TOWN OF ORANGETOWN REGULAR TOWN BOARD MEETING TUESDAY, FEBRUARY 7, 2017

This Town Board Meeting was opened at _____p.m.

	Councilman Denis Troy Councilman Thomas Diviny Councilman Paul Valentine Councilman Jerry Bottari Supervisor Andrew Stewart		
Pledge of Allegiance to	the Flag		
ANNOUNCEMENTS:	Proclamation - Black History Month February 2017		
	Orangetown Highway Department Wins National Safe and Sustainable Snow Fighting Award from the Salt Institute for excellence in environmental consciousness and effective management in the storage of winter road salt for the 23 rd time! Only a handful of local agencies in the U.S. receive this recognition. Congratulations to our Highway Department.		
PUBLIC COMMENT:			
TOWN BOARD			
	TOWN BOARD RPC ZONE CHANGE/CONCEPTUAL DEVELOPMENT AND SALE OF TOWN OWNED LANDS/DECLARE INTENT TO ACT AS LEAD AGENCY UNDER SEQR AND ADDITIONAL REQUIRED REFERRALS		
real property, fo Orangetown, Co bounded on the	WHEREAS , the Town of Orangetown (hereinafter the "Town") is the owner of a certain parce real property, formerly a part of the Rockland Psychiatric Center, located in the Town of Orangetown, County of Rockland, State of New York, consisting of approximately 60 ± acres bounded on the north by Convent Road, on the south, east and west by other Town owned la and/or lands of New York State (the "Property"); and		
WHEREAS, at th	e time that the Town purchased the Property, as part of Town as a part of a larger		

purchase of $349 \pm acres$, it was the Town's intent, as reflected in the later adopted Rockland Psychiatric Center Redevelopment Plan, as thereafter periodically reviewed and modified, to see the Property developed in a manner that would revitalize and enhance both the surrounding area, in particular, and the Town, as a whole, more generally, all for the benefit of the residents of the

Town of Orangetown, New York; and

WHEREAS, over the years, the Town has actively sought out and pursued potential opportunities for the sale and development of the more challenging portions of the larger parcel, including the $60 \pm$ acres comprising Property, without success, while, at the same time, developing other portions of the larger parcel to satisfy Town recreation needs; and

WHEREAS, in recent weeks, the Town has been presented with a purchase and development proposal that, if approved and implemented, will result in low traffic impacts and low density development and otherwise be consistent with the development goals set forth in the Town's Redevelopment Plan; and

WHEREAS, in order to permit the redevelopment of the Property consistent with the proposal, the Town will need to amend the Town Zoning Law applicable thereto, and take other steps, including, but not limited to, compliance with the State Environmental Quality Review Act ("SEQRA"), prior to entering into a binding Contract of Purchase and Sale; and

WHEREAS, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as a review by other interested agencies, all with a view toward the possible adoption of the necessary zoning and approval of the conceptual and, eventually, the site specific, development of the Property, as well as the execution of a binding Contract of Purchase and Sale,

NOW, THEREFORE, BE IT RESOLVED, upon review of a proposal for re-zoning and conceptual development, a Full Environmental Assessment Form, and related documents and filings, the Board makes the following preliminary determinations:

The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");

The proposed action as a Type I action under SEQRA; and

The following are involved or interested or involved agencies in the review process for the zone change, conceptual development and Contract of Purchase and Sale:

- Orangetown Planning Board;
- Rockland County Department of Planning;
- Rockland County Highway Department;
- N.Y.S. Office of Mental Health;
- N.Y.S. Department of Transportation and
- Rockland County Drainage Agency

And,

BE IT FURTHER RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency

Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning shall further be for the purpose of review pursuant to General Municipal Law §§ 239- I & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, the Town Board hereby refers the proposed Local Law, amending the Town Zoning Code and Map, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

TOWN BOARD SET PUBLIC HEARING ON PROPOSED ZONE CHANGE OF PROPERTY FORMERLY A PART OF THE ROCKLAND PSYCHIATRIC CENTER FROM R-80 TO RPC-OP

2. **RESOLVED** that the Town Board will hold a public hearing on March 14, 2017, at 8 p.m., on a proposed Local Law, amending Chapter 43, § 2.1, 3.11 and 3.12, and the related Use and Bulk Tables, establishing the RPC-OP Zoning District and rezoning a portion of the Town owned lands, formerly a part of the Rockland Psychiatric Center (and a part of Tax Lot 73.08-1-1on the Tax Map of the Town of Orangetown) from R-80 to RPC-OP

