



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday February 09, 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	_____

☛ Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ **May 01, 2021 (Saturday) from 8:00 A.M. – 12:00 P.M. / FREE Shredding Event at Orangetown Town Hall held by the Town Clerk’s Office. WE WILL ALSO BE ACCEPTING NON-PERISHABLE FOODS OR CASH DONATIONS FOR PEOPLE TO PEOPLE (local food pantry) / No Businesses / Limit of Three (3) Boxes**
- ◆ **2021 Military Tribute Banner Program / Banners will be displayed between Memorial Day and Veteran’s Day. Display areas include Tappan, Orangeburg Road, Sparkill, Pearl River and Blauvelt / Please email: supervisor@orangetown.com for more details.**

PRESENTATIONS:

- ◆ **BLACK HISTORY MONTH / FEBRUARY 2021 HONORING:**
 - ★ Dr. Frances Pratt
 - ★ Tracie McLee
- ◆ **ORANGETOWN HEALTH EMERGENCY PLAN PRESENTATION / PO MIKE A. YANNAZZONE, JR.**

DISCUSSION:

- ◆ **AMEND TOWN CODE REGARDING SIZE OF ACCESSORY STRUCTURES**
- ◆ **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. REAPPOINT 2021 LIAISONS / LAND USE BOARDS / COMMITTEES

RESOLVED, that the following Town Officials are hereby reappointed liaisons to the following land use boards and committees for 2021:

- ACABOR – Councilman Denis Troy
- Orangetown Blue Hill Golf Course Advisory – Councilman Paul Valentine
- Board of Assessment Review – Councilman Tom Diviny
- Orangetown Environmental Committee – Supervisor Teresa Kenny
- Historic Areas Board of Review – Councilman Jerry Bottari
- Orangetown Housing Authority – Councilman Denis Troy
- Office of Emergency Management Committee – Councilman Tom Diviny
- Parks and Recreation Development Advisory Committee – Councilman Jerry Bottari
- Orangetown Planning Board – Supervisor Teresa Kenny
- Orangetown Project Review Board – Supervisor Teresa Kenny
- Orangetown Sanitation Commission – Councilman Paul Valentine
- Orangetown Shade Tree Commission – Councilman Jerry Bottari
- Orangetown Senior Citizen Advisory Committee – Councilman Denis Troy
- Orangetown Substance Abuse Committee – Supervisor Teresa Kenny
- Orangetown Traffic Advisory Board – Councilman Paul Valentine
- Zoning Board of Appeals – Councilman Tom Diviny

4. **APPOINT / REAPPOINT / BLUE HILL GOLF COURSE COMMITTEE / 2021 / 1 YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Blue Hill Golf Course Committee, for a 1-year term, commencing on January 1, 2021 and expires on December 31, 2021:

- ◆ Patrick J. Shields (Chairman)
- ◆ Sean Burke
- ◆ Joseph Green
- ◆ Robert Wells
- ◆ Nick Gajovich
- ◆ Kevin Fagan
- ◆ Matt Willock
- ◆ Michael Hussey
- ◆ Liaison: Councilman Paul Valentine

5. **APPOINT / REAPPOINT / SENIOR CITIZEN ADVISORY COMMITTEE / 2021 / 1 YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as members to the Senior Citizen Advisory Committee for a period of 1-year, commencing on January 1, 2021 and expires on December 31, 2021:

- ◆ Catherine (Lovey) Albanese (Senior Leader)
- ◆ Marie Hoffman
- ◆ Tom Williger
- ◆ Evelyn D'Angelo / PR "B" Group
- ◆ Shirley Chalke / "Nyack" Group
- ◆ Carmel Reilly, Clerk
- ◆ Liaison: Councilman Denis Troy

6. **APPOINT / REAPPOINT / ORANGETOWN TRAFFIC ADVISORY BOARD / 2021 / 1 YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed to the Orangetown Traffic Advisory Board, for a 1-year term, commencing on January 1, 2021 and expires on December 31, 2021:

- ◆ Michael Yannazzone, Chairperson / Member
- ◆ Margaret Warren, Co-Chairperson / Member
- ◆ Robert Simon, Member
- ◆ Robert Schelin, Member

- ◆ Paul Raso, Member
- ◆ Robert Morrison, Member
- ◆ James Castagna, Member
- ◆ Thomas Edattel, Advisor
- ◆ P. O. Michael Yannazzone, Jr., Advisor
- ◆ Sgt. Kerri Schiller, Advisor
- ◆ Anthony Limandri, Advisor
- ◆ Deputy Town Attorney Elizabeth Brancati, Advisor
- ◆ Allison Kardon, Clerk
- ◆ Liaison – Councilman Paul Valentine

7. APPOINT / REAPPOINT / ORANGETOWN ENVIRONMENTAL COMMITTEE / 2021 / 1 YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Environmental Committee, for a 1-year term, commencing on January 1, 2021 and expires on December 31, 2021:

- ◆ Michael Andrea (Chairman)
- ◆ Alexis Starke
- ◆ Thomas O'Reilly
- ◆ Fran Oldenburger
- ◆ Don Steinmetz
- ◆ Allan Ryff
- ◆ Martyn Ryan
- ◆ Heather Hurley
- ◆ Maria Gagliardi
- ◆ Watson Morgan
- ◆ June Starke
- ◆ Kerry Gorczynski
- ◆ Michael A. Lockett
- ◆ Lawrence Vail
- ◆ Nicole Palitti
- ◆ Anna Palitti
- ◆ Vicki Schwaid
- ◆ Belinda Cash
- ◆ Katherine Copp-Brown
- ◆ Maria Vanessa Cipolla
- ◆ Liaison: Supervisor Teresa M. Kenny

8. **ACCEPT / STATE AND MUNICIPAL FACILITIES PROGRAM GRANT (#24198) / RENOVATIONS TO CAMP SHANKS MUSEUM**

WHEREAS, pursuant to a letter dated January 25, 2021, the Town of Orangetown has been approved by the State of New York to receive a State and Municipal Facilities Program (SAM) grant to be administered by the Dormitory Authority of the State of New York (DASNY) for Renovations to Camp Shanks Museum, Project Identification #24198, in the amount of \$50,000.00, subject to review and approval of DASNY and the submission of further documentation by the Town to DASNY and

WHEREAS, the Town Board hereby finds that the Improvements to Camp Shanks Museum project and acceptance of the grant is a Type II action under SEQRA which requires no further review with respect to SEQRA, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby agrees to accept the SAM Grant from the State of New York, which is to be administered by DASNY, in the amount of \$50,000.00 for the Camp Shanks Museum project, and

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to execute any and all documents necessary to accept and administer the grant for the Camp Shanks Museum in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

TOWN ATTORNEY

9. **SET PUBLIC HEARING / MARCH 9, 2021 AT 7:05 P.M. / LOCAL LAW / TOWN CODE CHAPTER 9 / DOGS**

RESOLVED, that a public hearing is scheduled for March 9, 2021 at 7:05 p.m., for a Local Law amending Town Code Sections 9-5(A) concerning impoundment fees and 9-6(B) deleting unnecessary language.

10. **SET PUBLIC HEARING / MARCH 23, 2021 AT 7:05 P.M. / PROPOSED CHANGE TO TOWN CODE REGARDING SIGNS, ADDING CHAPTER 31C / AMENDING CHAPTERS 2, 24C and 43 OF THE TOWN CODE REGARDING SIGNS**

RESOLVED that the Town Board will hold a public hearing on March 23, 2021, at 7:05 p.m., on a proposed Local Law regarding "Signs", adding a new Chapter 31C and amending Chapters 2, 24C and 43, with respect to Signs in the Town of Orangetown.

