

A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on **June 14, 2022** with the following elected officials and appointed staff in attendance:

<b>RICHARD H. BECKER</b>	<b>Supervisor</b>
<b>FRANCIS X. FARRELL</b>	<b>Councilmember</b>
<b>CRISTIN JACOBY</b>	<b>Councilmember</b>
<b>ROBERT MAYES</b>	<b>Councilmember</b>
<b>JAMES CREIGHTON</b>	<b>Councilmember</b>

**Also present:**

<b>TOM WOOD</b>	<b>Town Attorney</b>
<b>MICHAEL CUNNINGHAM</b>	<b>Assistant Town Attorney</b>
<b>LAROUÉ ROSE SHATZKIN</b>	<b>Town Clerk</b>
<b>CHRISTINE B. COTHREN</b>	<b>Deputy Town Clerk</b>
<b>PATRICIA ROBCKE</b>	<b>Comptroller</b>
<b>MICHAEL PREZIOSI</b>	<b>Director, DOTS</b>
<b>CLAUDIA VAHEY</b>	<b>Human Resources Coordinator</b>
<b>STEPHEN FERREIRA</b>	<b>Director, DES</b>

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### **MEETING CALLED TO ORDER**

The meeting was called to order at 7:03 p.m.

### **PLEDGE TO THE FLAG**

### **SUPERVISOR'S PROCLAMATIONS & REPORTS**

Supervisor Becker gave an update on the Charles J. Cook Pool stating that they were originally ahead of schedule, but due to a leak issue, and a severe storm the pool was not able to open. After much hard work from the DES Director, Stephen Ferreira, and many other Town staff DES and Parks members the pool is now scheduled to open on 6/?2022.

Supervisor Becker gave an update on Westchester energy, and explained how it worked; purchasing power from Sustainable Westchester at a group rated discount. The power and maintenance of the wiring and poles would still delivered via Con Ed. He stated that they did not want to opt in for all of the Town. There are 29 out of 45 Towns in Westchester that have opted in, and are happy with the program. The Town sent postcards to all residents requesting their feedback on this issue before making a decision. The result of the survey was 80 percent to

20 percent, 4-1 in favor of opting in. This was supposed to be on the agenda this evening, however, it has been removed. Westchester power due to increased costs has been unable to reach agreement with its' energy suppliers. Therefore, they are taking a pause and not offering the program for a while. We will just table the issue, and see what the program looks like in the future.

One of the items on the agenda tonight is the Omnibus Zoning Text Amendment, which includes four parts. This is a revision to our Town Code. One of the items addresses Special Permit for home occupation. In recent years, especially during COVID many people were forced to work from home, and then realized it was something that could enhance their lives. So many people are opting to work from home or hybrid. This Zoning change does not affect any of that. It is a change for people who are actually running, and performing business out of their homes. We need to have some control as to how big the business, and what the business activities can be in a residential area. There is also a section to address the location of gas stations in the Town. There have been two recent applications for gas stations in front of the Planning Board that have been approved. That would make a total of 8 gas stations on Rte. 6 between Conklin Ave. and the Cortlandt Town Center. There are several reasons why there should be a limit to the amount of gas stations. One important reason in the NYS government is mandating all cars be electric by 2035, so the need for gas will be decreasing. Also, when a gas stations closes it is very difficult to clean up the site, and we're stuck with these gas stations that have to be remediated. We are also going to be discussing in the near future for gas stations to require installing electric charging stations. We are also going to redefine what a corner lot is, what is the front yard, and side yard, and what the set backs should be for development.

Also, tonight we will be Amending Ch. 255 of our Town Code, which pertains to solar energy systems and where they are placed. The Town feels that there is a place for them, but not where it would entail taking down a large number of trees. We feel as though we have many areas available for these systems, such as parking lots, commercial zones, or industrial zones, perhaps farm lands and properties that are already cleared. We want to the code to specify what percentage of trees may be taken down so that it is restricted to no more than 30 percent of trees can be cut.

Last month we mentioned the County of Westchester wanting to put up a cell phone emergency tower on Montrose Station Rd., and the Town requested to be able to co-locate cell phone carriers on this tower, because there is an area in the Town particularly near the Furnace Woods Elementary School, and Blue Mountain Middle school that do not have service. Westchester County has denied that request. So, we will be looking a little deeper into that situation and why the tower would not be compatible to co-locate cell phone carriers. We disagree with that answer, and we will be pursuing this issue.

In light of safety matters that have become so prevalent in the world; the Town has hired 3 new Park Rangers to patrol, and keep an extra eye on things especially our children. We will have a Park Patrol stationed at the Town camp for the summer as well.

On a positive note, the Summer Concert Series will kick off this Thursday, 6/16/22. This is an event free to all. It is at the Verplanck waterfront. There will be great music, food, and friends, and all are welcome to come out and enjoy.