PROPOSED LOCAL LAW, AMENDING CHAPTER 43, § 2.1 AND 3.11 AND 3.12, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO ESTABLISH A NEW RPC-OP ZONING DISTRICT AND CHANGING THE ZONING DISTRICT OF PROPERTY, FORMERLY A PART OF THE ROCKLAND PSYCHIATRIC CENTER (A PORTION OF TAX LOT 73.08-1-1)

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1: Amend the Town Code of the Town of Orangetown, Chapter 43, entitled "Zoning", at Article II §§ 2.1 and 2.2, and the Town Zoning Map, incorporated therein by reference, to create a new "RPC-OP" Rockland Psychiatric Center Office Park) zoning district.

Section 2: The permitted uses, special permit uses, conditional uses, accessory uses, parking and additional requirements permitted and/or required in the RPC-OP Zoning District shall be as set forth on the Table of General Use Regulations, 43 Attachment 12A, RPC-OP Zoning District, attached hereto, and established hereby, and made a part of Chapter 43, § 3.11.

Section 3: The lot and bulk regulations for lots within the newly established RPC-OP Zoning District shall be as forth on the Table of General Bulk Regulations, 43 Attachment 17A, RPC-OP Zoning District, attached hereto, and established hereby, and made a part of Chapter 43, § 3.12.

Section 4: The following Town owned lands, formerly a part of the Rockland Psychiatric Center, and consisting of a portion of Tax Lot 73.08-1-1, presently zoned "R-80 (Rural Residence)" shall be re-zoned RPC-OP.

[See Schedule "A" Diagram attached / to be replaced by metes and bounds]]

Section 4: This local law shall take effect immediately on filing with the Secretary of State.

AUTHORIZE APPRAISAL/VALUATION
PLUS/TOWN-OWNED LAND AT THE ROCKLAND
PSYCHIATRIC CENTER BETWEEN CONVENT ROAD,
OAK STREET, FIRST AVE AND THIRD AVE

3. **RESOLVED,** authorize a professional appraisal of town-owned land at the Rockland Psychiatric Center lying between Convent Rd, Oak St, First Ave and Third Ave with an assumption of office and datacenter zoning, by Valuation Plus at a cost of \$5500.

ARCHITECTURAL AND SPACE PLANNING SERVICES/TOWN HALL/MUSIAL GROUP/\$62,960

4. **WHEREAS**, the Town issued an RFP for Architectural and Space Planning Services and analysis of costs and feasibility for repair or replacement of Town Hall; and

WHEREAS, five finalists were chosen from a pool of nineteen applicants after several presentations and interviews; and

WHEREAS, after careful review and deliberation, the Town Board has chosen Musial Group as the best qualified firm;

THEREFORE BE IT RESOLVED THAT the Town Board accepts the proposal by Musial Group for Architectural and Design Services in the amount of \$62,960 and directs the Supervisor to engage the said firm, and to execute any and all documents necessary effectuate that result.

REAPPOINT BLYTHE YOST, A MEMBER OF THE ARCHITECTURE & COMMUNITY APPEARANCE BOARD OF REVIEW, AS CHAIRPERSON FOR A 1-YEAR TERM

5. **RESOLVED,** that BLYTHE YOST is hereby reappointed Chairperson to the Orangetown Architecture & Community Appearance Board of Review for a period of 1-Year, commencing January 1, 2017 and expiring on December 31, 2017.

REAPPOINT BRIAN TERRY, A MEMBER OF THE ARCHITECTURE & COMMUNITY APPEARANCE BOARD OF REVIEW, AS MEMBER FOR A 3-YEAR TERM

6. **RESOLVED**, that BRIAN TERRY is hereby reappointed Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3-Years, commencing January 1, 2017 and expiring on December 31, 2019.

REAPPOINT ANDREW ANDREWS, A MEMBER OF THE ARCHITECTURE & COMMUNITY APPEARANCE BOARD OF REVIEW, AS MEMBER FOR A 3-YEAR TERM

7. **RESOLVED,** that ANDREW ANDREWS is hereby reappointed Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3- Years, commencing January 1, 2017 and expiring on December 31, 2019.

REAPPOINT DEBORAH STUHLWEISSENBURG, A MEMBER OF THE ARCHITECTURE & COMMUNITY BOARD APPEARANCE OF REVIEW, AS MEMBER FOR A 3-YEAR TERM

8. **RESOLVED**, that DEBORAH STUHLWEISSENBURG is hereby reappointed Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3- Years, commencing January 1, 2017 and expiring on December 31, 2019.