11. **DECLARATION OF INTENTION OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA / SIGNS**

WHEREAS, the Town Board finds that the Town's existing regulations with respect to Signs are in need of clarification for purposes of enforcement and ensuring the character and visual impacts of signs on the community, and

WHEREAS, the Town Board wishes to provide for guidance for residents and business alike for the placement of signs on their properties and in rights of way of the Town, and

WHEREAS, upon review of the proposed Local Law, Short Environmental Assessment Form, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:
 - Orangetown Planning Board;
 - Orangetown Architectural Community Board of Review (ACABOR)
 - Rockland County Department of Planning;

NOW, THEREFORE, BE IT 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 further be for the purpose of review pursuant to General Municipal Law §§ 239- l & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Code, 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.

12. **APPROVE 2021 AGREEMENT WITH HUDSON VALLEY HUMANE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

RESOLVED, that the Town Board authorizes and approves an Agreement with Hudson Valley Humane Society for the Prevention of Cruelty to Animals by quarterly payments for fiscal year 2021 for the statutory shelter/pound services required to be provided by the Town, in accordance with the terms of the Agreement, a copy of which is expressly incorporated herein by reference, and the Supervisor is hereby authorized to sign same.

13. **APPROVAL OF 2021 CERTIFICATE OF SEWER REGISTRATIONS**

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 2021 Sewer Work is approved to:

- ◆ Belleville Landscaping, Inc. 84 North Route 9W, Congers, NY 10920
- ◆ Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ 07456

- ◆ Dutra Excavating & Sewer, 10 Stone Hollow Road, Montvale, NJ 07645
- ◆ Hewitt Excavating, LLC, 18 Broad Street, Norwood, NJ 07648
- ◆ Paving Solutions, Inc., 548 Route 17M, Monroe, NY 10950
- ◆ Rino Paving & Construction, Inc., 20 Viola Road, Suffern, NY 10901
- ◆ Carmelo Scaffidi & Sons Blacktopping, Inc., 34 North Rte 9W, W. Haverstraw, NY 10993
- ◆ SDM Industries, 21 South Park Terrace, Congers, NY 10920
- ◆ Victor P. Zugibe, Inc., 66 W. Railroad Avenue, Garnerville, NY 10923

14. APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING PALISADES SWIM CLUB, INC., S/B/L 80.06-1-10, 122 ROUTE 9W, PALISADES

RESOLVED, upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Palisades Swim Club, Inc. v. The Assessor of the Town of Orangetown, et al., tax map designation 80.06-1-10, 122 Route 9W, Palisades, for the tax assessment years 2015 through 2020 for a total refund by the County of \$5,766, a total refund by the Town of \$19,305, and a total refund by the School District of \$68,602. 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 Rockland County Finance Department.

POLICE

15. APPOINT / BRENDAN KALAF / POLICE OFFICER / PROBATIONARY – PERMANENT / EFFECTIVE FEBRUARY 10, 2021

RESOLVED, upon the recommendation of the Chief of Police, appoint BRENDAN KALAF from Rockland County List #(OC) 16097 to the position of Police Officer/Probationary/Permanent, effective February 10, 2021, at a salary consistent with the terms of the labor agreement between the Town of Orangetown and the Orangetown PBA.

16. APPOINT / ANDREW DUGGAN / POLICE OFFICER / PROBATIONARY – PERMANENT / EFFECTIVE FEBRUARY 10, 2021

RESOLVED, upon the recommendation of the Chief of Police, appoint ANDREW DUGGAN from Rockland County List #(OC) 16097 to the position of Police Officer/Probationary/Permanent, effective February 10, 2021, at a salary consistent with the terms of the labor agreement between the Town of Orangetown and the Orangetown PBA.

PERSONNEL

17. ****PLACE HOLDER** APPOINT _____ / _____ / BUREAU OF FIRE PROTECTION / OBZPAE /EFFECTIVE _____**

****PLACE HOLDER** RESOLVED**, that upon the approval of the Rockland County Department of Personnel, _____ is appointed to the position of _____, Bureau of Fire Protection, OBZPAE, effective _____, to replace Michael Bettmann, who resigned January 2021.

