



**TOWN OF ORANGETOWN REGULAR TOWN MEETING  
Tuesday February 25, 2020**

This Town Board Meeting was opened at 7:30 PM.

Councilman Denis Troy \_\_\_\_\_  
Councilman Thomas Diviny \_\_\_\_\_  
Councilman Paul Valentine \_\_\_\_\_  
Councilman Jerry Bottari \_\_\_\_\_  
Supervisor Teresa M. Kenny \_\_\_\_\_

**Pledge of Allegiance to the Flag**

**ANNOUNCEMENTS:**

- The Town of Orangetown would like to remind everyone that beginning on Sunday, March 1st, a new law that bans most single-use plastic bags at retail outlets, restaurants and grocery stores, will go into effect. Please remember to bring your reusable bags when you go shopping.
- Public Hearing / RTBM of March 10, 2020 at 8:00 P.M. Re: Proposed Amendment to the Town Code/Section 30B-3 / Pollutant Limitations / (Changing the limitation for mercury discharged into the Town Sewer or Storm Water Systems from 0.05 mg/L to 0.0005 mg/l)
- At the next Town Board Meeting on March 10, 2020, there will be a presentation on the Unification of the Palisades, Tappan and Orangeburg Library Districts into a Single District with Three Branches.
- On March 24th, there will be a discussion on the merger of responsibilities for Architecture and Community Appearance Board of Review (ACABOR) and Historic Areas Board (HABR).

- **Paper Shredding / People to People Donation Event / Saturday, May 2, 2020 / 8:00 a.m. to 12 noon / Help someone get ahead while you shred! Please bring non-perishable food items and/or cash as a donation to People to People / sponsored by Rockland County Solid Waste Management Authority and Rosanna Sfraga, Orangetown Town Clerk.**
- **2020 Military Tribute Banner Program - \$150.00 Sponsorship Fee, \$50.00 Annual Renewal Fee. Banners will be displayed between Memorial Day and Veteran's Day. Display areas include: Tappan, Orangeburg Road, Sparkill, & Downtown Pearl River. Specific location requests are based on availability. To sponsor your banner, visit: [militarytributebanners.org](http://militarytributebanners.org) and click on Current Programs/Orangetown, NY. Proceeds of the program will be used toward an annual event to benefit our local veterans. Please email: [supervisor@orangetown.com](mailto:supervisor@orangetown.com) for more details.**

### **APPOINTMENT CEREMONY**

**1. PROMOTE PETER MAHER / POLICE SERGEANT / ORANGETOWN POLICE DEPARTMENT**

**RESOLVED**, that upon the recommendation of the Chief of Police, promote Peter Maher from Rockland County Civil Service list # 17052/77-427, to the position of Police Sergeant/Town of Orangetown, effective March 1, 2020 at a salary consistent with the labor agreement between the Town of Orangetown and Orangetown PBA.

**2. DETAIL MATTHEW SULLIVAN / DETECTIVE-YOUTH OFFICER / ORANGETOWN POLICE DEPARTMENT**

**RESOLVED**, that upon the recommendation of the Chief of Police, and in accordance with the terms of section #13 of the Rockland County Police Act of 1936, as amended, detail Police Officer Matthew Sullivan to the duties of detective/youth officer, effective March 1, 2020, at a salary consistent with the terms of labor agreement between the Town of Orangetown and the Orangetown PBA bargaining unit.

**OFFICIAL SWEARING-IN CEREMONY**

- **PETER MAHER / POLICE SERGEANT / ORANGETOWN POLICE DEPARTMENT**
- **MATTHEW SULLIVAN / DETECTIVE-YOUTH OFFICER / ORANGETOWN POLICE DEPARTMENT**

**PRESENTATIONS:**

- **Community Choice Aggregation (CCA) Question & Answer Session with Jeffrey Domanski**
- **Project Update / Jim Dean / Sanitary Sewer Replacement / Stormwater Bioretention Basin Green Innovation**

