



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday January 05, 2021

This Town Board Meeting was opened at 7:00 PM.

Councilperson Denis Troy _____
Councilperson Thomas Diviny _____
Councilperson Paul Valentine _____
Councilperson Jerry Bottari _____
Supervisor Teresa M. Kenny _____

DISCUSSION: WORKSHOP OF AGENDA ITEMS

PUBLIC COMMENT:

1. OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

2. CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

AGENDA ITEMS:

TOWN BOARD

3. AMEND TOWN CODE, CHAPTER 15, ARTICLE II, SECTION 15-17; FEES FOR CERTIFICATE OF COMPLIANCE

WHEREAS, Town Code §15-17(A) authorizes the Town Board to change by resolution the fees for certificates of compliance for new or changed uses and inspection fees payable for the various specific uses subject to inspection by the Chief of the Bureau of Fire Prevention and/or Assistant Fire Inspector,

BE IT RESOLVED that the fee for Multiple Residence (R occupancy) shall be \$49.00 for three (3) living units, and an additional \$16.00 for each additional living unit,

BE IT RESOLVED that the fee for B Business (Office) and M Mercantile (Retail) is \$55.00 biennially for 1 square foot to 2,500 square feet; and that the fee for Business (Office) and Mercantile (Retail) shall follow the same fee schedule as Industrial/Storage/Institutional for over 5,000 square feet set forth hereafter,

BE IT FURTHER RESOLVED THAT the fees for F or H Industrial, S Storage and I Institutional, shall be as follows:

Gross Square Footage	Fee
1 – 5000	\$ 125.00
5,001 – 10,000	\$ 345.00
10,001 – 25,000	\$ 620.00
25,001 – 50,000	\$ 895.00
50,001 – 75,000	\$ 1,170.00
75,001 – 100,000	\$ 1,445.00
100,001 – 125,000	\$ 1,720.00
125,001 – 150,000	\$ 1,995.00
150,001 – 175,000	\$ 2,270.00
175,001 – 200,000	\$ 2,570.00
200,001 – 250,000	\$ 2,820.00
250,001 – 300,000	\$ 3,095.00
300,001 – 350,000	\$ 3,370.00
350,001 – 400,000	\$ 3,645.00
400,001 – 450,000	\$ 3,920.00
450,001 – 500,000	\$ 4,195.00
500,001 – 550,000	\$ 4,470.00
550,001 – 600,000	\$ 4,745.00
600,001 – 650,000	\$ 5,020.00
650,001 – 700,000	\$ 5,295.00
700,001 – 750,000	\$ 5,570.00
750,001 – 850,000	\$ 5,845.00
850,001 – 950,000	\$ 6,120.00
950,001 +	\$ 6,395.00

BE IT FURTHER RESOLVED THAT the fees for A1 through A5 Place of Assembly shall be:

Capacity of Persons	Fee
1–50	\$125.00
51 – 100	\$152.50
101 – 300	\$180.00
301+	\$180.00 plus \$0.75 per person over 300 persons

BE IT RESOLVED THAT the fees set forth hereinabove shall be effective on January 1, 2021.

4. **APPROVE/ 2020 INTERMUNICIPAL AGREEMENT / ROCKLAND COUNTY / HI-TOR ANIMAL SHELTER**

RESOLVED, that the Town Board authorizes, ratifies and approves an Intermunicipal Agreement with the County of Rockland, regarding an animal shelter to be managed by Hi-Tor Animal Care Center Inc., in the amount of THIRTY NINE THOUSAND THREE HUNDRED NINETY-NINE AND 30/100 (\$39,399.30) DOLLARS, to be paid to the County of Rockland by the Town for calendar year 2020, for the statutory shelter/pound services required to be provided by the Town, in *accordance* with the terms of the Intermunicipal Agreement, a copy of which is expressly incorporated herein by reference, and the Supervisor is hereby authorized to sign same.