### **ROLL CALL**

Laroue Rose Shatzkin, Town Clerk took roll call, and all Town Board members were present.

### **TOWN BOARD REPORTS**

#### **Councilperson Robert Mayes gave his report OF NOTE:**

Councilperson Mayes wanted to mention that solar farms are a great option for energy, and the Town Board is in favor of solar energy. They just want to make sure it is placed in an acceptable area, preferably an area that is already cleared. They do not want to take down large amounts of trees to accommodate solar farms. It will help the Town to plan better.

The other item is the Local Law to allow for remote meetings. This is a great option for citizens who may want to participate in a meeting or process to be able to do so. This will allow people to easier engage of the political process, and keep current with Town meetings and processes.

Councilperson Mayes stated that he does agree that the Westchester energy program be put aside for now, but does not want to rule this out for future use when the time is better.

Councilperson Mayes stated that they will be approving a couple of resolutions regarding the Mt. Carmel Society Annual Feast, and he is looking forward to attending this year.

Councilperson Mayes stated that it was Flag Day, and wished everyone a Happy Flag Day.

#### **Councilperson Cristin Jacoby gave her report OF NOTE:**

Councilperson Jacoby started by wishing everyone a Happy Father's Day this coming weekend.

Councilperson Jacoby stated that she and Supervisor Becker walked around the MOD area with Buttonwood Rd. and Lafayette Ave. residents just to get a better feeling of the scope, and how the impact will be in their neighborhood. She felt really good about speaking, and listening to the residents in this area, and looks forward to the community's participation in this process. It was very helpful to see the area and hear the resident's concerns.

Councilperson Jacoby stated that she and Councilperson Farrell are trying to work on ways that they can make Town parks more accessible to the handicapped population. This was mentioned in the Town Newsletter. They would like to get a small group of people together that have these needs particularly access to Town parks so that they can discuss ways to improve handicap accessibility. She encouraged residents to contact her or Councilperson Farrell via email if they are interested in giving some input.

Councilperson Jacoby congratulated Hudson Valley Raptors Girls 10U travel softball team won second place in the County wide tournament, which they worked very hard to achieve.

Councilperson Jacoby stated that she wanted to mention that this is Pride month, and we all take very seriously that our Town is welcome to all including the LGBTQ community. She wanted to tell people that if there are any ways they can be of better service to this community to not hesitate to reach out to any of the Town Board members.

**Councilperson James Creighton gave his report**

**OF NOTE:**

Councilperson Creighton stated that there is so much going on this summer. There are softball and little league games, the CCRA competing in regattas, and it is really great to see all the activities resuming in person. He thanked Councilperson Farrell for his participation with the CCRA.

Councilperson Creighton stated that he and Supervisor Becker attended an Eagle Scouts ceremony for Troop 28 recently and will be attending another ceremony this weekend for Troop 126.

Councilperson Creighton wanted to thank all staff members that worked tirelessly on the Town pool that will be opening this weekend.

Councilperson Creighton stated that he wanted to reiterate what his colleagues stated about solar farms and how the board is certainly not against solar energy at all. They just wanted be able to place them in the best area for them. Therefore, they will be passing a local law to regulate the placement of these larger scale solar projects. We are the first community in the region to use this solar mapping project

Councilperson Creighton stated finally he wanted to talk about the Westchester energy program, and how it makes sense at this time for the Town to sit back and take a pause in participating at this time. However, he wants to keep a close eye on it so that they can reconsider in the near future. NYSISO is forecasting plenty of available power for the summer. He further explained Con Ed, and their use of grid rewards program during some of the peak electric usage times, where you are actually paid to participate in this program, and participation in level billing payments to help pay your electric bill. Also, the Home Energy Assistance Program , HEAP, which is run out of County DSS, and they can give you how to work through the process if you cannot afford to pay your bill.

**Councilperson Frank Farrell gave his report**

**OF NOTE:**

Councilperson Farrell stated he wanted to follow up on Councilperson Jacoby's report about making Town parks more handicap accessible. He wanted to urge this community to help them with suggestions as to how they can make the parks not just accessible but enjoyable.

Councilperson Farrell congratulations the CCRA for a terrific weekend in Poughkeepsie at the youth championships.

Councilperson Farrell wanted to also thank Steve Ferreira, Dir. DES and all the Town staff that worked very hard on the opening of the Town pool. They are very appreciative of their hard work, and trouble shooting to get the pool in working order.

### **APPROVAL OF THE MINUTES**

Councilperson Mayes made a motion to adopt the minutes for the May 17, 2022 Regular Meeting, seconded by Councilperson Jacoby with all voting **AYE**.

### **PUBLIC HEARINGS**

1. Public Hearing to consider Omnibus Zoning Text Amendments.
  - a. Open Public Hearing
  - b. Adjourn to July 19, 2022

The Public Hearing was opened at 7:36 p.m.