**DISCUSSION: WORKSHOP OF AGENDA ITEMS**

**PUBLIC COMMENT:**

**3. OPEN PUBLIC COMMENT PORTION**

**RESOLVED**, the public comment portion is hereby opened.

**4. CLOSED PUBLIC COMMENT PORTION**

**RESOLVED**, the public comment portion is hereby closed.

**AGENDA ITEMS:**

**TOWN BOARD**

**5. AUTHORIZE SUPERVISOR TO SIGN / CANDLE AGREEMENT/ 2020**

**RESOLVED**, that the Town Board hereby authorizes the Supervisor, or her designated representative, to sign an Agreement between the TOWN and CANDLE, at a cost to the TOWN of \$35,132.50 pursuant to which CANDLE shall provide drug abuse and prevention awareness programs and services to the youth of the Town of Orangetown during and throughout calendar year 2020.

**6. REAPPOINT CHARLES VEZZETTI / CHAIRMAN / SANITATION COMMISSION / 2020 / 1 YEAR TEAM**

**RESOLVED**, that CHARLES VEZZETTI is hereby reappointed Chairman to the Sanitation Commission for a period of 1-year, commencing January 01, 2020 and expiring on December 31, 2020.

**7. RESCIND RESOLUTION NO. 110-2020 / ORANGETOWN OFFICE OF EMERGENCY MANAGEMENT COMMITTEE / 2020 / ONE YEAR TERM**

**RESOLVED**, that Resolution #110-2020, regarding the Orangetown Office of Emergency Management Committee for 2020, is hereby rescinded.

8. **APPOINT / REAPPOINT / ORANGETOWN OFFICE OF EMERGENCY MANAGEMENT COMMITTEE / 2020 / 1 YEAR TERM**

**RESOLVED**, that the following are hereby reappointed as Members of the Orangetown Office of Emergency Management Committee for a 1-year term, commencing on January 1, 2020 and expires on December 31, 2020:

- P. O. Michael Yannazzone, Jr., OPD / Chairman
- Capt. James Brown, OPD
- Karen Jahnes, Administrative Secretary / Highway
- David Majewski, Asst Building Inspector / OBZPAE
- Jane Slavin, Director of OBZPAE
- James Dean, Superintendent Highways
- Mark Albert, Senior Recreation Leader / Parks and Recreation
- Eamon Reilly, Commissioner of DEME
- Christopher Sheehan, Confidential Assistant, DEME
- Steve Harris, Chief, SOAC
- Maryanne Portoro, Operations Administrator, Pearl River Ambulance Corps
- Robert Daly, Rockland County Deputy Fire Coordinator
- Stephen Munno, Senior Administrative Assistant
- Fred Simms, Rockland County Deputy Fire Coordinator
- Liaison: Councilman Thomas Diviny

9. **APPROVE SECOND EXTENSION AND MODIFICATION AGREEMENT WITH OVESC/CHIEF BILL HARRIS WAY PROPERTIES / SUBJECT TO PERMISSIVE REFERENDUM**

**WHEREAS**, the Town of Orangetown, as the owner of property located at and known as 161, 163, 165, 167, 174, 176, 180 and 184 Chief Bill Harris Way, Orangeburg, New York entered into a Lease Agreement on or about October 12, 2004, with the Orangetown Volunteer Emergency Service Coalition, Inc. (OVESC) to rent said properties to OVESC to provide for housing for volunteer emergency service providers, and which Lease Agreement was Modified pursuant to Town Board Resolution 2011-153, and

**WHEREAS**, the Lease Agreement and Modification was extended and modified pursuant to an Extension and Modification Agreement dated on or about February 4, 2019, pursuant to Town Board Resolution 2018-742, which extended the Lease Agreement through and including January 12, 2020, and

**WHEREAS**, OVESC has requested that the Lease Agreement being extended further, and the Town Board having found that providing this housing serves a public purpose to encourage volunteer emergency service workers to reside in the Town,

**NOW THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized to enter into a Second Extension and Modification of Lease Agreement with OVESC for those certain Town owned lands, not currently needed by the Town for Town purposes, located on Chief Bill Harris Way, in the hamlet of Orangeburg, Town of Orangetown. The Second Extension and Modification of Lease Agreement authorized hereby shall be for an additional 2-year term, commencing on January 12, 2020 and ending on January 12, 2022, and shall be on the same terms and conditions as set forth in the initial lease agreement between the parties, dated October 12, 2004, except as otherwise modified in a Modification Agreement approved pursuant to Town Board Resolution 2011-153 and by an Extension and Modification of Lease Agreement dated February 4, 2019, both of which are expressly incorporated by reference herein. The said premises are to be used and occupied solely as housing units for volunteer emergency service personnel who are certified members of a volunteer fire or ambulance department/association located in, and providing emergency services to, the Town of Orangetown. This resolution is subject to permissive referendum.

