



A **Regular Meeting** of the Town Board of the Town of Cortlandt was conducted on **January 23, 2024** 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 - ABSENT
PATRICIA ROBCKE	Comptroller
MICHAEL PREZIOSI	Director, DOTS
CLAUDIA VAHEY	Human Resources Coordinator
STEPHEN FERREIRA	Director, DES - ABSENT
JOE BASSELL	Junior Network Specialist
DENISE KNAUER	Assessor
TINA TOBACK	Senior Office Assistant

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 stated that this was the first meeting of the year. He welcomed Councilperson Joyce White to her first meeting as a Town Board member.

Supervisor Becker wanted to mention that there has been 3 homes and a retail store that have broken into recently, and urged the public to be safe. The police are investigating this and have some leads. The Cortlandt Waterfront Performance stage is well under way, and the Town is very much on track to have it open for the Spring, and for the Summer Concert Series this year.

Supervisor Becker mentioned the following future events:

2/3/14 Eagle fest to be held at Cortlandt Waterfront Park, and Croton Point Park.

2/9/24 Disco Dance and Skate at the ice rink on Memorial Drive.

2024 Winter/Spring Planner from the Recreation Department is now available.

Military tribute banners are now available through the Town. Please contact Diane Carroll in Supervisor's office for more information.

Supervisor Becker stated that the agenda this evening is a lot of Pro-forma information that they renew, approve, and appoint annually. The Town Board has met several times and discussed the issues at their previous Work Sessions.

Supervisor Becker introduced Richard Aeriotti, Eagle Scout, Troop 238 that the Town Board wanted to recognize this evening.

Councilperson Creighton expressed his love for all types of scouting. He spoke about Richard and his accomplishments. He spoke about Richard's project, which was as the Muriel Morabito Community Center. Richard created a take a book, leave a book program, He held a book drive to help fill the library, and it is a very successful project.

Richard Ariatti came up to the podium, and accepted the Proclamation from the Town Board. He stated that he always enjoyed reading, and wanted to do something to bring a library to the seniors at the community center.

TOWN BOARD REPORTS

Councilperson James Creighton gave his report

OF NOTE:

Councilperson Creighton spoke about the following:

Reorganizational meeting, and the pro-forma items, which are discussed at length by the Board at previous Work Sessions as Supervisor Becker stated. He mentioned shared services, the obtaining of grants, capital projects.

Councilperson Creighton stated that he is going to advocate working closely with our State, County, and Federal representatives in hopes to acquire some of the grant money that is available, and has been availed to the surrounding Towns, Cities, and Villages. There are things that can be made better in the Town of Cortlandt.

He is happy to be Deputy Supervisor again, and the liaison to the Hudson Valley Gateway Chamber, liaison for solar, and sustainability issues. The Town Board is excited to move forward with various projects, and he is pleased to be a part of the processes.

Councilperson Robert Mayes gave his report
OF NOTE:

Councilperson Mayes spoke about the following:

AOT training school in Albany. We were able to see what other Towns do, and how different each local government is. It was very beneficial to learn about how other Towns are doing things.

Martin Luther King Jr. day. Every year he re-reads the letter from the Birmingham jail. It reminds me of the power of words. It is one of the most persuasive pieces of writing that he knows. More importantly Dr. King put forth a duty of service to the community. If you see something wrong, you have to stand up and fight for that. Martin Luther King Day across the country should and is becoming a day of service. Try to do something to help the community.

Pro-forma agenda items are very important, and are discussed thoroughly at the Town Board work sessions. He wanted to note two items that he feels are very important: Public Hearing for Zoning Amendments, and the contract award for the Charles J. Cook Pool resurfacing. It is an important that we stay ahead and plan for upgrades of our facilities.

He mentioned today was National Handwriting Day.

Councilperson Cristin Jacoby gave her report
OF NOTE:

Councilperson Jacoby spoke about the following:

AOT seminar biggest take away was what an incredible Town employee base that we have. We are very fortunate to have such a dedicated staff working behind the scenes to make sure everything is run smoothly.

Salary resolution for non-elected, non-union salaries. Just wanted to mention that we take our responsibility as fiduciaries for the Town very seriously, and a lot of thought is given to salary decisions.

Welcomed Councilperson Joyce White, and wished her well in her term on the Town Board.

Councilperson Joyce White gave her report
OF NOTE:

She thanked all the voters who have given her this opportunity to serve the Town residents. She is looking forward to start making a positive impact working closely with the other Board members.

