

RESOLUTION

NUMBER 86-21

(RE: AUTHORIZE THE SUPERVISOR TO EXECUTE CONTRACTS WITH VARIOUS LIBRARIES SERVICING THE TOWN OF CORTLANDT)

WHEREAS, the Town Board, as a general appropriation within the Town Outside Village Fund, appropriates monies on an annual basis for a contribution to Libraries within the Westchester Library System which are utilized by the residents of the Town of Cortlandt; and

WHEREAS, the funds are normally distributed on an annual basis in accordance with the usage numbers and circulation numbers provided by the Libraries; and

WHEREAS, the Libraries in the Westchester Library System have a standardized method of calculating the number of users of the Libraries; and

WHEREAS, it is desirous of renewing Agreements with the Libraries who are members of the Westchester Library System in accordance with the same formula previously utilized by them:

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be, and hereby is, authorized to execute a Contract for library services with the Hendrick Hudson Free Library, the Croton Free Library, the John C. Hart Library (Shrub Oak), and the Field Library (Peekskill) for payment of the amounts listed below for the year 2021:

HENDRICK HUDSON FREE LIBRARY	\$ 194,914.00
CROTON FREE LIBRARY	14,672.00
JOHN C. HART LIBRARY	355,601.00
PEEKSKILL FIELD LIBRARY	101,826.00

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

**Adopted on March 16, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 87-21

(AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE AN OPTION AND LONG-TERM GROUND LEASE AGREEMENT WITH THE LEADER OF CORTLANDT PITCH FOR A PORTION OF TOWN-OWNED PROPERTY)

WHEREAS, the Town of Cortlandt purchased approximately 100 acres from Consolidated Edison Company of New York, Inc. (“Cortlandt Quarry Park”) in 2016; and

WHEREAS, the Cortlandt Quarry Park is located in the Hamlet of Verplanck; and

WHEREAS, in the best interests of the residents, the Cortlandt Quarry Park’s uses have been restricted to recreational and other municipal purposes; and

WHEREAS, projects have been proposed in the past, which have not met the criteria for recreational and other municipal purposes or otherwise were not a harmonious fit with the character of the Hamlet of Verplanck; and

WHEREAS, the Town was awarded a \$3.2 million grant through the U.S. Department of Commerce’s Economic Development Administration (EDA) Assistance to Nuclear Closure Communities Program (the “Grant”); and

WHEREAS, the Grant is intended to facilitate economic development within the Town to offset the effects caused by the closure of the Indian Point Energy Center; and

WHEREAS, the Grant money will be used to build infrastructure at the Cortlandt Quarry Park Site; and

WHEREAS, if the Town does not use the money allocated to it through the Grant, then it will lose the money allocated to it to another municipality ready to proceed; and

WHEREAS, one of the projects discussed in the Grant Application was Cortlandt Pitch; and

WHEREAS, Cortlandt Pitch was originally proposed as an indoor sports facility in 2016 to be located on Crompond Road adjacent to Cortlandt Lanes; and

WHEREAS, after years of work and considerable expense to the Leader of Cortlandt Pitch (the “Leader”), the Leader voluntarily withdrew the Application for the Crompond Road location in order to seek out a more appropriate location; and

WHEREAS, the Quarry Property is a logical location for Cortlandt Pitch as it would be a recreational use with proposed benefits to the public including serving as an emergency shelter/evacuation center, providing bathroom access for parents and kids using town fields,

providing discounted access to Town residents, providing free access to seniors to ancillary uses or walk the field twice weekly, and providing access for Town summer camps on extremely hot days and days with inclement weather; and

WHEREAS, the Leader of Cortlandt Pitch has presented to local residents and groups, such as the Verplanck Residents Association; and

WHEREAS, Cortlandt Pitch will also include a community solar energy system on the roof offering residents a chance to obtain reduced energy costs; and

WHEREAS, Cortlandt Pitch would provide significant lease and tax payments to the Town and to the Hendrick Hudson School District; and

WHEREAS, the Option and Long-Term Ground Lease Agreement provides flexible timing so that the Leader of Cortlandt Pitch can obtain the necessary financing and allow the Town the ability to comply with all requirements of the Grant, including conformance with the National Environmental Policy Act (“NEPA”) and the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, to invest in site planning and to obtain funding, Cortlandt Pitch needs a commitment that upon the completion of SEQRA, a firm lease will be in place;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to execute an Option and Long-Term Ground Lease Agreement with the Leader of Cortlandt Pitch for a portion of the Town-owned Cortlandt Quarry Park Property.

