



A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on **December 12, 2023** with the following elected officials and appointed staff in attendance:

RICHARD H. BECKER	Supervisor
FRANCIS X. FARRELL	Councilmember
CRISTIN JACOBY	Councilmember
ROBERT MAYES	Councilmember
JAMES CREIGHTON	Councilmember

Also present:

TOM WOOD	Town Attorney
MICHAEL CUNNINGHAM	Assistant Town Attorney
LAROUÉ ROSE SHATZKIN	Town Clerk
CHRISTINE B. COTHREN	Deputy Town Clerk
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director, DOTS
CLAUDIA VAHEY	Human Resources Coordinator
STEPHEN FERREIRA	Director, DES
JOE BASSELL	Junior Network Specialist

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MEETING CALLED TO ORDER

The meeting was called to order at 7:00 p.m.

PLEDGE TO THE FLAG

SUPERVISOR'S PROCLAMATIONS & REPORTS

Supervisor Becker opened the meeting by acknowledging that it was the last meeting for Councilperson Frank Farrell after serving 28 years on the Board. Frank was born and raised in the Tri-Village Area and served in the US Navy from 1972-1975, where he learned the trade of printing. Upon his return, he opened his printing business, Liberty Press, which operated out of Verplanck for over 40 years. Frank was first inaugurated to the Town Board in 1996, and has served with many members in his decades of service. Some of which were in the audience this evening. He was instrumental in helping to build the NYS Trooper Barracks on Memorial Drive when the Town switched from having a Local Police Department to the Shared Services model we use today. Frank has always been involved in the Cortlandt Waterfront, and was instrumental

to many changes there, including the change from trailer park to public riverfront parkland, the rebuilding of Steamboat Dock as a place to congregate, the dock available for people who boat to use, and the future projects currently underway at the waterfront. Frank spearheaded the Cortlandt Youth Center, and took the lead on making it one of the gems of the Town. Also Lake Meahagh; Frank led the cleanup of what is now a gorgeous place to be. Finally, the Cortlandt Community Rowing Club – Frank found an activity that has generated tremendous participation -from young children up to age 80, they are competing with various towns, out rowing on the river and on lake Meahagh, and how there are now kids who have received university scholarships as a part of that program.

Supervisor Becker remarked on his personal friendship with Frank Farrell and how they have become close over the years, and was clearly emotional about his dear friend leaving. The Supervisor read, and presented Councilman Farrell with an official proclamation, and a clock.

Councilperson Farrell received a standing ovation from all present.

Councilperson James Creighton read, and presented a proclamation from Senator Peter Harckham NYS Assembly, which mentioned that Councilperson Farrell lobbied for enclosed Bus Shelters for senior areas, and negotiated agreements for Oscawana Lake Park.

Councilperson Cristin Jacoby presented a memory book that was created by the staff in Supervisor Becker's office, Elvia Sinchi, Diane Carroll, Judi Peterson, and Claudia Vahey, Director of Operations to Councilman Farrell that included photos from his history serving the town and quotes from his many colleagues. Councilperson Jacoby remarked that she has had the pleasure of sitting next to Councilman Farrell at Work Sessions and Passion, Pride, and Humility were the three but not nearly all the words that could be used to describe Frank. She spoke about his work ethic, honesty, integrity and so many of his accomplishments, and stated it was her pleasure to work along side him.

Coach Laughlin, CCRA appeared before the Board. He read a statement from the CCRA President and Councilperson Farrell, and his hard work and dedication to the rowing club.

Councilperson Creighton stated that he was happy to have the opportunity to work along side of Frank. Frank served as a mentor for him, and many others. Councilperson Farrell served and lead by example with caring, sense of humor, and expertise. He described Frank as always "thinking outside of the box". He attributed the development of the Cortlandt Youth Center on Frank's efforts to make it happen. He also mentioned that the Cortlandt Community Rowing Association was not just a local activity, but they also row nationally, and it serves people of all ages.