AOT training was very helpful, and found the networking involved to be very positive, and helpful to have this information. She vowed to work hard for her Town, and to make sure everyone is heard and their concerns are addressed.

APPROVAL OF THE MINUTES

Approve the Minutes for the December 4, 2023 Special Meeting, and the December 12, 2023 Regular Meeting

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

DANGEROUS BUILDING PROCEEDINGS

To consider evidence that 3275 Lexington Ave is a dangerous building.

- a. Adjourn to February 13, 2024

Supervisor Becker stated this is a property that is hazardous, and was recently given information that the property owner is moving in the proper direction to remedy the violations. So they will be adjourning this matter to next month.

Councilperson Jacoby made a motion to adjourn to the February 13th Town Board Meeting, seconded by Councilperson Creighton, with all voting **AYE**.

PUBLIC HEARINGS

Public Hearing to consider Agreements with various fire departments with respect to Fire Protection Services (Continental Village Fire Department, Montrose Fire Department and the Village of Croton.)

The Public Hearing was opened at 7:29 P.M.

Supervisor Becker stated that these are annual agreements that they enter into every year for fire protection services in the Town of Cortlandt.

RESOLUTION NO. 1-24 RE: Adopt Negative Declaration

RESOLUTION NO. 2-24 RE: Adopt Resolution for Continental Village Fire Department

RESOLUTION NO. 3-24 RE: Adopt Resolution for Montrose Fire Department

RESOLUTION NO. 4-24 RE: Adopt Resolution for Village of Croton

Councilperson Creighton made a motion to Close the Public Hearing, adopt a Negative Declaration, and adopt the Resolutions, seconded by Councilperson White, with all voting **AYE**.

The Public Hearing was closed at 7:30 P.M.

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

The Public Hearing was opened at 7:30 P.M.

Supervisor Becker explained that this was a tax exemption for our senior population. The Town has previously passed exemption for veterans, first responders, and now for citizens over 65 years old who have an income of less than \$58,000. He further thanked Denise Knauer, Town Assessor, and Patricia Robcke, Comptroller for their hard work on this matter.

RESOLUTION NO. 5-24 RE: Adopt Negative Declaration

RESOLUTION NO. 6-24 RE: Adopt Resolution for Senior Citizen Exemption

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

The Public Hearing was closed at 7:32 P.M.

Public Hearing to Consider a Moratorium on Battery Storage in the Town of Cortlandt

The Public Hearing was opened at 7:33 P.M.

Supervisor Becker explained how battery storage facilities are becoming popular, and the moratorium is so the Town Board can educate themselves, and assess the information about these storage facilities. The moratorium will allow the Town Board to explore the subject before making any hasty decisions. This is very similar to what the Town Board did when solar projects were becoming popular.

Ryan Mulcahy, Town resident appeared before the Board. He had concerns about fires in relation to the battery storage facilities, and their dangerous features.

Thomas Wood, Town Attorney stated that is exactly why they are taking a pause to find out more information on these facilities so that the Board can make a more educated decision with the applications that are currently before them.

RESOLUTION NO. 7-24 RE: Adopt Negative Declaration

RESOLUTION NO. 8-24 RE: Adopt Resolution for Moratorium

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

The Public Hearing was closed at 7:39 P.M.

HEARING OF CITIZENS – AGENDA ITEMS ONLY

REPORTS

Receive and File the following:

For the months of October and November, 2023 from the Department of Recreation.

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

2023 Annual Report from the Receiver of Taxes and the Town Clerk.

OLD BUSINESS:

Receive and File the following:

NEW BUSINESS

Receive and File the following:

1. Letter from Mayor Knickerbocker of Buchanan regarding crosswalk request on Kingsferry Rd.
2. Letter from the Peekskill Community Volunteer Ambulance Corps requesting increase for 2024 Agreement.

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

RESOLUTIONS

RESOLUTION NO. 9-24 RE: Appoint Steven Kessler as Chair, and Thomas Bianchi as Vice Chair of the Planning Board.

RESOLUTION NO. 10-24 RE: Reappoint Michael Fleming as a Member, and Reappoint Michael Fleming as Chair and Wai Man Chin as Vice Chair of the Zoning Board of Appeals.

RESOLUTION NO. 11-24 RE: Appoint MaryBeth Allen-Knecht as a member of the Conservation Advisory Council.

RESOLUTION NO. 12-24 RE: Adopt the Salary Resolution for Town Employees for the Year 2024.