BE IT FURTHER RESOLVED, that the Option and Long-Term Ground Lease Agreement proposed herein shall be binding on the Town upon completion of SEQRA and NEPA as well as site layout approval from the Town Board.

BE IT FURTHER RESOLVED, that Cortlandt Pitch shall pay prevailing wage as required by law.

BE IT FURTHER RESOLVED, that this Resolution shall be subject to Permissive Referendum and shall be posted and published as required by law.

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

**Adopted March 16, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 88-21

(AUTHORIZE THE TOWN STAFF TO CIRCULATE THE TOWN BOARD’S NOTICE OF INTENT TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA FOR PROPOSED ZONING TEXT AMENDMENTS AND RE-DEVELOPMENT OF PROPERTY LOCATED AT 119 OREGON ROAD)

WHEREAS, the NRP Group and St. Katherine Group have proposed a mixed-income residential development to take the place of the Colonial Terrace Catering Hall; and

WHEREAS, zoning text amendments are included as part of this proposal; and

WHEREAS, the Town Board has served as Lead Agency pursuant to the State Environmental Quality Review Act (“SEQRA”) in the past when applicants have requested zoning text amendments;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes Town Staff to circulate its Notice of Intent to serve as Lead Agency pursuant to SEQRA.

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

**Adopted March 16, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 89-21

**(AUTHORIZING THE SETTLEMENT OF A
TAX CERTIORARI SKY VIEW NURSING REALTY LLC)**

WHEREAS, Sky View Nursing Realty LLC, filed a tax certiorari for the years 2015 and 2016; and

WHEREAS, after discussions and review with the Town Assessor it was deemed that a reduction in the roll would be appropriate; and

WHEREAS, it is necessary to review and approve this reduction;

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney be and hereby is authorized to execute a Consent Judgment and Stipulation of Settlement with respect to the above referenced tax certiorari proceedings as follows:

Tax Map No.: 67.18-1-1

<u>Assess. Year</u>	<u>Assessed Valuation</u>		<u>Amount of Reduction</u>
	<u>Reduced From</u>	<u>Reduced To</u>	
2015	\$6,800	\$6,800	\$ 0
2016	\$6,800	\$6,800	\$ 0

Tax Map No.: 67.18-1-2

<u>Assess. Year</u>	<u>Assessed Valuation</u>		<u>Amount of Reduction</u>
	<u>Reduced From</u>	<u>Reduced To</u>	
2015	\$182,000	\$177,200	\$ 4,800
2016	\$182,000	\$164,200	\$17,800

BE IT FURTHER RESOLVED, that upon approval of the Justice of the Supreme Court, all appropriate steps will be taken by the appropriate Town Officials to effectuate the changes herein.

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

**Adopted March 16, 2021
At a Regular Meeting
Held Via Zoom**

RESOLUTION

NUMBER 90-21

**(AUTHORIZE TOWN OFFICIALS TO BIND INSURANCE COVERAGE FOR A
TWELVE-MONTH PERIOD)**

WHEREAS, the Town of Cortlandt has been extending certain insurance policies on an interim basis while extending others in order to allow its insurance broker to obtain the best possible prices; and

WHEREAS, the Town's insurance broker has presented the Town with options for insurance; and

WHEREAS, the Town has carefully analyzed the proposals that were presented;
and

WHEREAS, the most comprehensive proposal at the most competitive price was provided by U.S. Specialty Insurance Company ("U.S. Specialty"); and

NOW, THEREFORE, BE IT RESOLVED, that Town officials are authorized to bind coverage with U.S. Specialty Insurance Company in an amount not to exceed \$335,562.37 for the period of March 30, 2021-March 31, 2022.

