2021 |
|-------------------------|---------------|-----------------|-------------|-----------------|
| EMPLOYEE NAME | TITLE | RATE | RATE | RATE |
| | | INCREASE | | |
| | | PER HOUR | | |
| GIOVINCO, EMMA H | REC ATTENDANT | \$ 3.35 | \$ 14.00 | \$17.35 |
| RIOS, PAOLA | REC ATTENDANT | \$ 2.35 | \$ 15.00 | \$17.35 |
| GAUTHIER, DAWN V | REC ATTENDANT | \$ 1.35 | \$ 18.00 | \$19.35 |
| GLASHOFF, JOHN R | REC ATTENDANT | \$ 0.35 | \$ 19.00 | \$19.35 |
| MAHONEY, JOHN K | REC ATTENDANT | \$ 1.35 | \$ 18.00 | \$19.35 |
| MORABITO-ROSE, MARIA | REC ATTENDANT | \$ 2.35 | \$ 15.00 | \$17.35 |
| GLASHOFF, MATTHEW | REC ATTENDANT | \$ 3.35 | \$ 14.00 | \$17.35 |
| MURPHY, JULIE A | REC ATTENDANT | \$ 3.35 | \$ 14.00 | \$17.35 |
| FERRACANE, ROBYN R | REC ATTENDANT | \$ 3.35 | \$ 14.00 | \$17.35 |
| BRENNAN JR, THOMAS J | REC ATTENDANT | \$ 3.35 | \$ 14.00 | \$17.35 |
| RENCH, ADAM M | REC ATTENDANT | \$ 1.35 | \$ 14.00 | \$15.35 |
| BOYLE, MEGAN A | REC ATTENDANT | \$ 1.35 | \$ 14.00 | \$15.35 |

BE IT FURTHER RESOLVED, The Town Comptroller is hereby authorized to amend the budget as necessary.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 271-21

(RE: AUTHORIZE THE REDUCTION OF SECURITY FROM THE AMOUNT OF \$425,000 TO \$162,892 WITH RESPECT TO THE PROPERTY KNOWN AS VALERIA)

WHEREAS, in accordance with Planning Board requirements a security was posted in the amount of \$7,800,000 in the form of a performance bond by Toll Land VI Partnership drawn on Hartford Fire Insurance Company, and

WHEREAS, the Planning Board previously has adopted Planning Board Resolution No. 3-14 recommending reducing the bond to \$6,200,000, Res. 15-15 recommending reducing the \$6,200,000 to \$4,995,000, Res. 11-17 recommending reducing the \$4,995,000 to \$1,430,000, Res. 28-18 recommending reducing \$1,430,000 to \$425,000 and Res. 14-21 recommending reducing \$425,000 to \$162,892, and

NOW THEREFORE BE IT RESOLVED BY, that the Town Board of the Town of Cortlandt does hereby reduce the security originally posted in the amount of \$7,800,000 in accordance with Planning Board requirements in the form of a Performance Bond No. 39BSBGG1370 by Toll Land VI Partnership and drawn on Hartford Fire Insurance Company to the amount of \$162,892 as recommended by the Planning Board.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 272-21

RE: (AUTHORIZE THE DIRECTOR OF TECHNICAL SERVICES TO ENTER INTO A CONSULTING SERVICE CONTRACT FOR THE DESIGN OF THE CORTLANDT VERPLANCK QUARRY PARK INFRASTRUCTURE)

WHEREAS, the Town of Cortlandt was the recipient of a \$6.4 million grant issued by the U.S. Economic Development Administration (EDA) for the design and construction of infrastructure improvements at the Cortlandt Verplanck Quarry Park (Quarry), a 99 acres parcel of land owned by the Town of Cortlandt in the Hamlet of Verplanck; and

WHEREAS, proposals were let on July 6, 2021 and sealed proposals were received and opened by DOTS on August 5, 2021; and