**TOWN ATTORNEY**

10. **APPROVE / AUTHORIZE DENNIS MICHAELS, DEPUTY TOWN ATTORNEY / TO SIGN SETTLEMENT DOCUMENTS /TAX CERTIORARI PROCEEDING 245 NORTH MIDLAND AVENUE / NYACK LLC v. TOWN, ET AL.**

**RESOLVED**, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding 245 North Midland Avenue Nyack LLC v. The Town of Orangetown, et al., Tax Map designation 60.77-2-62 (245 N Midland Ave, Nyack), for the tax assessment year 2019, for a total refund by the County of \$854, a total refund by the Town of \$2,328 and a total refund by the Nyack School District of \$8,288. 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.

11. **AMEND RESOLUTION 40-2020 AWARDING CONTRACT TO THE WASHING BOARD LAUNDROMAT TO WAIVE PERFORMANCE SECURITY**

**WHEREAS**, by Notice to Bidders, dated November 12, 2019, competitive bids were solicited for a two-year contract for laundry, dry cleaning and minor repair services for police uniforms; and

**WHEREAS**, bids for said contract were publicly opened on November 21, 2019, at which time The Washing Board Laundromat, the sole bidder, was presumptively determined to be the lowest responsible bidder; and

**WHEREAS**, by Resolution 40 of January 14, 2020, the Town Board confirmed that The Washing Board Laundromat, was the lowest responsible bidder and awarded the contract accordingly; and

**WHEREAS**, the bid solicitation required that, at the time the contract is executed, the prevailing bidder deliver performance security in the amount of \$1,000; and

**WHEREAS**, in the past years (including by way of example, Resolution 630 of December 19, 2017), the Board agreed to waive the requirement that The Washing Board Laundromat provide performance security based on its many years of timely and competent performance; and

**WHEREAS**, by letter dated January 29, 2020, the Washington Board again has requested that the Town waive the \$1,000 performance guarantee required as a condition of the award; and

**WHEREAS**, for more than 10 years, the Washington Board Laundromat has faithfully performed the dry cleaning, laundry and minor repair service required for police uniforms pursuant to multiple contracts duly awarded, without claim or incident.

**RESOLVED** that upon the recommendation of the Town Attorney, Resolution 40 of January 14, 2020, awarding the contract for washing, dry cleaning and minor repair services for police uniforms to the Washing Board Laundromat of Pearl River, the only bidder, is hereby amended to waive the contract requirement that the vendor shall post with the Town a \$1,000 performance guarantee.

## 12. **APPROVAL OF 2020 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 2020 Sewer Work is approved to:

- Belleville Landscaping, Inc., 84 North Route 9W, Congers, NY 10920
- King Excavating LLC/William King, 113 Lake Road, Valley Cottage, NY 10989



**POLICE**

13. **ACCEPT RESIGNATION / RETIREMENT POLICE RADIO DISPATCHER / MARGARET WALTER / EFFECTIVE FEBRUARY 29, 2020**

**RESOLVED**, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Police Radio Dispatcher, Margaret Walter, from the Orangetown Police Department effective 2/29/2020.

14. **ACCEPT RESIGNATION / RETIREMENT SGT. ROBERT RUGGIERO**

**RESOLVED**, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Sgt. Robert Ruggiero, from the Orangetown Police Department effective 2/29/2020.

15. **NOMINATE / MELISSA BERKE / POLICE OFFICER / POLICE DEPARTMENT**

**RESOLVED**, that upon the recommendation of the Chief of Police, nominate Melissa Berke, from Rockland County Civil Service List # 69-233/16097 to the position of "Police Officer/Resident of the Town of Orangetown", with her permanent appointment dependent upon her successfully completing the remaining phases of the Rockland County Civil Service testing and background investigation processes.