Councilperson Robert Mayes spoke about Councilperson Farrell. He used the following words to describe him: Humble, Honesty, Fairness, Preparedness, Openness to Learn, Team Work, Creativity, Hint of Rebellion, Patience, Cautiousness, Integrity, Sense of Duty, Commitment with an explanation of how each adjective was appropriate to describe him. He also closed with the quote; "Imitation is the highest form of flattery". Councilperson Mayes expressed his desire

to imitate Councilperson Farrell in his future on the Town Board. He presented Councilperson Farrell with a Proclamation from the Town Supervisor, and Town Board Members.

Kacie Morabito Grean, and other members of Let it Shine were present in the audience. Kacie presented an Angel to Councilperson Farrell on behalf of Let it Shine, which is a fabulous, thriving non-profit organization located in Verplanck. Kacie shared how Frank was institutional in making their current space on 7th St., Verplanck their “home”. She expressed their gratitude and wished him well in his future endeavors.

Colin Smith, Westchester County Legislator appeared before the Board. He spoke about Councilperson Farrell and how his 28 years of service to the Town of Cortlandt positively impacted the community. He also added the adjective, Persistent, to the list that Councilperson Mayes attributed to Frank. He presented Councilperson Farrell with a Proclamation from the Westchester County Board of Legislators.

Joseph Ryan, former Hendrick Hudson School District teacher, famously know for his history program at BMMS, and PRC Advisory Bd. Member spoke about his memories with Councilperson Farrell, and shared a funny story of an interaction he had with him at his printing business. Mr. Ryan gave a very animated speech, and recognition of Frank.

Mr. Thomas Wood, Town Attorney spoke about Councilperson Farrell from his own experiences, and on behalf of Town employees. He shared an anecdote from by greeting all with “Good evening Ladies and Gentlemen”, which was Frank’s trademark at every meeting when he greeted the public. Mr. Wood pointed out that realized that was Frank’s way of respecting the public, and his colleagues. He added Respect to the list of adjectives you could use to describe Frank. He respected the Town community, and people that he served. Mr. Wood mentioned all of the employees who were present to honor Frank this evening. He stated that he is privileged to have worked with Councilperson Farrell all these years, and he will truly miss working with him. However, he is honored to have gained him as a friend, and look forward to many more years.

Ms. Rosemary Boyle-Lasher spoke about her time working on the Town Board with Frank, and wanted to add the adjective Ernest to describe Frank. In particular she wanted to mention his efforts with helping to establish the Cortlandt Waterfront Park. She presented him with a t-shirt that had Retired Deputy Supervisor/Town Board Member printed on it.

Dana Levenberg, Assemblywoman spoke about Councilperson Farrell and how grateful she feels to have worked with him, and congratulated him on his many achievements, and his willingness to give back to the community. She spoke about his true dedication and commitment to the Town, and thanked him for all of his hard work.

Sandra Galef, retired Assembly woman was present in the audience to show her support for Councilperson Farrell.

Councilperson Frank Farrell wanted to take a moment to say a few words. He stated how flattered, humbled, and how much he deeply appreciated all of the wonderful things that people

said about him this evening. He stated that when he first ran for office he thought that he would do maybe one or two terms. There were a few things that he wanted to accomplish, and thought that would be enough time to do that. However, even after all these years there is still more to do. Town business is something that is ongoing, and perhaps eternal. There comes a time when you have to lay down the tools, step away, and let others carry on with the work, and feel confident that they will do just as good of a job or better. The Town is very fortunate to have some of the most outstanding, and dedicated employees. It was a great pleasure to get to know these people, and the work that they did to make the Town not only run, but run extremely well. He thanked all of the Town employees that he was privileged to have worked with over the years. He recognized that the Town would not be what it is today without these dedicated people, and they are very fortunate. He feels honored to be part of the Town Board, and encouraged younger people to be persistent with their beliefs, and do not be afraid to run for office. It has been a very rewarding part of his life. He thanked everyone for the recognition that was given to him tonight. He is very grateful, and appreciative for all of it.

Councilperson Farrell was given a standing ovation.