REAPPOINT REV. LOUIS SANDERS, AS A MEMBER OF THE BOARD OF ETHICS, FOR A 5-YEAR TERM

9. **RESOLVED**, that REVEREND LOUIS SANDERS is hereby reappointed member of the Board of Assessment of Review for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.

REAPPOINT DR. MARGARET MARY FITZPATRICK, AS A MEMBER OF THE BOARD OF ETHICS, FOR A 5-YEAR TERM

APPOINT CAROL SCHELIN, AS A MEMBER OF THE HISTORIC AREAS BOARD OF REVIEW, FOR

A 5-YEAR TERM

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10.	RESOLVED , that DR. MARGARET MARY FITZPATRICK is hereby reappointed member of the Board of Ethics for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.				
		APPOINT THE BOARD OF ETHICS			
11.	RESOLVED, that, is hereby appointed 5-Years, commencing January 1, 2017 and expiring				
		REAPPOINT THOMAS H MEMBER OF THE BOAR 5-YEAR TERM	•		
12.	RESOLVED, that THOMAS HYLAND is hereby reappointed member of the Board of Ethics for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.				
		REAPPOINT MICHAEL MEMBER OF THE BOAF 5-YEAR TERM			
13.	RESOLVED, that MICHAEL MANDEL is hereby rea	ppointed member of the	Board of Ethics for a		
	period of 5-Years, commencing January 1, 2017 a	and expiring on December	er 31, 2021.		
		REAPPOINT THANO SCI MEMBER OF THE HISTO REVIEW, FOR A 5-YEAR	ORIC AREAS BOARD OF		
14. Review	RESOLVED , that THANO SCHOEPPEL is hereby rear for a period of 5-Years, commencing January 1, 20	• •			

15. **RESOLVED**, that CAROL SCHELIN is hereby appointed member of the Historic Areas Board of Review for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.

REAPPOINT STEPHEN SWEENEY, A
MEMBER OF THE PLANNING BOARD, AS
MEMBER FOR A 7-YEAR TERM

16. **RESOLVED**, that STEPHEN SWEENEY is hereby reappointed Member to the Orangetown Planning Board for a period of 7-Years, commencing January 1, 2017 and expiring on December 31, 2023.

REAPPOINT JOAN SALOMON, A MEMBER OF THE ZONING BOARD OF APPEALS, AS MEMBER FOR A 5-YEAR TERM

17. **RESOLVED**, that JOAN SALOMON is hereby reappointed Member to the Orangetown Zoning Board of Appeals for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.

REAPPOINT LEONARD FEROLDI, AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS, AS MEMBER FOR A 1-YEAR TERM

18. **RESOLVED**, that LEONARD FEROLDI is hereby reappointed Alternate Member to the Orangetown Zoning Board of Appeals for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2017.

REAPPOINT CHARLES VEZZETTI, A MEMBER
OF THE SANITATION COMMISSION, AS
CHAIRMAN FOR A 1- YEAR TERM

19. **RESOLVED,** that CHARLES VEZZETTI is hereby reappointed Chairman of the Sanitation Commission for a period of 1-Year, commencing January 1, 2017 and expiring on December 31, 2017.

REAPPOINT KEVIN GARVEY, A MEMBER OF THE PLANNING BOARD, AS CHAIRPERSON FOR A 1-YEAR TERM

20. **RESOLVED**, that KEVIN GARVEY is hereby reappointed Chairperson to the Orangetown Planning Board for a period of 1-Year, commencing January 1, 2017 and expiring on December 31, 2017.

REAPPOINT DANIEL SULLIVAN, A MEMBER OF THE ZONING BOARD OF APPEALS, AS CHAIRPERSON FOR A 1- YEAR TERM

21. **RESOLVED**, that DANIEL SULLIVAN is hereby reappointed Chairperson to the Orangetown Zoning Board of Appeals for a period of 1-Year, commencing January 1, 2017 and expiring on December 31, 2017.

	APPOINT	, AS A		
	MEMBER OF THE BO	MEMBER OF THE BOARD OF ASSESSMEN		
	REVIEW, FOR A 5-YE	AR TERM		
22.	 is hereby appointed member of the commencing January 1, 2017 and ex			

TOWN ATTORNEY

APPROVE TAX CERTIORARI/GISONDI FAMILY LIMITED PARTNERSHIP v. THE ASSESSOR OF THE TOWN OF ORANGETOWN, ET AL/TAX MAP DESIGNATIONS 66.37-2-6.2 AND 66.37-2-1

23. **RESOLVED**, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Consent Judgment regarding the tax certiorari proceeding Gisondi Family Limited Partnership v. The Assessor of the Town of Orangetown, et al., Tax Map designations 66.37-2-6.2 and 66.37-2-1 (199 and 173 Main Street, Nyack) for the tax assessment years 2012 through 2016, for a total refund by the County of \$3,162, a total refund by the Town of \$7,176 and a total refund by the School District of \$37,202. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town (and Rockland County Finance Dept.).