16. **NOMINATE / KEVIN CULLY / POLICE OFFICER / POLICE DEPARTMENT**

**RESOLVED**, that upon the recommendation of the Chief of Police, nominate Kevin Cully, from Rockland County Civil Service List # 69-233/16097 to the position of "Police Officer/Resident of the Town of Orangetown", with his permanent appointment dependent upon him successfully completing the remaining phases of the Rockland County Civil Service testing and background investigation processes.

17. **NOMINATE / EAMONN NOONAN / POLICE OFFICER / POLICE DEPARTMENT**

**RESOLVED**, that upon the recommendation of the Chief of Police, nominate Eamonn Noonan, from the Rockland County Civil Service List #69-233/16097 to the position of "Police Officer/Resident of the Town of Orangetown", with his permanent appointment dependent upon him successfully completing the remaining phases of the Rockland County Civil Service testing and background investigation processes.

18. **ACCEPT RESIGNATION/RETIREMENT/ P.O. FELICIA HEWITT**

**RESOLVED**, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of P.O. Felicia Hewitt from the Orangetown Police Department effective 2/29/20.

19. **AMEND RESOLUTION 2020-93/RETIREMENT/P.O. KEVIN DRAIN**

**RESOLVED**, that Town Board Resolution 2020-93 which accepted the resignation/retirement of Police Officer Kevin Drain is hereby amended to change the effective date of the retirement from 3/13/2020 to 02/29/2020.

**TOWN BOARD / IT**

20. **APPROVE / SURPLUS IT EQUIPMENT**

**RESOLVED**, upon the recommendation of the Director of Automated Systems, that the Town Board hereby approve for surplus the attached list of HP 6500/7900/8000 computers.

**HIGHWAY**

21. **APPROVE CORNELL UNIVERSITY LOCAL ROADS PROGRAM / GEORGE RICHARDS / MARCH 25, 2020, APRIL 8, 2020 AND MAY 7, 2020**

**RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves George Richards, Highway Department, to attend 3 classes through Cornell Local Roads on the above dates at a cost of \$150.00, charged to Account Number D.5140.441.05.

**22. APPROVE COMPRESSED TEN HOUR WORK WEEK / EMPLOYEES OF THE ORANGETOWN HIGHWAY DEPARTMENT**

**RESOLVED**, that upon the recommendation from the Superintendent of Highways, that the Town Board hereby approve a change to the workweek for the employees of the Orangetown Highway Department, from Monday thru Friday, 6:30 am - 3:00 pm, to Monday thru Thursday or Tuesday thru Friday, from 6:30 am - 4:30 pm. In accordance with Article 5, Section 5.2.2 of the Collective Bargaining Agreement, this compressed workweek schedule shall be in place starting on Monday, April 6, 2020 and concluding on Friday, October 9, 2020.

**23. APPROVE / SURPLUS DECORATIVE LIGHT HEAD FIXTURES**

**RESOLVED**, that upon the recommendation from the Superintendent of Highways, that the Town Board hereby approve for surplus the decorative light head fixtures that were replaced via the Town of Orangetown's LED street light project.

**PARKS AND RECREATION**

**24. APPROVE / LEND ASSISTANCE / 2020 ST PATRICK'S DAY PARADE / SUNDAY, MARCH 22**

**RESOLVED**, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$500.00 by the Rockland County Ancient Order of Hibernians for their St. Patrick's Day Parade, Sunday, March 22, 2020, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured; and

**BE IF FURTHER RESOLVED**, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of Portable Toilets (22 regular units) for the Rockland County Ancient Order of Hibernians St. Patrick's Day Parade, Sunday, March 22, 2020. (Town of Orangetown responsible for 14 units, Rockland Ancient Order of Hibernians responsible for 8 units)

25. **APPROVE CONTRACT AGREEMENT/ ATHLETIC COURT CRACK REPAIR / SPORT-TECH ACRYLICS CORP, BREWSTER, NY**

**WHEREAS**, the Superintendent of Parks, Recreation & Building Maint., duly advertised for sealed bids for Athletic Court Crack Repairs, which were received and publicly opened on February 20, 2020; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit \_\_\_\_\_, and made a part of these minutes.