5. **ACCEPT RESIGNATION / MICHAEL LAWLER / DEPUTY TOWN SUPERVISOR / EFFECTIVE DEC. 31, 2020**

RESOLVED, that upon the recommendation of the Town Supervisor, accept with regret the resignation of Michael Lawler, Deputy Town Supervisor, effective Dec. 31, 2020.

TOWN ATTORNEY

6. **APPROVE RETAINER AGREEMENT WITH HODGES, WALSH AND BURKE, IN CONNECTION WITH FEDERAL LITIGATION**

RESOLVED, on the recommendation of the Town Attorney, approve the retainer of Hodges, Walsh & Burke, LLP to represent the Town and named Police Officers, as defendants, in connection with a federal lawsuit filed in the U.S. District Court, Southern District of New York, under docket 20 civ.05851, brought by Kim Vasquez as Plaintiff, on the terms and conditions set forth in a proposed Engagement Letter, incorporated by reference herein, and authorize the Supervisor, or her designated representative, to execute a copy thereof.

HIGHWAY

7. **DROP OFF CENTER PERMIT FEE INCREASE**

RESOLVED, that per approved 2021 budget, the annual fee for the Drop Off Center, for acceptable materials, other than green waste, shall be a charge of \$50.00, effective January 1, 2021. There shall be no charge for first-time use for the current year.

8. **APPROVE/ RFP / SIDEWALK SAWCUTTING / ALWAYS SAFE SIDEWALKS**

RESOLVED, that upon the recommendation from the Superintendent of Highways, to approve the RFP for Sidewalk Sawcutting to Always Safe Sidewalks, Springhouse, PA, the only qualified bidder to meet Town Specifications, at a cost of \$56.00 per inch/foot, not to exceed \$36,000. Work completed under this contract will be charged to Account #A.5410.457 and paid for out of the 2020 operating budget.

9. **APPROVE/ RFP / INSTALLATION OF FIRE SUPPRESSION SYSTEM / ALPHA FIRE SUPPRESSION SYSTEMS, INC.**

RESOLVED, that upon the recommendation from the Superintendent of Highways, to approve the RFP for Installation of Fire Suppression System- South Storage Building to Alpha Fire Suppression Systems, Inc the lowest qualified bidder to meet Town Specifications, at a cost of \$18,500. Work completed under this contract will be charged to Account #D.5112.457.04.

BUILDING

10. **AUTHORIZE / 155 CORPORATE DRIVE, LLC (BLOOMBERG PROPERTY) / INSTALLATION OF TEMPORARY STRUCTURE / EMPLOYEE COVID-19 TESTING**

WHEREAS, the pursuant to Town Code Section 6-5(F), the Director of OBZPAE has the authority to modify, waive or adjust the regulations, rules and procedures of Chapter 43, Zoning, for non-residential establishments/uses during times that a state, county or local state of emergency is in effect or as part of the economic recovery form any such state of emergency, and

WHEREAS, the 155 Corporate Drive, LLC, the owners of property at 155 Corporate Drive, Orangeburg, NY, tax lot 73.15/1/18 (subject property), also known as the Bloomberg property, as part of the recovery from the economic impacts of the COVID 19 pandemic and the state of emergency that exists in the State of New York, wishes to place a temporary building on the property for the purpose of providing fast and easy access for testing for COVID 19 for its employees and

WHEREAS, the Town Board hereby finds that as part of the response to and economic recovery from the COVID19 pandemic, authorization for use of the property and temporary structures, as authorized by the Director of OBZPAE, which as planned will not have a negative impact on the Town and is in the best interests of the Town and its residents,

NOW THEREFORE BE IT RESOLVED that the Director of OBZPAE may authorize the use of the property in such fashion including the installation of temporary structures thereon on a temporary basis without the necessity for a formal site plan approval under the following terms and conditions:

- 1) The property owner must submit acceptable plans to Director of OBZPAE or her designee, who shall have discretion regarding the requirements of the detail to be shown on the plans. These plans may be approved, denied, or required to be modified, at the discretion of the Director of OBZPAE.
- 2) Any plans approved by OBZPAE must be strictly adhered to by the property owner and any violation thereof shall be considered to be a violation of the Town Code, Chapter 6-5(F) punishable pursuant to Chapter 41A of the Town Code.
- 3) Upon approval, such sketch plan shall be signed, stamped and dated "Approved" by the Director of OBZPAE, and displayed on premises near the main entrance during operation.