Supervisor Becker introduced the Town of Cortlandt Boys under 15 Soccer team, the Eagles. The team has been together for 7 years, and 6 out of the 7 years they were undefeated. They have won over 20 tournaments, and are currently ranked 6th in NYS. Mike Thompson, head coach, has volunteered his time with this team for over 7 years. Supervisor Becker invited Lesley Popkin, Deputy Director Recreation to come up and speak.

Ms. Lesley Popkin, Deputy Director Recreation appeared before the Board. She stated what an amazing team to have placed 6th in the whole state of NY. It is a huge achievement and she is so happy to be a part of it. She invited Coach Thompson, and Coach Atilla and the Eagles team to the podium. She also wanted to thank and recognize that parents that helped make this all possible.

Coach Mike Thompson wanted to thank the Town for organizing this soccer club. The parents are amazing, and they all have become like family. He thanked the boys for their dedication and commitment to the team. He thanked their trainer Coach Atilla for everything he taught the boys.

Coach Atilla spoke about the team their hard work, and diligence that have turned their gift for soccer into talent. He thanked the Town for this opportunity.

Lesley Popkin presented both coaches, and all the Eagles team with Proclamations from the Town of Cortlandt.

Supervisor Becker thanked Ken Sherman, Dir. Of Recreation, and Lesley Popkin, Deputy Director Recreation for all of their hard work and dedication.

Supervisor Becker, and the Town Board recognized Eagle Scout Maya Montalvo for her accomplishments which exceeded the number of badges to become an Eagle Scout, included a

project which was renovating a WWI ordinance, and anchor in front of the Yorktown VFW Post 8328.

Councilperson Jacoby presented Maya with a Proclamation from the Town of Cortlandt for her achievements, hard work, and dedication in this capacity, and recognized what a huge accomplishment she has achieved.

Maya stated that she is a life long resident of the Town of Cortlandt, and wanted to do something to give back to the local veterans. She was able to work with some local veterans from the Yorktown VFW and was honored to contribute her time and effort to this project. She thanked all for the opportunity, and the Proclamation.

ROLL CALL

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

TOWN BOARD REPORTS

The Town Board proceeded directly to the Public Hearings.

APPROVAL OF THE MINUTES

Approve the Minutes for the November 6, 2023 Special Meeting and the November 14, 2023 Regular Meeting.

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

PUBLIC HEARINGS

Public Hearing to Consider creating an Increase and Improvement of the Facilities of the Dickerson Pond Sewer District.

The Public Hearing was opened at 8:23 P.M.

Supervisor Becker explained this sewer district is in the area of Valeria, and there has been a myriad of sewer difficulties there for some time. The Town of Cortlandt has acquired the plant and has now refurbished it for which was very expensive. They have explored options to pay for these repairs, and in order to apply for interest free loan so we can spread the payments out and save the residents some funds. This Bond Resolution is the first step in the process of going forward to actually go to bond for these repairs.

Mr. Lou Ambrosia, President Valeria II Condo Homeowners Association spoke on behalf of Tim Murphy, Tina Rickett, and Bill Conlin Presidents of the Valeria Homeowners Associations. They wanted it to be noted officially that they are not to be construed as agreeing with this resolution. Although, they are grateful and thankful for all of the work that Dr. Becker, and all the Town staff has done to help resolve this issue. They do not feel as though it was any fault on behalf of Valeria, and appreciate the Town's assistance in commencing appropriate action against the negligent maintenance of the Dickerson Pond Sewer District.

Supervisor Becker thanked him for his comments.

RESOLUTION NO. 335-23 RE: Adopt Negative Declaration

RESOLUTION NO. 336-23 RE: Adopt Public Interest Order

RESOLUTION NO. 337-23 RE: Adopt Bond Resolution

Councilperson Jacoby made a motion to close the Public Hearing, adopt a Negative Declaration, and adopt Bond Resolution, seconded by Councilperson Creighton with all voting **AYE**.

The Public Hearing was closed at 8:26 P.M.

