

**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 23rd time! Only a handful of local agencies in the U.S. receive this recognition. Congratulations to our Highway Department.

PRESENTATION: JPM Chase data center proposal for portion of town-owned RPC land

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**

1. **WHEREAS**, the Town of Orangetown (hereinafter the "Town") is the owner of a certain parcel of 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 lands and/or lands of New York State (the "Property"); and

WHEREAS, at the time that the Town purchased the Property, as part of Town as a part of a larger purchase of 349 ± 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,

TOWN BOARD, CON'T

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 ± 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, 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

TOWN BOARD, CON'T

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 73.08-1-1 on 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.

TOWN BOARD, CON'T

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 AND metes and bounds, attached]

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.

TOWN BOARD, CON'T

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

4. **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.

TOWN BOARD, CON'T

**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**

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.

**REAPPOINT THOMAS HYLAND, AS A
MEMBER OF THE BOARD OF ETHICS, FOR
A 5-YEAR TERM**

11. **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 MANDEL, AS A
MEMBER OF THE BOARD OF ETHICS, FOR
A 5-YEAR TERM**

12. **RESOLVED**, that MICHAEL MANDEL 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 THANO SCHOEPEL, AS A
MEMBER OF THE HISTORIC AREAS BOARD
OF REVIEW, FOR A 5-YEAR TERM**

13. **RESOLVED**, that THANO SCHOEPEL is hereby reappointed member of the Historic Areas Board of Review for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.

TOWN BOARD, CON'T

**APPOINT CAROL SCHELIN, AS A MEMBER OF
THE HISTORIC AREAS BOARD OF REVIEW,
FOR A 5-YEAR TERM**

14. **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**

15. **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**

16. **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**

17. **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**

18. **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.

TOWN BOARD, CON'T

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

19. **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**

20. **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.

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**

21. **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**

22. **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**

23. **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**

24. **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.

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

25. **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**

26. **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**

27. **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.

PARKS AND RECREATION, CON'T

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

28. **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.

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

29. **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**

30. **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 along the 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**

31. **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.

PERSONNEL, CON'T

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

32. **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.

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

33. **RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation, appoint Christopher Feroldi to the position of Groundswoker in the Parks and Recreation Department, Grade 9, Step 30 at a salary of \$80,060.00, effective February 13, 2017.

TOWN CLERK

**APPOINT FIREFIGHTER/BLAUVELT FIRE
DEPARTMENT/BRIAN T. BIRMINGHAM**

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

DEME

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

35. **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.

DEME, CON'T

**APPROVE/SEWER WORK 2017/ CERTIFICATE
OF REGISTRATION**

36. **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.

AUDIT

PAY VOUCHERS

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

Adjournments at ____ PM in memory of:

June Reilly Groll, former Town Council Member (1978-1983) and mother of Kimberly Allen, Supervisor's Office

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

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