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

**Adopted March 16, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 91-21

RE: (AUTHORIZE THE TOWN OF CORTLANDT TO CO-SPONSOR A CLEAN ENERGY ACADEMY EVENT SERIES)

WHEREAS, Clean Energy Academy is a collaboration of organizations bringing green energy job training to the community; and

WHEREAS, Westchester County, Senator Peter Harckham and Assemblywoman Sandra Galef have all agreed to co-sponsor an upcoming event alongside these organizations; and

WHEREAS, the upcoming training will target Indian Point Workers who are being laid off as well as local youth to provide green energy sector job opportunities, specifically in Sales and Business Development, Energy Analysis and Auditing, Project Management, Design and Engineering, Installation and Inspections;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cortlandt shall participate in co-sponsorship of the Clean Energy Academy Event Series.

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

**Adopted March 16, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 92-21

(RE: AUTHORIZATION TO PERMIT PARKING ALONG THE WEST SIDE OF QUAKER BRIDGE ROAD ON MAY 1, 2021 AND MAY 2, 2021)

WHEREAS, the Friends of Old Croton Aqueduct, Inc. plan to remove invasive vines and plants from the Old Croton Aqueduct on May 1, 2021 and May 2, 2021; and

WHEREAS, the Friends of Old Croton Aqueduct, Inc. have requested that parking be permitted between 99 and 124 Quaker Bridge Road on the west side of the street during daylight hours on May 1, 2021 and May 2, 2021; and

WHEREAS, the Department of Environmental Services has evaluated the request and recommends that the request be granted; and

NOW, THEREFORE, BE IT RESOLVED, that parking shall be permitted along the West Side of Quaker Bridge Road between 99 and 125 Quaker Bridge Road between the hours of 8:00 AM and 4:00 PM on May 1, 2021 and May 2, 2021.

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

**Adopted on March 16, 2021
at a Regular Meeting held
Held via Zoom**

RESOLUTION

NUMBER 93-21

RE: (AUTHORIZE DOTS TO BID TE CONTRACT 2021.01 - HALF BASKETBALL COURT CHARLES J. COOK RECREATION COMPLEX, 293 FURNACE DOCK ROAD)

BE IT RESOLVED, that the Department of Technical Services is hereby authorized to bid TE Contract 2021.01 – Half Basketball Court at Charles J. Cook Recreation Complex.

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

**Adopted on March 16, 2021
at a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 94-21

RE: (AUTHORIZE DOTS TO BID TE CONTRACT 2021.02 – BROADWAY STREETScape 8TH TO 11TH STREET)

WHEREAS, the Town of Cortlandt is the recipient of a community development block grant in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) for streetscape improvements along Broadway in the Hamlet of Verplanck; and

WHEREAS, the Town of Cortlandt must at minimum match the grant in the amount above and in the event the total project cost exceeds the amount appropriated above, the Cortlandt Town Board shall appropriate said excess amount when awarding the bid.

BE IT RESOLVED, that the Department of Technical Services is hereby authorized to bid TE Contract 2021.02 – Broadway Streetscape 8th to 11th Street.

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

**Adopted on March. 16, 2021
at a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 95-21

RE: (AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF TECHNICAL TO ENTER INTO AN AGREEMENT WITH FRENCH AND PARRELLO FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CORTLANDT LAKE DAM (NYS DAM FILE NY 213-0858)

WHEREAS, the NYS DEC Division of Dam Safety requires periodic inspection of Class C – High Hazard Dams in accordance with the approved Inspection and Maintenance Plan; and

WHEREAS, the Director of Technical Services had requested French and Parrello Associates prepare a proposal for professional engineering services relative to the dam; and

WHEREAS, French and Parrello Associates has acted as the Town’s Consultant in the past in the preparation of reports, inspections, and assessment of the Cortlandt Lake Dam as required by the NYSDEC; and

WHEREAS, French and Parrello Associates, P.A., Consulting Engineers, 1800 Route 34 Suite 101, Wall NJ 07719 has submitted a proposal in the lump sum amount of \$9,500 to provide professional engineering services related to the Cortlandt Lake Dam; and

WHEREAS; the Cortlandt Lake Dam is part of the Continental Village Parks District and costs associated will levied back to the district.