Public Hearing to consider amending a Local Law to allow a PILOT for the Indian Point Energy Center.

The Public Hearing was opened at 8:26 P.M.

Supervisor Becker explained that this is not the actual PILOT that is being voted on. This is the authorization to complete the negotiations and recommend the Payment in Lieu of Taxes (PILOT).

Thomas Wood, Town Attorney wanted to point out that Sandy Galef, who was present at the meeting, was the person who championed the process for the original PILOT program when Con Ed switched to Entergy, and kept the stability in the Town for many years, and she is now present to see the Town voting to move forward to negotiate for a PILOT "decommissioned nuclear plants". The first legislation for this type of negotiations was first passed during Assemblyperson Galef's time of service. This is not the PILOT itself, this is what will allow the Town Board, all of the interested parties to further negotiate a PILOT for a decommissioned nuclear plant.

Supervisor Becker stated that this legislation was unique in the sense that there wasn't any history in the taxing of nuclear plants prior to this PILOT legislation. The taxing of the decommissioned plant is something that has not been done anywhere in the country. He thanked retired Assemblywoman Galef for her input on the initial PILOT.

Christopher Vargo appeared before the Board. He spoke about a piece of property, discussed at a Quarry Committee meeting that the Town was going to acquire from Holtec, which he is not in favor of. He feels as though the Town should not be taking any properties off of the tax rolls.

Supervisor Becker pointed out that the property, about 28 acres, that Mr. Vargo is speaking about had not been taxed in all the years Entergy owned it, as Entergy did not even realize it belonged to them. So the property will be used as additional negotiating tool in addition to the PILOT. If Holtec gives the property to the Town it will have a certain value, and if they do not they will now be taxed on the property. However, this is something that the Town is not even close to negotiating at this time.

Mr. Charles Eichler, Fire Commissioner, Verplanck Fire District appeared before the Board. He stated that the Town of Cortlandt, Village of Buchanan, and School District have their own negotiations so where does that leave the fire district in all of this?

Thomas Wood, Town Attorney stated the Village of Buchanan has their own separate PILOT. The Verplanck Fire District gets their money out of the Town's allocation under the PILOT. So the Fire District will be receiving their fair share. The division of the PILOT money is based on the proportion of our tax bills. In addition, in this current PILOT there is a special category for the fire district to give them additional revenue for capital needs.

Mr. Eichler stated that it seems as though the Fire District always seems to be left out.

Supervisor Becker assured him that is not the case, and believes if the agreement goes through the Verplanck Fire Department will be very pleased.

RESOLUTION NO. 338-23 RE: Adopt Negative Declaration

RESOLUTION NO. 339-23 RE: Adopt Resolution, Local Law #9-23

Councilperson Creighton made a motion to close Public Hearing, adopt a Negative Declaration, adopt Resolution, seconded by Councilperson Farrell with all voting **AYE**.

The Public Hearing was closed at 8:32 P.M.

Public Hearing to consider amending Chapter 92-7 of Town Code related to the PRC Advisory Board.

The Public Hearing was opened at 8:32 P.M.

Supervisor Becker stated that the PRC Advisory Board has traditionally had a number of members, two of whom has resigned from the Board. The Town advertised and had many people apply, and it was recommended by the committee that we add 4 additional members to

the committee, so we decided to expand the panel.

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

RESOLUTION NO. 340-23 RE: Adopt Negative Declaration

RESOLUTION NO. 341-23 RE: Adopt Resolution, Local Law #10-23

The Public Hearing was closed at 8:33 P.M.

Public Hearing to consider a Local Law concerning the Senior Citizen Exemption.

The Public Hearing was opened at 8:33.

Councilperson Mayes made a motion to adjourn the Public Hearing to January 24, 2024, seconded by Councilperson Jacoby with all voting **AYE**.

HEARING OF CITIZENS – AGENDA ITEMS ONLY

Christopher Vargo appeared before the Board. He questioned the battery storage facilities, and asked the Town Board to have an open mind, and find out more about the subject before they decide to just shut it down. He recommended that they seek maybe outside consulting to learn more about it.

