

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, MARCH 21, 2017**

This meeting was opened at 7:40 p.m. Supervisor Stewart presided and Town Clerk Madigan, called the roll. Present were:

Councilman Denis Troy
Councilman Thomas Diviny
Councilman Paul Valentine
Councilman Gerald Bottari
Supervisor Andrew Stewart

Also present:

Charlotte Madigan, Town Clerk
John Edwards, Town Attorney
Teresa Kenny, Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
John Giardiello, Director of OBZPAE
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.

Pledge of Allegiance to the Flag of the United States of America was led by Esta Baitler.

Summary of Public Comments:

Laura Pesanell, Sparkill – (letter read by Paul Kubarych) the letter spoke about Mountain Biking dangers, deaths, lawsuits and the need for democratic open hearings.

Paul Kubarych, Tappan – has concerns regarding Mountain Biking. He requested an open hearing and a SEQRA.

Ruth Weber, Upper Grandview Association, is against Mountain biking in Nike Park. The Nike Base was/is deeded to stay forever wild and natural. These bikes will destroy the trails, the natural environment and reawaken toxins and contaminations. She has a map from the National Guard showing hundreds of water wells and proof of cooper contamination; and Rockland County Health Dept. and the DEC inspection and hazardous wastes reports documenting spills and leakages of fuel, motor oil and other unknown substances that saturated most of Nike Park. Esta Baitler, Sparkill, is in favor of LED lights.

Doris Baumann, Tappan – a saying from the good books seems very appropriate now at Town Hall. It is loosely this – those who hate the light fear coming into the light must their deeds be discovered and reprovod. Why must you recuse the common sense request of respected and long- time residents for open hearings on your secret Mountain Biking project? Why must hard working taxpayers have to spend time and money buying County and Town documents to discover your plans for the neighborhoods, roads and the beautiful natural woodland, which we have on Clausland Mountain? Why favor Special Interest Groups, johnny come lately, over us? All longtime residents know that the Nike Base has been a contaminated mess since the 1950s and should not be stirred-up by anything, especially Mountain bikes. We know that more Mountain bike traffic will endanger us and our roads, raise our taxes from lawsuits and ruin our quality of life. Your premature vote is an insult to taxpayers. She asked, the Town Board to hold an open meeting now.

Eileen Larkin, Palisades is against Gov. Cuomo’s shared services. She does not want to see any of Orangetown’s departments be short-changed. A memorializing resolution needs to be sent to Gov. Cuomo and other officials.

Thom Kleiner, Sparkill, - what effects does the Brega Bus System lawsuit have on Orangetown.

Mike Mandel, Pearl River, is against share services including Police. Orangetown’s services are great. He agrees with a memorializing resolution be sent to the Governor.

RESOLUTION NO. 160

CLOSE PUBLIC COMMENTS

Supervisor Stewart offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLUTION NO. 160 - Continued

RESOLVED, that the public portion is hereby closed.

Ayes: Supervisor Stewart
Councilpersons Troy, Diviny, Valentine, Bottari
Noes: None

RESOLUTION NO. 161

**CONTINUE PH / RPC ZONE CHANGE
TOWN-OWNED ROCKLAND
PSYCHIATRIC CENTER / R-80 TO
RPC-OP / 73.08-1-1**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the 8:00 p.m. public hearing, continuation from March 15, 2017, to amend the Town Code, Chapter 43, § 2.1 and 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) from R-80 to RPC-OP is hereby continued.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Diviny, Bottari
Noes: None

Charlotte Madigan, Town Clerk, reminded that the Affidavit of Posting and Publication is available for review.

Brian Quinn, Montalbano, Condon & Frank, PC and Robert Foley, Dewberry Engineers, again presented the conceptual plan for JP Morgan Chase’s datacenter and answered questions.

Summary of Public Comments:

Fran Oldenburger, Blauvelt – agrees that this is a wonderful project but is concerned about bright lighting and use of pesticides.

Heather Hurley, Pearl River - supports this development and looks forward to attending the Land Use Boards meetings.

Eileen Larkin, Palisades – is in favor of this project.

Ruth Weber, Upper Grandview Association – finds it peculiar that an environmental impact study will be done for the State Hospital site and not for the former Nike base.

Brian Quinn explained that there will be foot path lamps and other lights will shine down. A small amount of pesticides will be used and they are aware Lake Tappan is drinking water.

RESOLUTION NO. 162

**CLOSE PUBLIC PORTION/ RPC
ZONE CHANGE TOWN-OWNED
ROCKLAND PSYCHIATRIC CENTER
R-80 TO RPC-OP / 73.08-1-1**

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the public portion of the public hearing, to amend the Town Code, Chapter 43, § 2.1 and 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), from R-80 to RPC-OP, is hereby closed.