**NOW, THEREFORE, BE IT RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation, the Town Board hereby awards the bid to Sport-Tech Acrylics Corp. of Brewster, NY for crack repair at various Town athletic courts in an amount not to exceed \$60,000.00 and

**BE IT FURTHER RESOLVED**, that the Supervisor or her designee is authorized to enter into an agreement with Sport-Tech Acrylics Corp., in accordance with the bid award and terms of this resolution, subject to review and approval of the Town Attorney's Office.

**BUILDING**

26. **APPOINT CHRISTIAN CATANIA / CODE ENFORCEMENT OFFICER II / EFFECTIVE MARCH 2, 2020**

**RESOLVED**, Upon the recommendation of the Director of OBZPAE, appoint Christian Catania to the position of Code Enforcement Officer II from Rockland County EL #19108, Grade 13, Step 1, at a salary of \$65,090.00, effective March 2, 2020.

**DEME**

27. **AWARD BID / 40% SODIUM PERMANGANATE / SHANNON CHEMICAL**

**WHEREAS**, the Commissioner of DEME duly advertised for sealed bids for 40% Sodium Permanganate for Sludge Dewatering Odor Control (DEME-55-2020) which were publicly opened on February 13, 2020.

**NOW THEREFORE, BE IT RESOLVED**, this bid is hereby awarded to Shannon Chemical, Exton, Pennsylvania, the lowest qualified bidder, at the unit price of \$15.73/gal. at the estimated total price of \$82,189.25 per year.

**BE IT FURTHER RESOLVED**, that the Supervisor or her designee is authorized to enter into an agreement with Shannon Chemical, in accordance with the bid award and terms of this resolution, subject to review and approval of the Town Attorney's Office.

28. **AWARD BID / NON-HAZARDOUS ANTI-CORROSIVE ODOR CONTROL CHEMICALS**

**WHEREAS**, the Commissioner of DEME duly advertised for sealed bids for Non-Hazardous Anti-Corrosive Odor Control Chemicals (DEME-56-2020) which were publicly opened on February 13, 2020.

**NOW THEREFORE, BE IT RESOLVED**, this bid is hereby awarded to G&G Enterprises, Greensboro, North Carolina, the lowest qualified bidder, at the unit price of \$4,508.18 at the total price of \$108,196.36 per year.

**BE IT FURTHER RESOLVED**, that the Supervisor or her designee is authorized to enter into an agreement with G&G Enterprises, in accordance with the bid award and terms of this resolution, subject to review and approval of the Town Attorney's Office.

## **FINANCE**

### **29. GRANT PERMISSION / FINANCE DEPT. / GFOA CONFERENCE 2020 ATTENDANCE / ALBANY, NY**

**RESOLVED**, that permission is granted to Orangetown employees: Janice Ganley, Natalie Schutter, Stephanie Tassello and Jeff Bencik, to attend the 41st NYS Government Finance Officers' Association, Inc. / Annual Conference in Albany, NY, March 31 - April 3, 2020, at a cost of \$3,494.00 for lodging, membership, conference fees and travel expenses, charged to Account Nos. A.1310.480 (\$1,584.00) and A.1310.441 (\$1,910.00).

## **AUDIT**

### **30. PAY VOUCHERS**

**RESOLVED**, upon the recommendation of the Director of Finance Director, the Finance Office is hereby authorized to pay vouchers for a total amount of eight (8 ) warrants for a total of \$ 12,287,454.82 .

## **EXECUTIVE SESSION**

### **31. 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 and personnel/appointment to committee matters.

## **ADJOURNMENTS**

### **RESOLUTION TO RE-ENTER RTBM / ADJOURNED / MEMORY**

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

- ❖ Pasqualena Calzetta, Mother of Town Employee Gina Raymond
- ❖ Sandra Wilson, Resident of Spring Valley, Security Guard for Finkelstein Library, Loving Mother, Grandmother, Sister, Aunt, and Daughter
- ❖ Wanda Worner, Clerk for the Borough of Northvale, NJ