WHEREAS, five (5) sealed proposals were received in the following amounts:

| Company Name | Phases I & II | Alternates | Sum of Phase I, II and Alternates | Phase III |
|--|---------------|---------------|-----------------------------------|--------------|
| Barton & Loguidice 247 Rt. 100, Suite 2000 Somers, NY 10589 | \$296,000.00 | \$47,400.00** | \$343,400.00 | \$380,000.00 |
| LaBella Associates / Chazen Companies 4 British American Blvd. Latham, NY 10567 | \$313,000.00 | \$69,500.00 | \$382,500.00 | \$340,000.00 |
| Weston & Sampson 100 S. Bedford Rd. Suite 340 Mount Kisco, NY 10549 | \$410,000.00 | \$135,000.00 | \$545,000.00 | \$265,000.00 |
| Dresdner Robin One Evertrust Plaza Suite 901 Jersey City, NJ 07302 | \$588,282.00 | N/A | \$588,282.00 | \$579,590.00 |
| Woodard and Curran 800 Westchester Avenue Suite N507 Rye Brook, NY 10573 | \$625,000 | \$140,000*** | \$588,282.00 | \$1,060,000 |

** Original submitted proposal did not include a supplemental survey fee. When requested additional survey fee estimated not to exceed \$50,000.

*** Alternate Task A and C Only

and;

WHEREAS, Phase I includes preliminary design, estimate and schedule, Phase II includes construction documents and pre-bid process and Phase III includes post-bid and construction services; and

WHEREAS, cost to perform six (6) alternative tasks which include photometric analysis, streetscape design, traffic calming, sanitary sewer alternatives, evaluation of existing onsite were provided and additional survey fee were provided; and

WHEREAS, a committee consisting of the Director of Technical Services, Planning and Engineering Staff have reviewed the proposals, and

WHEREAS, the Director of Technical Services recommends awarding the consulting services contract to Barton and Loguidice for Phase I, Phase II and Alternatives in the amount of Three Hundred Forty-Three Thousand Four Hundred Dollars (\$343,400) only; and

WHEREAS, Phase III will be rebid and or a supplemental contract agreed to once Phases I and II and alternate tasks are complete and accepted by the Town; and

WHEREAS, 50% of the cost outlined above is subject to reimbursement through the EDA Grant.

NOW THEREFORE BE IT RESOLVED, that the Supervisor and Director of Technical Services be hereby authorized to execute the consultant service contract with Barton and Loguidice subject to review by the Town Attorney and approval of the same by the U.S. Department of Commerce Economic Development Administration.

BE IT FURTHER RESOLVED, that a design contingency be appropriated for Fifty Thousand Dollars (\$50,000.00) for unforeseen changes to the scope and supplemental survey and investigative work.

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

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 273-21

RE: (AUTHORIZE THE DIRECTOR OF TECHNICAL SERVICES TO ENTER INTO CONSULTING SERVICE CONTRACT FOR THE PROPOSED ANNSVILLE CREEK SANITARY SEWER DISTRICT & CCWD EXTENSION)

WHEREAS, the Town of Cortlandt sought proposals for qualified Consultants to prepare a feasibility assessment to be used to develop a map, plan and engineer's report and the bid documents for sanitary sewer and water to service parcels along Annsville Circle / US Route 9 / Roa Hook Road; and

WHEREAS, proposals were let on August 16, 2021 and sealed proposals were received and opened by DOTS on September 17, 2021; and

WHEREAS, seven (7) sealed proposals were received in the following amounts:

| Consultant | Phase I | Phase II | Sub-total Phase I and II | Phase III | Total Base Bid |
|---|--------------------|---------------------|---|---------------------|---------------------------|
| CPL Arch., Eng. & Png. 26 IBM Rd. Poughkeepsie, NY 12601 | \$62,000.00 | \$170,000.00 | \$232,000.00 | \$142,000.00 | \$374,000.00 |
| Weston & Sampson 100 S. Bedford Rd. Suite 340 Mount Kisco, NY 10549 | \$40,900.00 | \$312,400.00 | \$353,300.00 | \$189,800.00 | \$543,100.00 |
| Barton & Loguidice 247 Rt. 100 Suite 2000 Somers, NY 10589 | \$85,600.00 | \$204,300.00 | \$289,900.00 | \$272,900.00 | \$562,800.00 |
| Woodard & Curran Engineering 800 Westchester Ave. Suite N507 Rye Brook, NY 10573 | \$415,900.00 | \$119,100.00 | \$535,000.00 | \$264,000.00 | \$799,000.00 |
| Chazen 1 North Broadway Suite 803 White Plains, NY 10601 | \$110,000.00 | \$230,000.00 | \$340,000.00 | \$523,135.00 | \$863,135.00 |
| James J. Hahn Engineering, P.C. * Putnam Business Park 1689 Route 22 Brewster, NY 10509 | \$75,475.00 | \$326,125.00 | \$401,600.00 | \$452,975.00 | \$854,575.00 |
| D&B Engineers & Architects 4 West Red Oak Lane White Plains, NY 10604 | \$146,300.00 | \$1,275,500.00 | \$1,421,800.00 | \$1,087,500.00 | \$2,509,300.00 |