Appoint or re-appoint members to the following:

RESOLUTION NO. 13-24 RE: Architectural Review Council

RESOLUTION NO. 14-24 RE: Alarm Appeals Board

Appoint the following:

RESOLUTION NO. 15-24 RE: Deputy Town Supervisor for the year 2024.

RESOLUTION NO. 16-24 RE: Town Board Liaison for Personnel Matters.

RESOLUTION NO. 17-24 RE: Town Board Liaison for Sustainability and Solar energy issues.

RESOLUTION NO. 18-24 RE: Town Board Liaison to Hudson Valley Chamber of Commerce.

RESOLUTION NO. 19-24 RE: Town Board Liaison to Local Waterfront Revitalization Committee.

RESOLUTION NO. 20-24 RE: Town Board Liaisons to Departments

RESOLUTION NO. 21-24 RE: Purchasing Director.

RESOLUTION NO. 22-24 RE: Town Attorney, Deputy Town Attorney, Town Comptroller, and the Director of Technical Services as Town Officers; authorize employment contracts with respect to same.

RESOLUTION NO. 23-24 RE: Employment agreements with Non-Union Employees.

RESOLUTION NO. 24-24 RE: EFPR Group LLP (CPA's) as Town Auditors

RESOLUTION NO. 25-24 RE: Triad Group LLC as Manager of Town of Cortlandt Self-Insured Workers' Compensation Fund.

RESOLUTION NO. 26-24 RE: Midwest Employers Casualty as carrier for Excess Workers Compensation.

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

Adopt the following for 2024:

RESOLUTION NO. 27-24 RE: Rules of Procedure for the Town Board Meetings

RESOLUTION NO. 28-24 RE: Designate the Official Newspaper and alternates.

RESOLUTION NO. 29-24 RE: Designate the Depositories

RESOLUTION NO. 30-24 RE: Master Fee Schedule for 2024

RESOLUTION NO. 31-24 RE: Designate the Supervisor and Human Resource Coordinator as authorizing authorities to execute all Civil Service Forms.

RESOLUTION NO. 32-24 RE: Set the mileage reimbursement for Town Officials and employees.

RESOLUTION NO. 33-24 RE: Purchasing Manual.

RESOLUTION NO. 34-24 RE: IT Security Policy.

RESOLUTION NO. 35-24 RE: Drug and Alcohol Policy.

RESOLUTION NO. 36-24 RE: Social Media Policy.

RESOLUTION NO. 37-24 RE: Sexual Harassment Policy.

RESOLUTION NO. 38-24 RE: Workplace Violence Prevention Policy.

RESOLUTION NO. 39-24 RE: Authorize Town Officials to attend the Association of Towns training sessions in February in NYC.

RESOLUTION NO. 40-24 RE: Designate the Voting Delegate and Alternate for the Association of Towns Annual Business Session.

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

Authorize the Supervisor to execute the following 2024 Agreements and/or Contracts:

RESOLUTION NO. 41-24 RE: All contracts on behalf of the Town Awarded by the Purchasing Department.

RESOLUTION NO. 42-24 RE: Applications for pool permits

RESOLUTION NO. 43-24 RE: Agreement with the Town of Yorktown covering Nutrition Meals under Title 3C of the Older Americans Act.

RESOLUTION NO. 44-24 RE: Inter-Local Agreements for Nor-West Regional Services.

RESOLUTION NO. 45-24 RE: All nutrition contracts for the Senior Center.

RESOLUTION NO. 46-24 RE: Agreement with Westchester Jewish Community Services.

RESOLUTION NO. 47-24 RE: Agreements with respect to covering shared equipment.

RESOLUTION NO. 48-24 RE: Agreement with the Villages authorizing the Town Purchasing Director to advertise bids on behalf of the Villages.

RESOLUTION NO. 49-24 RE: Partners in Safety.

RESOLUTION NO. 50-24 RE: All Personal Service Contracts.

RESOLUTION NO. 51-24 RE: All contracts with various Libraries servicing the Town of Cortlandt.

RESOLUTION NO. 52-24 RE: Agreement with Fiscal Advisors & Marketing, Inc. for Financial Advisory/Bond Services.

RESOLUTION NO. 53-24 RE: Renewal of Concession Stand Services at Charles J. Cook Pool.

RESOLUTION NO. 54-24 RE: 2024 Recycle Right Contract with Sustainable Westchester.