NOW THEREFORE BE IT RESOLVED; that the Director of Technical Services is hereby authorized to enter into an agreement with French and Parrello Associates for professional engineering services related to the Cortlandt Lake Dam.

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 ROSE SHATZKIN
TOWN CLERK**

**Adopted on March. 16, 2021
at a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 96-21

RE: (AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF TECHNICAL TO ENTER INTO AN AGREEMENT WITH FRENCH AND PARRELLO ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR THE FURNACE BROOK LAKE DAM (NYS DAM FILE 214-0370))

WHEREAS, the NYS DEC Division of Dam Safety requires periodic inspection of Class C – High Hazard Dams in accordance with the approved Inspection and Maintenance Plan; and

WHEREAS, the Director of Technical Services had requested French and Parrello Associates prepare a proposal for professional engineering services relative to the dam; and

WHEREAS, French and Parrello Associates has acted as the Town's Consultant in the past in the preparation of reports, inspections, and assessment of the Furnace Brook Lake Dam as required by the NYSDEC; and

WHEREAS, French and Parrello Associates, P.A., Consulting Engineers, 1800 Route 34 Suite 101, Wall NJ 07719 has submitted a proposal in the lump sum amount of \$8,900.00 to provide professional engineering services related to the Cortlandt Lake Dam; and

NOW THEREFORE BE IT RESOLVED; that the Director of Technical Services is hereby authorized to enter into an agreement with French and Parrello Associates for professional engineering services related to the Furnace Brook Lake Dam.

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 ROSE SHATZKIN
TOWN CLERK**

**Adopted on March. 16, 2021
at a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER **97-21**

RE: (AUTHORIZE CONTRACT WITH SCHNABEL ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES FOR WESTCHESTER LAKE DAM (NYS DAM FILE NY 213-0412

WHEREAS, Westchester Lake Dam is privately owned by the Westchester Lake Homeowners Association (HOA); and

WHEREAS, the NYS DEC Division of Dam Safety performs periodic inspection of Class C – High Hazard Dams and their most recent inspection provided the dam an “unsound-deficiency recognized” condition; and

WHEREAS, residents of the Westchester Lake Subdivision with said parcels belonging to the Westchester Lake HOA have requested the Town of Cortlandt address the dam; and

WHEREAS, the Director of Technical Services has requested a proposal from for professional engineering services from Schnabel Engineering in order to address the NYS DEC notice providing preliminary engineering and design, plans and specifications for bidding purposes and regulatory compliance activity; and

WHEREAS, Schnabel Engineering, 28 Corporate Drive, Suite 204, Clifton Park, NY 12065 has submitted an itemized proposal to provide professional engineering services related to the dam; and

WHEREAS, Schnabel Engineering has acted as a Consultant in the past in the preparation of reports, inspections, and assessment of the Westchester Lake Dam as required by the NYSDEC; and

WHEREAS; the Town of Cortlandt by approving said proposal does in no way represent ownership or responsibility of the dam, and

WHEREAS, the work being authorized will be used to establish the cost to satisfy NYS DEC regulations and all design and construction costs will be then be levied against a proposed Westchester Lake Parks District;

NOW THEREFORE BE IT RESOLVED; that the Town Supervisor and Director of Technical Services is hereby authorized to enter into an agreement with Schnabel Engineering for professional engineering services in an amount not to exceed One Hundred Sixty Thousand Dollars (\$160,000.00) with contingency to complete geotechnical exploration, site survey and preliminary design.