and;

WHEREAS, Phase I includes the feasibility assessment, map, plan and report, Phase II includes comprehensive design bid documentation and Phase III includes post-bid construction administration and inspection services; and

WHEREAS, a committee consisting of the Director of Technical Services, Planning and Engineering Staff have reviewed the proposals, and

WHEREAS, the Director of Technical Services recommends awarding the consulting services contract to CPL Architecture, Engineering and Planning to complete Phase I and Phase II in the amount of Two Hundred Thirty-Two Thousand Dollars (\$232,000.00); and

WHEREAS, Phase II will be authorized at the direction of the Town of Cortlandt if a sanitary sewer district is formed and financing for construction is obtained; and

WHEREAS, Phase III will be rebid and or a supplemental contract agreed to once Phases I, II are complete and accepted by the Town; and

WHEREAS, 50% of the cost outlined above is subject to reimbursement by Westchester County up to a maximum of Seventy-Five Thousand Dollar (\$75,000.00).

NOW THEREFORE BE IT RESOLVED, that the Supervisor and Director of Technical Services are hereby authorized to execute the consultant service contract with CPL Architecture Engineering Planning subject to review by the Town Attorney and Westchester County.

BE IT FURTHER RESOLVED, that a design contingency be appropriated for Fifteen Thousand (\$15,000.00) for unforeseen changes to the scope.

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

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 274-21

RE: (AUTHORIZE DEPARTMENT OF TECHNICAL SERVICES (DOTS) TO APPLY TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION PUBLIC WORKS AND ECONOMIC ASSISTANCE GRANT PROGRAM FOR THE PROPOSED ANNSVILLE CREEK SANITARY SEWER DISTRICT AND CORTLANDT CONSOLIDATED WATER (CCWD) DISTRICT EXTENSION)

WHEREAS, as part of the Town's Economic Development initiative, the Town Board is desirous to bring sewer and water along Route 9 / Annsville Circle / Albany Post / Roa Hook Road.

RESOLVED, DOTS is authorized to apply to the US Department Commerce Economic Development Administration 2020 Public Works and Economic Assistance Grant Program for design and construction of the Annsville Creek Sanitary Sewer District & CCWD Extension

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 275-21

RE: (AUTHORIZE DEPARTMENT OF TECHNICAL SERVICES (DOTS) TO APPLY TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION PUBLIC WORKS AND ECONOMIC ASSISTANCE GRANT PROGRAM FOR THE DESIGN AND CONSTRUCTION OF A SANITARY COLLECTION AND TREATMENT SYSTEM FOR THE CORTLANDT / VERPLANCK QUARRY IMPROVEMENTS)

WHEREAS, the Town of Cortlandt was the recipient of a \$6.4 million grant issued by the U.S. Economic Development Administration (EDA) for the design and construction of infrastructure improvements at the Cortlandt Verplanck Quarry Park (Quarry), a 99 acres parcel of land owned by the Town of Cortlandt in the Hamlet of Verplanck; and

WHEREAS, the Town of Cortlandt is seeking additional funds to evaluate, design and construct a central sanitary collection and treatment system for this property and the surrounding area.