Supervisor Becker explained that is why they are setting a moratorium, so it gives them time to explore and learn about the battery storage facilities.

Christopher Vargo then asked the Town to explain about the ARP grant money that was supposed to be used for the performance stage at the Cortlandt Waterfront.

Supervisor Becker stated that ARP funds, which is the American Rescue Plan, which is federal money that was allocated after the COVID pandemic. The Town was given \$3.2 million dollars which every penny has to be accounted for, and allocated for by the end of 2024. This is spelled out in the Resolution. This money was used for the quarry, and other projects throughout the Town. The performance stage they will be using a grant from Senator Peter Harckam, and somewhere around \$600,000 from the ARP fund. This Resolution was created so that the money is clarified and recorded for the federal government.

Patricia Robcke, Comptroller read a list of projects that were allocated by this ARP money, which included sidewalks in Verplanck, various studies for the Quarry property, various sewer projects, and some money for additional police services in addition to the performance stage.

Mr. Vargo wanted to point out that this money is separate from the \$3.2 million that they received from Congresswoman Lowey. He feels as though the money was not spent correctly, and would like to see money spent for resiliency, sustainability, stability, and economic growth. He does not see it headed in that direction at all.

Mr. Joseph Ryan stated that he was in full agreement with the Battery Storage Moratorium, and thought it was a great idea to take time and do some research on the subject.

REPORTS

Receive and File the following:

For the months of August and September from the Department of Recreation.

For the month of November 2023 from the Office of the Aging, Purchasing Department, Receiver of Taxes and the Town Clerk.

OLD BUSINESS:

Receive and File the following:

NEW BUSINESS

Receive and File the following:

Memorandum from DOTS regarding Dangerous Building at 3275 Lexington Ave.

Councilperson Jacoby made a motion to receive and file the above, seconded by Councilperson Creighton with all voting **AYE**.

RESOLUTIONS

RESOLUTION NO. 342-23 RE: Reappoint Jeffrey Boudin and Michael Fleming, and appoint Joseph Mintz, Joseph Ryan, Kelly LeVasseur Reilly, and Paul Pacchiana to the PRC Advisory Board.

RESOLUTION NO. 343-23 RE: Reappoint John Lentini to the Board of Assessment Review.

RESOLUTION NO. 344-23 RE: Adopt the Capital Improvement Plan for 2024-2028.

RESOLUTION NO. 345-23 RE: Authorize the Comptroller to Amend the 2023 Budget for the Use of Funds from the American Rescue Plan Act (ARPA).

RESOLUTION NO. 346-23 RE: Appoint the Town Clerk as a Marriage Officer in the Town of Cortlandt.

RESOLUTION NO. 347-23 RE: Authorize a rate increase and increased equipment maintenance fee for meters, for the Cortlandt Consolidated Water District.

RESOLUTION NO. 348-23 RE: Approve Updated Rates and Sludge Fee for the Sewer District Operated by Jonas Bastys, Inc.

RESOLUTION NO. 349-23 RE: Authorize the conveyance of 49 Ruth Road to adjacent property owners.

RESOLUTION NO. 350-23 RE: Retain Bond, Schoeneck & King PLLC to advise on Paramedics Program.

RESOLUTION NO. 351-23 RE: Authorize the Settlement of Herman & Ghiazza v. Town of Cortlandt. Case 7:18-cv-02440-CS

Supervisor Becker recognized the newly appointed members of the PRC Committee, and Board of Assessment Review Board member.

Supervisor Becker commented on the ongoing situation with Jonas Bastys sewer system that services the area around Amberlands and Scenic Drive. They had not had a rate increase in many years, and the plant required improvements which the owner did, and increased the sewer rates without the required authorization of the Town Board, so the Town Board will be setting a fair rate for the residents.

Supervisor Becker commented on the Resolution for the Paramedic Program, and stated that this is something he has been working on for over two years, and is excited to see it through.