Supervisor Becker stated this is what he mentioned in his opening comments about making sure certain Zoning restrictions are part of the Town Code.

Councilperson Jacoby made a motion to open the Public Hearing, seconded by Councilperson Creighton with all voting **AYE**.

There were no public comments.

Councilperson Jacoby made a motion to adjourn the Public Hearing, seconded by Councilperson Creighton with all voting **AYE**.

The Public Hearing was adjourned to the next meeting at 7:37 p.m.

2. Public Hearing to consider Amending Chapter 255 of the Town Code (Solar Energy Systems)
  - a. Open Public Hearing
  - b. Adjourn to July 19, 2022

The Public Hearing was opened at 7:37 p.m.

Councilperson Creighton made a motion to open the Public Hearing, seconded by Councilperson Farrell with all voting **AYE**.

Supervisor Becker stated that this is what he had mentioned earlier about the placement of Tier 3 Solar, and how this will help them to protect the placement of them.

There was no public comment.

Councilperson Creighton made a motion to adjourn the Public Hearing, seconded by Councilperson Farrell with all voting **AYE**.

The Public Hearing was adjourned to the next meeting at 7:38 p.m.

Supervisor Becker and Councilperson Creighton recognized David Douglas, Chair of Zoning Board, and Chair of the CAC for his input with these zoning amendments.

3. Public Hearing to consider a Local Law for Remote Meetings
  - a. Close Public Hearing
  - b. Adopt Negative Declaration
  - c. Adopt Resolution

Councilperson Farrell made a motion to open the public hearing, seconded by Councilperson Mayes.

The Public Hearing was opened at 7:38 p.m.

Mr. Warren Smith appeared before the Board. He asked if this applies to Work Sessions also.

Councilperson Creighton stated that it NYS law doesn't allow us the option at all to have remote meetings unless perhaps there are board members who are ill. This Local Law will then allow us the option to have remote meetings or hybrid. This is extended to our Planning Board, and Zoning Board as well.

Mr. Smith thanked the Town Board, and thinks this is a wonderful idea.

Councilperson Farrell made a motion to close the Public Hearing, Adopt a Negative Declaration, and Adopt Resolution, seconded by Councilperson Mayes with all voting **AYE**.

The Public Hearing was closed at 7:41 p.m.

**HEARING OF CITIZENS – AGENDA ITEMS ONLY**

**REPORTS**

**Receive and File the following:**

For the month of May 2022 from the Office of the Aging, Receiver of Taxes and the Town Clerk.

**OLD BUSINESS:**

**Receive and File the following:**

1. Public comments and Planning Board Memorandum received regarding MOD prior to cutoff date and entered into the record of the May 2, 2022 Public Hearing.
2. Memorandum from the Director of Planning regarding Lead Agency Designation for proposed Lovett Substation in Stony Point.

**NEW BUSINESS:**

**Receive and File the following:**

1. Letter from Resident of Birch Lane requesting signage for Blind Person Area; Refer to DES.
2. Letter from Resident of Richmond Place regarding speeding in Lake Allendale; Refer to DES.

Councilperson Mayes made a motion to Receive and File the above correspondence, seconded by Councilperson Jacoby with all voting **AYE**.

**RESOLUTIONS**

**RESOLUTION NO. 180-22 RE:** Re appoint all CAC members for a 2-year term.

**RESOLUTION REMOVED:** ~~Join Westchester Power to provide energy options for residents.~~

**RESOLUTION NO. 181-22 RE:** Authorize the Supervisor to Sign an Intermunicipal Agreement with the Village of Buchanan for sewer use.

**RESOLUTION NO. 182-22 RE:** Update hours of operations signs at Town Parks.

**RESOLUTION NO. 183-22 RE:** Add weight limits and related street signage for vehicles on Town Roads in the Hamlet of Verplanck.

**RESOLUTION NO. 184-22 RE:** Authorize an agreement with Team Concepts for the use of Lake Meahagh and Town facilities.

**RESOLUTION NO. 185-22 RE:** Authorize the Road Knights to use Town-owned Property for its annual event.

**RESOLUTION NO. 186-22 RE:** Adopt the Standard Workday Reporting Resolution 2022.

Authorize the following with respect to the 2022 Mt. Carmel Feast:

**RESOLUTION NO. 187-22 RE:** Closing of Certain Streets.

**RESOLUTION NO. 188-22 RE:** Fireworks Permit.

Councilperson Jacoby made a motion to adopt the above Resolutions, seconded by Councilperson Creighton with all voting **AYE**.