RESOLVED, DOTS is authorized to apply to the US Department Commerce Economic Development Administration 2020 Public Works and Economic Assistance Grant Program for the evaluation, design and construction of a central sanitary collection and treatment system for this property and surrounding area.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 276-21

RE: (AUTHORIZE A SERVICE CONTRACT FOR THE PERMITTING, LICENSING, AND CODE SOFTWARE FOR THE DEPARTMENT OF TECHNICAL SERVICES)

WHEREAS, in order to meet the need automated and online applications and permitting in the Divisions of Code Enforcement, Planning and Zoning amplified by the COVID-19 Global Pandemic, the Town of Cortlandt sought proposals/qualifications from software vendors; and

WHEREAS, request for proposals were let on April 26, 2021 with the Town receiving five (5) sealed proposals on May 19, 2021 from the following firms:

OpenGov, Inc.
P.O. Box 41340
San Jose, CA 95160

Municipality/General Code
781 Elgrove Road
Rochester, NY 14624

Dumela
5608 17th Avenue
NW #979
Seattle, WA 98107

Tyler Technologies
2160 Satellite Blvd.
Suite 300
Duluth, GA 30097

Right Angle Solutions
5 Keswick Circle
Monroe, NJ 08831

and;

WHEREAS, a committee consisting of the Director of the Department of Technical Services, IT, Planning, and Engineering staff have reviewed the proposals, and

WHEREAS, the Committee recommends awarding the service contract to OpenGov, Inc., P.O. Box 41340, San Jose, CA 95160; and

WHEREAS, the cost of said service is broken down as follows:

Start-up Cost and first year service: \$100,000.00
Annual Service Cost (year 2-3): \$45,000.00

for a three-year project cost of One Hundred Ninety Thousand Dollars (\$190,000.00) with contingency, beginning on the date of execution of a contract.

NOW THEREFORE BE IT RESOLVED, that the Supervisor, the Director of Technical Services and/or Purchasing Director be hereby authorized to execute the consultant service contract with OpenGov, Inc. subject to review by the Town Attorney.

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

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 277-21

RE: (AUTHORIZE THE BID AND AWARD OF A REPLACEMENT BACKUP GENERATOR AT 1 MEMORIAL DRIVE “New York State Troopers Barracks”.)

WHEREAS, the existing backup generator at the 1 Memorial Drive Facility has failed beyond repair during the last power outage at the facility; and

WHEREAS, The Director of Environmental Services has reviewed with our generator repair contractor the cost of such repairs and has determined a replacement of the unit is more cost effective; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Department of Environmental Services and the Director of Purchasing are authorized to seek proposals to furnish and place a replacement backup generator for the 1 Memorial Drive facility at a cost not to exceed \$26,000.

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

**Adopted on October 19, 2021
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 278-21

(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 additional purchases for 2021,

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 at this time:

- 2004 International Sanitation Truck (215)
- 1996 International Dump (91)

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:

- **(1)-6 Wheel Plow Truck 4x4 \$235,000**
- **(1)-Sanitation Packer Truck \$230,000**

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 the fund balance.

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

**Adopted on October 19, 2021
at a Regular Meeting
Held at the Town Hall**

RESOLUTION

NUMBER 279-21

(RE: AUTHORIZE BUDGET TRANSFERS AND AMENDMENTS)

RESOLVED, that the Town Board does hereby adopt Budget Amendment #1 as attached, and does hereby adopt Budget Transfers # 1, 2, 3, 4 and 5 and does hereby Authorize the Town Comptroller to implement same.

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

**Adopted on October 15, 2021
At a Regular Meeting
Held at the Town Hall**



TOWN OF CORTLANDT

COMPTROLLER'S OFFICE

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Linda D. Puglisi
Town Supervisor

Patricia Robcke
Town Comptroller

Town Board
Richard H. Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell

BUDGET AMENDMENT 1-2021

DEPARTMENT: Town-wide

FUND/ELEMENT : 10 Purchase of Real Property

INCREASE REVENUES:

010.0010.9000 Unexpended Fund Balance AMOUNT: \$250,000

TOTAL \$250,000

INCREASE APPROPS.

010.1620.0205 Purchase of Real Property AMOUNT: \$250,000

TOTAL \$250,000

EXPLANATION/JUSTIFICATION

Amend budget to appropriate fund balance for the purchase of property as approved by the Town Board on Resolution #160-21.