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

RESOLUTION NO. 352-23 RE: Authorize the Supervisor to execute an IMA with Westchester County for the Disposal of Residential Food Scraps.

RESOLUTION NO. 353-23 RE: Authorize the Supervisor to execute an IMA with Westchester County for Remote Access to Westchester Records Online.

RESOLUTION NO. 354-23 RE: Authorize the Directors of Recreation and DES-Parks to purchase a Field Blanket System for various Town Fields.

Agenda Items for DOTS:

RESOLUTION NO. 355-23 RE: Authorize DOTS to prepare RFP for Water Quality Evaluation and Treatment Options for Wallace Pond/Westchester Lake.

RESOLUTION NO. 356-23 RE: Authorize DOTS to issue an RFP for Veterinary Care Services.

Agenda Items for Department of Environmental Services:

RESOLUTION NO. 357-23 RE: Authorize the Director of DES to seek bids for the Resurfacing of Cook Pool Phase I.

RESOLUTION NO. 358-23 RE: Authorize a Stop Sign at the corner of Catherine Street and Stevenson Avenue.

RESOLUTION NO. 359-23 RE: Authorize the Director of DES to award the contract for the installation of new water meter register heads and lead service line testing.

RESOLUTION NO. 360-23 RE: Authorize the auction of surplus vehicles and equipment.

Supervisor Becker commented on the Westchester County food scrap program, and stated that it would be a Town wide composting that has been done in other Towns successfully, and is looking forward to the Town participating in the program.

Supervisor Becker also commented on the water meter project, and explained that the Town is required to do lead service line testing, and are taking the opportunity to change the water meter register heads at the same time.

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

RESOLUTION NO. 361-23 RE: Appoint Teresa Cioffoletti to the title of Purchase Clerk, per Civil Service Guidelines.

RESOLUTION NO. 362-23 RE: Appoint Russell Jaeschke to the Title of Water and Sewer Worker Grade II per Civil Service Guidelines.

RESOLUTION NO. 363-23 RE: Appoint Andrea Lamberti to the Title of Water and Sewer Worker Grade II per Civil Service Guidelines.

RESOLUTION NO. 364-23 RE: Appoint Part Time Seasonal Recreation Attendants.

RESOLUTION NO. 365-23 RE: Authorize an Intermittent Leave of Absence for an employee in DES – Highway.

RESOLUTION NO. 366-23 RE: Appoint a Peter Hegarty as a Permanent Part-Time Cleaner for Town Hall.

RESOLUTION NO. 367-23 RE: Schedule a Public Hearing for January 23, 2024 for Omnibus Zoning Text and Map Amendments.

RESOLUTION NO. 368-23 RE: Schedule a Public Hearing for January 23, 2024 to consider Agreements with Various Fire Departments pertaining to Fire Protection Services. (Continental Village Fire Department, Montrose Fire Department and the Village of Croton)

RESOLUTION NO. 369-23 RE: Schedule a Public Hearing for January 23, 2024 regarding a Dangerous Building at 3275 Lexington Ave.

RESOLUTION NO. 370-23 RE: Schedule a Public Hearing for January 23, 2024 regarding a Moratorium on Battery Storage in the Town of Cortlandt.

Supervisor Becker recognized the newly promoted and hired employees in attendance.

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

ADDITIONS TO THE AGENDA

RESOLUTION NO. 371-23 RE: Appoint Dianne Carroll to the Title of Senior Office Assistant/Automated Systems per Civil Service Guidelines.

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

BUDGET TRANSFERS - YES

RESOLUTION NO. 373-23 RE: Authorize Budget Amendment #1

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

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

ADJOURNMENT

Supervisor Becker requested that Councilperson Farrell make his last motion to adjourn the meeting.

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

The meeting was adjourned at 8:50 P.M.

NEXT TOWN BOARD MEETING

January 23, 2024 at 7:00 p.m.
Town Hall Web Site address: www.townofcortlandt.com

Respectfully submitted,

Laroue Rose Shatzkin
Town Clerk

Christine B. Cothren
Deputy Town Clerk