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

RESOLUTION NO. 55-24 RE: Authorize Agreements with Peekskill Community Volunteer Ambulance Corps., the Village of Croton on Hudson and Cortlandt Volunteer Ambulance Corp. with respect to calls within the Town of Cortlandt.

RESOLUTION NO. 56-24 RE: Authorize the Supervisor to execute contracts with Westchester County with respect to CDBG projects for 2024.

RESOLUTION NO. 57-24 RE: Authorize Settlement of Outstanding Water Payment for Cortlandt Ridge.

RESOLUTION NO. 58-24 RE: Authorize increase for Part-Time workers at Nor West.

Agenda items for DES:

RESOLUTION NO. 59-24 RE: Award contract for Cook Pool Resurfacing Phase I

RESOLUTION NO. 60-24 RE: Authorize a Leave of Absence under FMLA for an employee in the Office of the Town Clerk.

RESOLUTION NO. 61-24 RE: Schedule a Public Hearing for February 13, 2024 regarding Omnibus Zoning Map & Text Amendments.

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

ADDITIONS TO THE AGENDA

NEW BUSINESS

Receive and File the following:

1. Letter from Westchester County Executive George Latimer requesting Resolution in Support of Feasibility Assessment for connection of MTA Hudson Line and Penn Station.

RESOLUTIONS:

RESOLUTION NO. 62-24 RE: Authorize the Town Supervisor to execute documents pertaining to the ADU Plus One Program.

RESOLUTION NO. 63-24 RE: Support Recommendation for MTA to conduct Feasibility Study for access to Penn Station from Hudson Line.

RESOLUTION NO. 64-24 RE: Appoint a Seasonal Workers in DES.

RESOLUTION NO. 65-24 RE: Authorize an Intermittent Leave of Absence in DOTS – Code Enforcement.

RESOLUTION NO. 66-24 RE: Schedule a Public Hearing for February 13, 2024 to amend the Town Code provisions regarding the Disability Exemption.

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

BUDGET TRANSFERS- YES

Patricia Robcke, Comptroller explained that there were 5 budget amendments as they close out for the year. The Town has to legally make sure that these funds are available in the budget line. These are authorizing the Town Board to utilize the fund balance to cover certain expenses throughout the year.

RESOLUTION NO. 67-24 RE: Authorize Budget Amendments

Councilperson White made a motion to authorize the Budget Amendments, seconded by Councilperson Mayes with all voting **AYE**.

REPORTS FROM VARIOUS DEPARTMENTS

REPORTS FROM STANDING & SPECIAL COMMITTEES

SECOND HEARING OF CITIZENS

Ryan Mulcahy, Town of Cortlandt resident appeared before the Board again. He wanted make note of a letter that he received a letter from Amberlands Realty regarding an icy road situation on Scenic Drive that had been reported to the Town several times since 2018. This is due to a drainage issue that the Town is responsible for. He wanted to point out that as of the date of this letter 1/3/24, there has been no action by the Town on this issue. He gave pictures on the area to the Town Board.

Thomas Wood, Town Attorney spoke on behalf of the Dir. Of DES, who was not present at the meeting. He stated that the water is actually coming from a utility manhole. The Town has been in touch with Con Edison, the Town sends the sand truck out there everyday that freezing weather occurs. Con Edison has the location of their list to repair, and the Town has been on top of the situation since it has occurred.

Ryan Mulcahy stated that he is most concerned about the long period of time that this has been going on for.

Thomas Wood, Town Attorney stated that the Town has been dealing with Con Edison, and has been working to rectify this, and will continue to do so.

Ryan Mulcahy voice his opinion that he is opposed to the tree ordinance, and wanted the Town to further explain.

Supervisor Becker stated that this is modeled after many of the other Towns tree ordinances in Westchester County. It is necessary for the Town to be able to help preserve when possible.

Michael Preziosi, Dir. DOTS/Engineering gave a thorough explanation of the tree ordinance and why they feel it is necessary.

Mr. Mulcahy brought up a resident who has currently received a Cease and Desist Order from the Town regarding their removal of trees.

Michael Preziosi, Dir. DOTS/Engineering explained the nature of this violation, and did not want to go into specifics of the individual case at this time.

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

The meeting was adjourned at 8:15 P.M.

NEXT TOWN BOARD MEETING

February 13, 2024 at 7:00 pm
Town Hall Web Site address: www.townofcortlandt.com

Respectfully submitted,

Laroue Rose Shatzkin
Town Clerk

Christine B. Cothren
Deputy Town Clerk