COMPTROLLER APPROVAL: _____

DATE: 10/19/21



TOWN OF CORTLANDT
COMPTROLLER'S OFFICE

Town Hall
 1 Heady Street, Cortlandt Manor, NY 10567
 914-734-1070
 FAX 914-734-1077

Patricia Robcke
 Town Comptroller

Linda D. Puglisi
 Town Supervisor

Town Board
 Richard H. Becker
 Debra A. Carter
 James F. Creighton
 Francis X. Farrell

BUDGET TRANSFER REQUEST #1

DEPARTMENTS: Debt Service

FUND/ELEMENT : Special Districts

| | | <u>Line Items</u> | |
|----------------|---------------|-------------------|--------------|
| TRANSFER FROM: | 059.9730.0610 | BAN Principal | \$ 32,700.00 |
| | 060.9730.0610 | BAN Principal | 48,189.00 |
| | 061.9730.0610 | BAN Principal | 45,000.00 |
| | 061.8130.0485 | Bond Issue Exps | 5,152.00 |

TOTAL 131,041.00

| | | | |
|--------------|---------------|--------------|--------------|
| TRANSFER TO: | 059.9730.0710 | BAN Interest | \$ 32,700.00 |
| | 060.9730.0710 | BAN Interest | 48,189.00 |
| | 061.9730.0710 | BAN Interest | 45,000.00 |
| | 061.9730.0710 | BAN Interest | 5,152.00 |

TOTAL 131,041.00

EXPLANATION/JUSTIFICATION

Transfer funds for payment of BAN interest on Sewer Improvement District notes.

COMPTROLLER APPROVAL: _____ 

DATE: 10/19/21



TOWN OF CORTLANDT

COMPTROLLER'S OFFICE

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Linda D. Puglisi
Town Supervisor

Patricia Robcke
Town Comptroller

Town Board
Richard H. Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell

BUDGET TRANSFER REQUEST #2

DEPARTMENTS: Admin

FUND/ELEMENT : Townwide - Contractual

| | | |
|------------------------------|-------------------|---------------|
| | <u>Line Items</u> | |
| TRANSFER FROM: 010.1900.0460 | Contingency | \$ 100,000.00 |

TOTAL 100,000.00

| | | | |
|--------------|---------------|---------------------------|--------------|
| TRANSFER TO: | 010.1220.0114 | Temporary Services | \$ 60,000.00 |
| | 010.1680.0444 | IT - Equip/Software Maint | 25,000.00 |
| | 010.1320.0453 | Auditor Services | 2,500.00 |
| | 010.1440.0456 | Consultants | 12,500.00 |

TOTAL 100,000.00

EXPLANATION/JUSTIFICATION

Transfer funds from Contingency Account for contractual services as previously agreed by the Town Board.
Economic Development Coordinator - TB Res #145-21
Social Media Coordinator - TB Res #43-21
Additional audit services regarding ARPA funding.
Dam inspections per TB Res #95-21 and# 96-21.

COMPTROLLER APPROVAL: _____

DATE: 10/19/21



TOWN OF CORTLANDT

COMPTROLLER'S OFFICE

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Linda D. Puglisi
Town Supervisor

Patricia Robcke
Town Comptroller

Town Board
Richard H. Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell

BUDGET TRANSFER REQUEST #3

DEPARTMENTS: TOV

FUND/ELEMENT : TOV - Contractual and Equipment

| | | | |
|----------------|---------------|----------------------------------|---------------|
| TRANSFER FROM: | 020.1990.0460 | <u>Line Items</u> Contingency | \$ 100,000.00 |
|----------------|---------------|----------------------------------|---------------|

TOTAL 100,000.00

| | | | |
|--------------|---------------|--------------------------------|-----------|
| TRANSFER TO: | 020.7110.0210 | Parks Equipment | 14,005.00 |
| | 020.7110.0413 | Parks Supplies & Misc | 25,000.00 |
| | 020.7110.0443 | Building/Equipment Maintenance | 10,400.00 |
| | 020.7180.0210 | Equipment | 11,405.00 |
| | 020.8020.0210 | Equipment | 1,265.00 |
| | 020.8010.0440 | Zoning Board | 254.50 |
| | 020.7620.0114 | Temp Services | 5,000.00 |
| | 020.8160.0210 | Sanitation Equipment | 405.58 |
| | 020.8160.0220 | Sanitation Vehicles | 32,264.92 |