TOWN ATTORNEY/TRAFFIC ADVISORY BOARD

SET DATE OF MARCH 7, 2017 FOR PUBLIC HEARING/PROPOSED LOCAL LAW RE: VEHICLE WEIGHT LIMITS ON OAK TREE ROAD/HAMLET OF TAPPAN

24. **RESOLVED,** that upon the recommendation of the Town Attorney set a date of March 7, 2017 at 8:00 P.M. for a public hearing to consider a local law regarding vehicle weight limits on Oak Tree Road in the Hamlet of Tappan.

TOWN BOARD

APPROVE APPLICATION AND ACCEPTANCE OF NY BRIDGE PROJECT COMMUNITY BENEFIT FUND AWARD FOR NEW SHOWMOBILE

25. **WHEREAS**, New NY Bridge Project Community Benefit Fund (CBF) provides grants to eligible governmental entities and not-for-profit corporations located in Westchester and Rockland Counties; and

WHEREAS, the Town of Orangetown previously had submitted an application to the CBF in the amount of \$145,000.00 for the purchase of a new Showmobile; and

WHEREAS, the NY State Thruway Authority has informed the Town that it supports the Town's application under the CBF,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. That the Town of Orangetown hereby, and with gratitude, accepts the grant of \$145,000 from the New NY Bridge Community Benefits Fund for the purchase of a new Showmobile, subject to the execution, and terms, of the grant agreement; and
- 2. That the Town Supervisor, or his designated representative, is authorized to act in behalf of the Town in all matters related to the New NY Bridge Community Benefits Fund award, including but not limited to the filing of the Town's application, the execution of the Community Benefits Fund Contract, the submittal of all Project documentation, and otherwise as may be required to effect the award.
- 3. That this Resolution takes effect immediately.

HIGHWAY

GRANT PERMISSION/2017 GRASSROOTS ADVOCACY CAMPAIGN/ HIGHWAY

26. **RESOLVED**, that permission is granted for the Superintendent of Highways to attend the 2017 Grassroots Advocacy Campaign for Local Roads and Bridges, Albany, NY, March 7-8, 2017 at a cost of \$196.00 to be charged to Account #A5010.441 and \$30.00 to be charged to Account # A5010.480 for a total amount of \$226.00.

HIGHWAY, CON'T

AFFIRMATION OF OWNERSHIP BY AND MAINTENCE OF GREENBUSH ROAD/ HIGHVIEW TO STEPHENS WAY/ ORANGETOWN HIGHWAY DEPARTMENT

27. **RESOLVED**, that the Town Board hereby affirms that the Town of Orangetown owns and maintains Greenbush Road in Orangeburg, from Route 303 to Highview Avenue (road section length 0.19 miles & pavement width 26') & Greenbush Road from Highview Avenue to Stevens Way (road section length 0.18 miles & pavement width 31'). The total length of the road owned and maintained is 0.37 miles.

PARKS AND RECREATION

AUTHORIZE USE OF SHOWMOBILE/ ANCIENT ORDER OF HIBERNIANS/ST. PATRICK'S DAY PARADE/SUNDAY, MARCH 19, 2017

28. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Ancient Order of Hibernians for the St. Patrick's Day Parade on Sunday, March 19, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town OF Orangetown as additionally insured.

AUTHORIZE USE OF SHOWMOBILE/ PENGUIN PLUNGE, INC./SUNDAY, MARCH 5, 2017

29. **RESOLVED,** upon the completion of all necessary paperwork, the Superintendent of Parks and Recreation has forwarded for approval by the Town Board, use of the Showmobile by Penguin Plunge, Inc., for the Penguin Plunge on Sunday, March 5, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

AWARD CONTRACT FOR PLUMBING AND REPAIR SERVICES/HAUSER BROTHERS, INC./PARKS AND RECREATION

30. **RESOLVED**, that upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance, award the contract for Plumbing and Repair Services to Hauser Bros. Inc. of Orangeburg, NY, the lowest qualified bidder.