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 ROSE SHATZKIN
TOWN CLERK**

**Adopted on March. 16, 2021
at a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 98-21

**(RE: AUTHORIZING AN INTERMITTENT LEAVE OF ABSENCE IN THE
DEPARTMENT OF DOTS)**

RESOLVED, that the following employee is hereby approved for an intermittent leave of absence under FLMA effective the following date:

Employee ID # 754750 – Effective January 1, 2021 – December 31, 2021

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

**Adopted on March 16, 2021
at a Regular Meeting
Held Via Zoom**

RESOLUTION

NUMBER 99-21

**(RE: AUTHORIZING AN INTERMITTENT LEAVE OF ABSENCE IN THE
DEPARTMENT OF DES)**

RESOLVED, that the following employee is hereby approved for an intermittent leave of absence under FLMA effective the following date:

Employee ID # 897630 – Effective January 1, 2021 – December 31, 2021

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

**Adopted on March 16, 2021
at a Regular Meeting
Held Via Zoom**

RESOLUTION

NUMBER 100-21

(APPOINT ERIC O'BRIEN AS A WISE INTERN IN THE TOWN ATTORNEY'S OFFICE)

WHEREAS, the Town of Cortlandt has multiple school districts located within the Town including the Lakeland Central School District; and

WHEREAS, Walter Panas High School has the WISE Internship program which is used to provide qualifying students with meaningful work experiences; and

WHEREAS, the Town of Cortlandt often hosts WISE students and other interns, and is glad to accommodate another student at the Town of Cortlandt;

NOW, THEREFORE, BE IT RESOLVED, that Eric O'Brien is appointed as a WISE intern in the Town Attorney's Office through June 2021.

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

**Adopted March 16, 2021
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 101-21

(ADOPTING A SUPPLEMENTAL EMERGENCY PLAN IN CONFORMANCE WITH NEW YORK STATE LEGISLATION)

WHEREAS, on Labor Day, September 7, 2020, Governor Cuomo signed legislation (S8617B/A10832) (the “Legislation”) requiring that all public employers develop plans to protect workers in cases of public health emergencies for communicable diseases; and

WHEREAS, due to the strong leadership and foresight of the Town Supervisor, Town Board, and Staff, the Town already had a Continuity of Operations Planning (“COOP”) Report in place; and

WHEREAS, the COOP Report was finalized in 2009, and an update was completed in 2020; and

WHEREAS, The COOP Report provides a plan for emergency operations should access to physical facilities, hardware, software, and key personnel be lost; and

WHEREAS, during the COVID-19 Pandemic, the Town Supervisor and Town Board followed the Governor’s directives and reduced staff in Town Hall; and

WHEREAS, the Town Supervisor convened a Recovery Committee, and the Town Board approved a Re-Entry Plan in June 2020 before fully re-entering Town Hall and opening it to the public; and

WHEREAS, this proposed Emergency Plan supplements the existing COOP Report and Re-Entry Plan; and

WHEREAS, the Legislation requires that the Emergency Plan be transmitted to the labor unions of which Town employees are members, and a final version be approved by the Town Board by April 1, 2021; and

WHEREAS, the Town Board approved a preliminary plan, which was subsequently distributed to Unions representing Town Employees; and

WHEREAS, the Town incorporated feasible changes into this final plan as suggested by Labor representatives;

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts the Supplemental Emergency Plan dated March 16, 2021.

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

**Adopted March 16, 2020
At a Regular Meeting
Held via Zoom**

RESOLUTION

NUMBER 102-21

(CANCEL SECOND HALF OF SCHOOL TAX BILL FOR PROPERTY ACQUIRED BY THE TOWN)

WHEREAS, the Town of Cortlandt acquired the Valeria Sewer Treatment Plant as part of the Dickerson Pond Sewer District in November 2020; and

WHEREAS, 343 Furnace Dock Road (SBL 45.17-1-1.2) (the “Property”) was acquired by the Town as part of the Valeria Sewer Treatment Plant transaction; and

WHEREAS, at the time of acquisition, the second half of the school tax bill for the Property was still outstanding; and

NOW, THEREFORE, BE IT RESOLVED, that the remaining school tax bill and any penalties, fees, and interest are cancelled for 343 Furnace Dock Road (SBL 45.17-1-1.2).

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

**Adopted March 16, 2021
At a Regular Meeting
Held via Zoom**