TOTAL 100,000.00

EXPLANATION/JUSTIFICATION

Transfer funds from Contingency to cover various costs including items previously agreed to by Town Board.
Storage shed approved by TB Res #208-20. Sanitation Mini Hook Truck per 2021 vehicle resolution.
Replacement parts for town playgrounds, misc. parks maintenance, wifi and phones at pool, and code enforcement services.

COMPTROLLER APPROVAL: _____

DATE: 10/19/21



TOWN OF CORTLANDT
COMPTROLLER'S OFFICE

Town Hall
 1 Heady Street, Cortlandt Manor, NY 10567
 914-734-1070
 FAX 914-734-1077

Linda D. Puglisi
 Town Supervisor

Patricia Robcke
 Town Comptroller

Town Board
 Richard H. Becker
 Debra A. Carter
 James F. Creighton
 Francis X. Farrell

BUDGET TRANSFER REQUEST #4

DEPARTMENTS: Highway

FUND/ELEMENT : Highway Fund

| | | | |
|----------------|---------------|----------------------|---------------|
| | | <u>Line Items</u> | |
| TRANSFER FROM: | 032.5110.0443 | Building Maintenance | \$ 150,000.00 |

TOTAL 150,000.00

| | | | |
|--------------|---------------|-----------------------|---------------|
| TRANSFER TO: | 032.5112.0440 | Judgements and Claims | \$ 150,000.00 |
|--------------|---------------|-----------------------|---------------|

TOTAL 150,000.00

EXPLANATION/JUSTIFICATION

Transfer funds to cover various judgements and claims approved by Town Board.

COMPTROLLER APPROVAL: 

DATE: 10/19/21



TOWN OF CORTLANDT
COMPTROLLER'S OFFICE

Town Hall
 1 Heady Street, Cortlandt Manor, NY 10567
 914-734-1070
 FAX 914-734-1077

Linda D. Puglisi
 Town Supervisor

Patricia Robcke
 Town Comptroller

Town Board
 Richard H. Becker
 Debra A. Carter
 James F. Creighton
 Francis X. Farrell

BUDGET TRANSFER REQUEST #5

DEPARTMENTS: Seniors

FUND/ELEMENT : Townwide

Line Items

TRANSFER FROM: 010.6772.0443 Building Maintenance \$ 2,500.00

TOTAL 2,500.00

TRANSFER TO: 010.6772.0210 Equipment \$ 2,500.00

TOTAL 2,500.00

EXPLANATION/JUSTIFICATION

Transfer unused funds for the purchase of equipment.

COMPTROLLER APPROVAL: _____ *(pre)*

DATE: 10/19/21

RESOLUTION

NUMBER 280-21

(AUTHORIZE THE SUPERVISOR TO EXECUTE A QUARRY USE AGREEMENT WITH THE WESTCHESTER COUNTY DEPARTMENT OF PUBLIC SAFETY TO USE THE QUARRY IN VERPLANCK FOR TRAINING PURPOSES)

WHEREAS, the Town receives many requests from law enforcement agencies and other first responders to utilize the quarry in Verplanck for training purposes; and

WHEREAS, the Westchester County Department of Public Safety has recently requested to use the quarry property due to its unique terrain for live fire drills; and

WHEREAS, all participants are highly trained firearms instructors and have sniper credentials from the FBI and New York State; and

WHEREAS, all live fire drills would include only angular shooting from an elevated position aimed downwards towards the water and sand; and

WHEREAS, the Westchester County Department of Public Safety has held similar drills at quarries in Rockland and Putnam in the past;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to sign a quarry use agreement with the Westchester County Department of Public Safety for training activities at the quarry.