Agenda Items for DOTS:

**RESOLUTION NO. 189-22 RE:** Award TE Contract 2022.03 – Memorial Drive Equipment Shed.

**RESOLUTION NO. 190-22 RE:** Award TE Contract 2022.04 – 2022 Town-Wide Repaving.

**RESOLUTION NO. 191-22 RE:** Amend Rates of Pay for Seasonal Laborers and Floaters.

**RESOLUTION NO. 192-22 RE:** Appoint Summer Seasonals in DES.

**RESOLUTION NO. 193-22 RE:** Appoint Summer Seasonals in Recreation – Pool/Camp.

**RESOLUTION NO. 194-22 RE:** Appoint a Summer Intern in the Office of the Comptroller.

**RESOLUTION NO. 195-22 RE:** Appoint a Summer Intern in the Office of Town Clerk and Town Attorney.

**RESOLUTION NO. 196-22 RE:** Authorize an Intermittent Leave of Absence under FMLA in the Town Comptroller's Department.

Councilperson Creighton made a motion to adopt the above Resolutions, seconded by Councilperson Farrell with all voting **AYE**.

## **ADDITIONS TO THE AGENDA**

### **RESOLUTIONS:**

**RESOLUTION NO. 197-22 RE:** Authorize Collective Bargaining Agreements with AFSCME Foreman and White Collar Units.

**RESOLUTION NO. 198-22 RE:** Authorize Contracts with Contract Employees, Department Heads, Deputies and Non-Represented Employees.

**RESOLUTION NO. 199-22 RE:** Authorize purchase of materials and installation of Synthetic Ice Rink.

**RESOLUTION NO. 200-22 RE:** Appoint Gnesia Feliu as a Recreation Leader for NorWest.

**RESOLUTION NO. 201-22 RE:** Appoint a Part-Time Recreation Attendant for the Youth Center.

**RESOLUTION NO. 202-22 RE:** Appoint a Temp Stock Clerk in the Purchasing Department.

**RESOLUTION NO. 203-22 RE:** Appoint Eren Johnson as an Art Curator at Town Hall.

Councilperson Mayes made a motion to adopt the above resolutions, seconded by Councilperson Jacoby with all voting **AYE**.

**BUDGET TRANSFERS** – NONE

## **REPORTS FROM VARIOUS DEPARTMENTS**

## **REPORTS FROM STANDING & SPECIAL COMMITTEES**

### **SECOND HEARING OF CITIZENS**

Warren Smith appeared before the Board. He thanked the Town Board for addressing concerns about parks, speeding, and weight limits on certain roads in Verplanck. He wanted to make sure that the parking signs will be covering the Cortlandt Waterfront are from the Overlook from Broadway down to the seaplane base.

Supervisor Becker assured him that it would.

Lastly, Mr. Smith asked about new streetscape – storm drain at end of 9<sup>th</sup> street is higher than road itself, and wanted to point this out before the repaving began.

Michael Preziosi, Dep. Dir. DOTS explained that he knew about that storm drain, and it would be addressed during the repaving process.

Mr. Charles Messina appeared before the Board. He wanted to know if Park Rangers be armed?

Supervisor Becker answered No.

Mr. Messina wanted to know what was going on at the corner of Pumphouse and Valley View – hole was dug – water pouring out of it. Ice alongside of road – what is that hole?

Stephen Ferreira Dir. DES stated that there was a recent watermain break in that area, and he would send a crew out to take a look at it.

Mr. Messina wanted to know who the new tenant on Rt.6 at old Shoprite.

Councilperson Mayes answered that it was going to be a supermarket from Germany, Lidl

Mr. Messina wanted to know if they switch to Westchester Energy company, would Con Ed still be responsible for outages?

Supervisor Becker replied that yes that Con Ed would still be responsible for delivering the electric and the maintenance of lines and poles.

Mr. Messina asked about the leaks at Charles Cook Pool, and how bad are the ones that still exist?

Supervisor Becker stated that they will be monitoring the pool level . There have been several remedial processes being used. The Town brought in consultants to run cameras through pipes, and a pool consultant company

Stephen Ferreira Dir. DES stated that they know where most of the leaks are. It is a minimum. Significant drainage under pool to combat erosion.

Councilperson Farrell stated that the pool is a beautiful amenity that was built to a budget at the time, which was about 50 years ago.

Diane Pacino appeared before the Board. She wanted to thank Dr. Becker for helping to add police presence, and signage for sunset/sunrise is fine. However, she would like to see a definite time for parking to end.

**ADJOURNMENT**

Councilperson Jacoby made a motion to adjourn the meeting, seconded by Councilperson Farrell with all voting **AYE**.

The meeting was adjourned at 8:17 p.m.

**NEXT TOWN BOARD MEETING**

**July 19, 2022 at 7:00 pm**

**Town Hall Web Site address: [www.townofcortlandt.com](http://www.townofcortlandt.com)**

**Respectfully submitted,**

**Laroue Rose Shatzkin  
Town Clerk**

**Christine B. Cothren  
Deputy Town Clerk**