18. ****Place Holder** ESTABLISH PART-TIME CLERK POSITION IN OBZPAE**

19. **AMEND PARKING PERMIT FEES AND REGULATIONS IN DOWNTOWN PEARL RIVER**

WHEREAS, pursuant to Chapter 24 of the Town Code, entitled “Parking Lots and Meters,” the Town Board is authorized to determine and set the fees for permits to be issued and the hours and designation of spaces for use by permit holders pursuant to said Chapter and; and

WHEREAS, the Town Board having taken into consideration the parking needs of the community in downtown Pearl River and the costs involved in administering the permitting process and enforcement,

NOW THEREFORE IT IS HEREBY RESOLVED THAT, the Town hereby sets the fees for parking permits pursuant to §24-1(C), §24-1(D), §24-1(E), and §24-1(F) of the Town Code as follows:

- For “Twenty-Four/Seven” parking permits, the fee shall be \$300.00 per year and \$150.00 per half-year;
- For “Overnight” parking permits, the fee shall be \$200.00 per year and \$100.00 for a seasonal permit valid November 15th through April 15th;
- For “Municipal” parking permits, the fee shall be \$110.00 per year and \$55.00 per half-year;
- For “Merchant” parking permits, the fee shall be \$10.00 per year.

BE IT FURTHER RESOLVED THAT, the Town, hereby sets the hours and designation of spaces for use by permit holders pursuant to §24-1(C), §24-1(D), §24-1(E), §24-1(F), and §24-1(G) of the Town Code as follows:

- “Twenty- Four/Seven” parking permit holders may park twenty-four hours per day, seven days per week in designated spaces in the three municipal parking lots;
- “Overnight” parking permit holders may park seven days per week during the hours of 10:00 PM through 9:00 AM in designated spaces in the three municipal parking lots;

- “Municipal” parking permit holders may park during the hours of 6:00 AM through 10:00 PM, seven days per week, in any of the three municipal parking lots;
- “Merchant” parking permit holders may park at designated “Merchant Only” yellow-colored parking meters and must pay the meters as directed.

BE IT FURTHER RESOLVED THAT, these fees shall remain in effect until further resolution of the Town Board.

20. 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: 1/5/21 Re-Organizational Meeting; 1/5/21 & 1/19/21 Regular Town Board Meetings; and 1/19/21 Police Commission Meeting.
2. Caretaker Agreement (Henry Borst Park) with Brian Edwards.
3. Agreements (2021) with Tappan Free Library and the Orangeburg Library.
4. Agreement w/Lothrop Associates LLP Architects for Third Floor Redesign Services Amendment / Town Hall Expansion.

FINANCE

21. AUTHORIZE PAYMENT / APPLIED GOLF

BE IT RESOLVED, that the Finance Director is hereby authorized to pay to Applied Golf the amount of _____ in full and final payment including all adjustments for its operation of the Blue Hill (and Broadacres) Golf Course(s) for the year 2020.

AUDIT

22. 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 six (6) warrants (attached) for a total of \$1,305,007.63.

EXECUTIVE SESSION

23. ENTER EXECUTIVE SESSION

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

ADJOURNMENTS

24. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Daniel Joseph Callanan**, *Resident of Pearl River*
- ❖ **Lawrence "Tex" Goswick**, *Ex-Chief of Piermont Fire Department*
- ❖ **Marion Kall**, *Resident of Nanuet and Mother of Orangetown Justice Court employee Lizbeth Kall*
- ❖ **Gerard McGibbon**, *Resident of Lindenhurst and Brother of Orangetown Highway Dept. Employee Helen Wilson*
- ❖ **Chester Charles Nawoichyk**, *Resident of Pearl River and Former Member of the Orangetown Auxiliary Police*