PARKS AND RECREATION, CON'T

AWARD CONTRACT/KEVIN DOWNES TREE SERVICE/TREE PRUNING AND REMOVAL/ PARKS AND RECREATION

31. **RESOLVED**, that upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance, award the contract for Tree Pruning and Removal to KEVIN DOWNES TREE SERVICE of Hawthorne, New Jersey, the lowest qualified bidder.

ACCEPT WITH GRATITUDE/ DONATION/ TWO TRADITIONAL RECYCLED PLASTIC MEMORIAL BENCHES/IN MEMORY OF JOSEPH SHAPIRO/PARKS DEPARTMENT

32. **RESOLVED**, to accept with gratitude the donation of two Traditional Recycled Plastic Plank Benches engraved as follows: "In Memory of Joseph Shapiro" to be placed alongthe phase II section of Rail Trail, exact location to be determined by Park staff. This donation is being made by Ms. Ruth Craft and family.

PERSONNEL

AFFIRM AND ACKNOWLEDGE
APPOINTMENT OF PETER STALLONE/
SEWER INSPECTOR II/EFFECTIVE FEBRUARY
27, 2017/ DEME

33. **RESOLVED,** that upon the recommendation of the Commissioner of DEME (Department of Environmental Management and Engineering) the Town Board affirms and acknowledges the appointment of Peter Stallone to the position of Sewer Inspector II, Grade 18, Step 1 at a salary of \$75,835.00, effective February 27, 2017. This is a funded position that was created due to a retirement. The salary difference results in a net savings of \$42,530.00.

AFFIRM AND ACKNOWLEDGE APPOINTMENT OF GREGORY MICHEL/ LABORER/EFFECTIVE FEBRUARY 13, 2017/DEME

34. **RESOLVED**, that upon the recommendation of the Commissioner of DEME (Department of Environmental Management and Engineering) the Town Board affirms and acknowledge the appointment of Gregory Michel to the position of Laborer, Grade 9, Step 6 at a salary of \$63,977.00, effective February 13, 2017. This is a funded position that was created due to a transfer. The salary difference results in a net savings of \$9,214.00.

PERSONNEL, CON'T

APPOINT CHRISTOPHER FEROLDI/ GROUNDSWORKER/PARKS AND RECREATION/EFFECTIVE FEBRUARY 13, 2017

35. **RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation, appoint Christopher Feroldi to the position of Groundsworker in the Parks and Recreation Department, Grade 9, Step 30 at a salary of \$80,060.00, effective February 17, 2017.

TOWN CLERK

APPOINT FIREFIGHTER/BLAUVELT FIRE DEPARTMENT/BRIAN T. BERMINGHAM

36. **RESOLVED**, upon the recommendation of the Blauvelt Fire Dept., Brian Thomas Bermingham is hereby appointed to the position of Firefighter, with the Blauvelt Volunteer Fire Company.

DEME

APPROVE/SEWER WORK 2017/ CERTIFICATE OF REGISTRATION

37. **RESOLVED**, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2017 Sewer Work is approved to:

American Minutemen J D Backhoe

Belleville Landscaping Pearl River Plumbing, Heating & Electric

Calmart Enterprises Rino Paving & Construction

Coppola Services Michael Sasso Plumbing

Dutra Excavating & Sewer Carmelo Scaffidi & Sons

Environmental Construction Kevin Stokes Excavating

Ronald Filera Landscaping Ronald Tarigo

First Rate Landscaping Tobar Excavating

W. Harris & Son Travcon, Inc.

William King & Son Victor Zugibe, Inc.

DEME, CON'T

GRANT PERMISSION/JOSEPH MORAN/ATTEND WATER & WASTEWATER EQUIPMENT,
TREATMENT & TRANSPORT
CONFERENCE/FEBRUARY 22-24, 2017/DEME

38. **RESOLVED**, that permission is granted for the Commissioner of DEME, Joseph Moran, to attend the Water & Wastewater Equipment, Treatment & Transport (WWETT) conference at the Indiana Convention Center in Indianapolis, IN from February 22 – 24, 2017 at a cost of \$683.00 to be charged to Account No. G.8130.441.

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PAY VOUCHERS

 RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of <u>5 warrants for a total of</u> <u>\$1,572,305.01</u>

Adjournments at _____PM in memory of:

June Reilly Groll, former Town Council Member and mother or Kimberly Allen, Supervisor's Office

Teresa Surace, grandmother of Liz Decort, Office of Buildings, Zoning, Planning, and Enforcement

Ernest Morvay, father of Robin Goldsmith, Assessor's Office