BE IT FURTHER RESOLVED that no training shall be permitted to commence until adequate notice is provided to the community.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 281-21

**(AUTHORIZE THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH
THE OWNER OF 73 HOLLOW BROOK ROAD)**

WHEREAS, the property contains an existing wall with portions in the Town's right-of-way (the "Retaining Wall"); and

WHEREAS, the Owner has applied for a building permit to reconstruct the Retaining Wall; and

WHEREAS, the Retaining Wall has been historically maintained by the owners of the Property, and it is in the best interest of all parties if the construction of a new retaining wall is properly completed in a timely manner;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to sign a License Agreement for the construction of a new retaining wall in the Town's right-of-way adjacent to 73 Hollow Brook Road.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 282-21

**(RE: AUTHORIZATION TO PERMIT PARKING IN THE AREA OF 120
QUAKER BRIDGE ROAD ON OCTOBER 23, 2021)**

WHEREAS, the owner of 120 Quaker Bridge Road has requested that no parking be temporarily suspended on October 23, 2021 for a small family event between the hours of 11AM and 1:30PM;

NOW, THEREFORE, BE IT RESOLVED, that the above request is granted by order of the Cortlandt Town Board.

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

**Adopted on October 19, 2021
at a Regular Meeting held
Held at Town Hall.**

RESOLUTION

NUMBER 283-21

**(RE : AUTHORIZE THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
THE CITY OF PEEKSKILL POLICE DEPARTMENT REGARDING THE DARE
PROGRAM)**

RESOLVED, that the Supervisor be, and hereby is, authorized to execute an agreement with the City of Peekskill Police Department regarding the DARE program for the 2021-2022 Season for \$37,194. plus supplies to be purchased directly by the Town of Cortlandt.

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

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 284-21

**(AUTHORIZE THE ACCEPTANCE OF OASAS GRANT SOR II AND EXTEND
CONTRACT FOR TEEN SERVICES)**

WHEREAS, the Drug Abuse Prevention Council, also referred to as the Youth Center, has been awarded a State Opioid Response Grant (II) for the period of September 30, 2021 – September 29, 2022 for \$73,138; and

WHEREAS, the Grant will be used for outreach, intervention and prevention of drug and alcohol use; and

WHEREAS, a portion of this grant not to exceed \$40,000 may be used to extend the contract with Lisamaria Albanese MSW;

NOW, THEREFORE, BE IT RESOLVED, the Town Supervisor is authorized to accept the grant award and is further authorized to extend the independent contractor agreement with Lisamaria Albanese, MSW.

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

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall.**

RESOLUTION

NUMBER 285-21

**RE: (APPOINT KURT STRUVER AND WILLIAM HODGE III TO THE POSITIONS
OF PART TIME EMPLOYEES AT THE YOUTH CENTER)**

BE IT RESOLVED, that effective October 20, 2021 Mr. Kurt Struver and Mr. William Hodge III be and hereby are appointed to the titles of Part Time Recreation Attendants at the Youth Center. The salary shall be \$15.00 per hour, not to exceed 17 hours per week.

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

**Adopted on October 19, 2021
at a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 286-21

**(RE: AUTHORIZE A LEAVE OF ABSENCE FOR AN EMPLOYEE IN THE TOWN
CLERK'S OFFICE EFFECTIVE AUGUST 29, 2021)**

RESOLVED, that the following employee is authorized a Leave of Absence:

Employee ID # 803543 – Effective August 29, 2021 – November 22, 2021

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

**Adopted on October 19, 2021
at a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 287-21

**(RE: AUTHORIZE A LEAVE OF ABSENCE FOR AN EMPLOYEE IN THE TOWN
CLERK'S OFFICE EFFECTIVE OCTOBER 20, 2021)**

RESOLVED, that the following employee is authorized a Leave of Absence:

Employee ID # 517020 – Effective October 20, 2021 – October 19, 2022

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

**Adopted on October 19, 2021
at a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 288-21

**(RE: AUTHORIZE A LEAVE OF ABSENCE FOR AN EMPLOYEE IN THE TOWN
CLERK'S OFFICE EFFECTIVE OCTOBER 20, 2021)**

RESOLVED, that the following employee is authorized a Leave of Absence:

Employee ID # 103750 – Effective October 20, 2021 – October 19, 2022

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

**Adopted on October 19, 2021
at a Regular Meeting
Held at Town Hall**