



## 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, Sparkill, Pearl River and Blauvelt / Please email: [supervisor@orangetown.com](mailto: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 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. REAPPOINT MICHAEL MANDEL / CHAIRMAN / BOARD OF ETHICS / 2021 / 1 YEAR TERM**

**RESOLVED**, that MICHAEL MANDEL is hereby appointed Chairman to the Board of Ethics for a period of 1-year, commencing January 01, 2021 and expiring on December 31, 2021.

**9. 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**

**10. 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.

11. **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.

12. **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.

13. **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.

14. **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

15. **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**

16. **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.

17. **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**

18. **CREATE POSITION / CLERK PART-TIME / OBZPAE**

**RESOLVED**, in accordance with the approval by the Rockland County Commissioner of Personnel dated 02/05/2021, the Town Board hereby establishes the position of Clerk Part-Time (non-competitive) in the Office of Building Zoning, Planning and Enforcement (OBZPAE), effective 02/10/2021.

## **HIGHWAY**

19. **APPROVE / AGREEMENT EXPENDITURE OF HIGHWAY MONIES / ROCKLAND COUNTY 2021 PAVEMENT PRESERVATION PROGRAM / IMPROVEMENT & REPAIRS**

**WHEREAS**, pursuant to the provisions of Section 284 of the Highway Law, we agree that monies bonded by the Town and received from the State for State aid for the repair & improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS, the sum of \$ 1,220,000.00 shall be set aside to be expended for primary work and general repairs upon 16 miles of town highways.
2. PERMANENT IMPROVEMENTS, below contains a list of roads which will be treated in the 2021 Pavement Preservation Program:



**BLAUVELT:**

Sgt Parker Dr  
Van Wyck Rd

**PEARL RIVER:**

Old South Highland Ave  
Marycrest Rd  
Sgt Ahlmeyer Rd  
Reld Dr  
Marion Pl  
Patton Pl  
Arlene Ct  
North Rd  
South Pascack Rd  
Orangeburg Rd

**ORANGEBURG:**

East 704th St  
Birch Ct  
Cedar Ave  
Kevin Dr  
East Cortwood  
Wisteria Ct  
Oak St  
Maple Ave  
Dutchess Dr  
Pulaski Ct  
Spencer Ct  
Hunt Rd  
Horn St  
Ethan Allen Ct  
Old Orangeburg Rd  
Dutch Hill Rd (N of  
Orangeburg Rd)

Dutch Hill Rd (S of  
Orangeburg Rd)  
Lester Dr

**TAPPAN:**

Horn St (Howard to Ethan  
Allen)  
Princeton Dr  
Revere Pl  
Hamilton Ave  
Jones Pl  
Key Pl  
Webster Rd  
Hale Pl  
Ross Pl  
Morris Rd  
Liberty Rd  
Newport Ave  
Ryerson Pl  
Conklin Ave  
Yorktown Ct  
Lawrence St  
Avenue C

**PALISADES:**

Muroney Ave  
Fern Rd  
Justin Ct  
Prior Ct

**SPARKILL:**

Depot Square

**UPPER GRANDVIEW:**

South Broadway

There will be money spent on other Town Highways as needed to maintain a safe driving surface. This agreement shall take effect when it is approved by the Town Board.

**RESOLVED**, approve Agreement for expenditure of Highway monies, between the Town Superintendent of Highways of the Town of Orangetown, Rockland County, New York and the undersigned members of the Town Board.

## **PARKS & RECREATION**

### **20. APPROVE CARETAKER AGREEMENT 2021 / NIKE PARK / 2% INCREASE**

**RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation approve the caretaker agreement for the property located at 1 Nike Lane, Orangeburg, New York (Nike Park), with a TWO (2%) PERCENT increase, for a fee of ONE THOUSAND TWO HUNDRED ELEVEN AND 65/100 (\$1,211.65) per month for a term from January 1, 2021 through December 31, 2021, between the Town and Louis Caputto, Maintenance Mechanic Orangetown Highway Department.

### **21. ACCEPT / MEMORIAL BENCH DONATION / BROADACRES**

**RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation accept the donation of a memorial bench to be placed at Broadacres Golf Course. Engraving as follows:

Vincent Mercogliano  
Few words, a tremendous heart  
Love always, the Gang

## **FINANCE**

### **22. AUTHORIZE PAYMENT / APPLIED GOLF**

**BE IT RESOLVED**, that the Finance Director is hereby authorized to pay \$75,750.00 to Applied Golf in full and final payment including all adjustments for its operation of the Blue Hill Golf Course(s) for the year 2020.

## **TOWN CLERK**

### **23. 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 15<sup>th</sup> through April 15<sup>th</sup>;

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.

24. **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.

## AUDIT

### 25. 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

### 26. 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

### 27. 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*