- 4) Any permission or authorization issued by OBZPAE pursuant to this resolution shall be effective from January 5, 2021 through December 31, 2021. Any temporary structures authorized pursuant to this resolution must thereafter be removed, unless formal site plan approval authorizes same.
- 5) The property owner and applicant must adhere to any and all applicable Federal, State, and County statutes, laws, codes, rules and regulations with respect to business operations, including but not limited to State and County Health Department regulations.
- 6) Any permission authorized herein, shall be revocable at the discretion of the Town Board, upon a finding that the property owner has violated the terms of this resolution, OR that the activities authorized pursuant to this resolution and as implemented at the property constitutes a nuisance, or otherwise adversely impacts upon the health, safety and welfare of the community, and that upon such revocation, the property owner and any other interested parties may be given an opportunity to be heard by the Town Board in an effort to have such permission reinstated upon such conditions as the Town Board shall deem just and appropriate under the circumstances.

FIRE PREVENTION

11. **ACCEPT RETIREMENT / MICHAEL BETTMANN / FIRE PREVENTION / EFFECTIVE JANUARY 30, 2021**

RESOLVED, accept the resignation/retirement of Michael Bettmann, Fire Prevention Inspector in the Fire Prevention Bureau, effective January 30, 2021.

PERSONNEL

12. **ACCEPT RETIREMENT / DONNA MORRISON / PERSONNEL DEPARTMENT / EFFECTIVE DEC. 31, 2020**

RESOLVED, accept resignation / retirement of Donna Morrison, Human Resources Coordinator, in the Personnel Department, effective December 31, 2020.

JUSTICE COURT

13. **APPOINT KATHRYN MURPHY / ASSISTANT COURT CLERK /JUSTICE COURT EFFECTIVE 1/02/2021**

RESOLVED, appoint Kathryn Murphy to the position of Assistant Court Clerk , Justice Court, from RC EL#19166, effective, January 01, 2021, Grade 12, Step 1, at a salary of \$62,458.00.

TRAFFIC ADVISORY BOARD

14. APPROVE / INSTALLATION OF STREET LIGHT / 16 GARFIELD ST, BLAUVELT

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of a street light on 16 Garfield St, Blauvelt (utility pole #60433/38658) is hereby approved to be paid from the following budget line item B.5182.452.17.

TOWN CLERK

15. ACCEPT / RECEIVE / FILE DOCUMENTS/TOWN CLERK'S OFFICE

RESOLVED that the following documents are accepted, received and filed in the Town Clerk's Office:

1. Town Board Meeting minutes: November 10, 2020, December 1, 2020 & December 15, 2020 Regular Town Board Meeting
2. 2021 Adopted Budget.
3. 2021 Agreement with the Blauvelt Free Library.
4. 2021 Agreement with the Palisades Library.
5. Retainer Agreement with Keane & Beane (Gavioli Matter)

AUDIT

16. PAY VOUCHERS

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of four (4) warrants for a total of \$2,082,979.47.

EXECUTIVE SESSION

17. ENTER EXECUTIVE SESSION

RESOLVED, at ___ pm, the Town Board entered Executive Session to discuss matters related to personnel and the proposed acquisition/sale/lease of real property when publicity might affect value.

ADJOURNMENTS

18. RE-ENTER RTBM / ADJOURNED / MEMORY

RESOLVED, at ____ pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of:

- ❖ **Elizabeth Van Wynen**, *Resident of Pearl River and Mother to Orangetown Town Employee Elizabeth McConeghy*