Ayes: Councilpersons Diviny, Valentine, Troy, Bottari
Supervisor Stewart
Noes: None

RESOLUTION NO. 163

**CONTINUE PH / RPC ZONE CHANGE
TOWN-OWNED ROCKLAND
PSYCHIATRIC CENTER / R-80 TO
RPC-OP / 73.08-1-1**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that this public hearing, to amend the Town Code, Chapter 43, § 2.1 and 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), from R-80 to RPC-OP, is to be continued, Tuesday, March 28, 2017 at 8:00 pm.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Diviny, Bottari

Noes: None

RESOLUTION No. 155 – 3/15/17

**DECLARATION OF LEAD AGENCY
RPC ZONE CHANGE / TOWN-OWNED
ROCKLAND PSYCHIATRIC CENTER
R-80 TO RPC-OP / 73.08-1-1**

**PROPOSED LOCAL LAW
AMENDING CHAPTER 43, § 2.1 AND 3.11 AND 3.12, OF THE TOWN CODE
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) RPC**

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.

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.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland and State of New York, shown and designated as PARCEL 1 on a CERTAIN map entitled "MAP OF THE LANDS OF THE PEOPLE OF THE STATE OF NEW YORK, ACTING BY AND THROUGH THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK, ROCKLAND PSYCHIATRIC CENTER, Town of Orangetown, County of Rockland, New York State," made by Hawk Engineering, P.C., Binghamton, N.Y. dated Sept 5, 2000 and amended on Sept.13,2000; Jan.11, 2001; May 7,2002; May 21,2002; May 22, 2002; Sept. 25, 2002; and last amended on Jan. 8, 2003 and filed in the Rockland County Clerk's Office under Index No. 0104/03 and being more particularly bounded and described pursuant to said filed map as follows:

PROPOSED LOCAL LAW - Continued

BEGINNING at an iron pin on the southerly side of Convent Road, said point being the northeasterly corner of the premises hereinafter to be described, being the northwesterly corner of Parcel-15 on the aforesaid filed map, said point being distant westerly as measured along the southerly side of Convent Road the following two (2) courses and distances from an iron pin in the southwesterly line of lands of the Palisades Interstate Parkway where same intersects the southerly side of Convent Road, namely:

- a) South $87^{\circ} 42' 57''$ West along the southerly side of Convent Road 621.05 feet to a point thence;
 - b) South $88^{\circ} 31' 56''$ West still along the southerly side of Convent Road 408.32 feet to the northeasterly corner of the premises hereinafter to be described (Parcel-01 on the aforesaid filed map), being the northwesterly corner of Parcel-15 on the aforesaid filed map and running thence;
1. South $2^{\circ} 06' 36''$ West along the easterly line of the premises and the westerly line of Parcel-15 on the aforesaid filed map 1,115.47 feet to a 5/8 inch rebar with O.M.H (Office of Mental Health) cap at the northwesterly corner of Parcel-16 on the aforesaid map, thence;
 2. South $0^{\circ} 32' 06''$ East still along the easterly line of the premises and along the westerly line of said Parcel-16 on the aforesaid filed map 320.70 feet to a 5/8 inch rebar with O.M.H. cap in the northerly line of Parcel-02 on the aforesaid filed map and being the southwesterly corner of said Parcel-16, thence;
 3. Southwesterly and southerly still along the easterly line of the premises and along the northerly and westerly lines of Parcel-02 on the aforesaid filed map the following six (6) courses and distances:
 - a) South $89^{\circ} 27' 54''$ West 99.13 feet to a 5/8 inch rebar with O.M.H. cap at the northerly terminus of a curve, thence;
 - b) Southeasterly on a curve to the left having a radius of 40.35 feet, the arc length of 51.83 feet to a 5/8 inch rebar with O.M.H. cap at a point of reverse curvature, said curve being subtended by a chord bearing of South $37^{\circ} 19' 53''$ East and a length of 48.34 feet, thence;
 - c) Southeasterly on a curve to the right having a radius of 45.00 feet, the arc length of 48.76 feet to 5/8 inch rebar with O.M.H cap at a point of compound curvature, said curve being subtended by a chord bearing South $43^{\circ} 05' 14''$ East and a length of 46.41 feet, thence;
 - d) Southeasterly, southerly and southwesterly on a curve to the right having a radius of 220.61 feet, the arc length of 107.17 feet to a 5/8 inch rebar with O.M.H. cap at a point of tangency, said curve being subtended by a chord having a bearing of South $1^{\circ} 52' 09''$ West and a length of 106.12 feet, thence;
 - e) South $15^{\circ} 47' 07''$ West 167.48 feet to a 5/8 inch rebar with O.M.H. cap at the northerly terminus of a curve, thence;
 - f) Southwesterly on a curve to the left having a radius of 441.01 feet, an arc length of 166.13 feet to a 5/8 inch rebar with O.M.H cap at the northeasterly corner of Parcel-17 on the aforesaid filed map, said curve being subtended by a chord having a bearing of South $4^{\circ} 59' 29''$ West and a length of 165.15 thence;
 4. Southerly along the westerly and southerly lines of Parcel-17 on the aforesaid filed map the following six (6) courses:
 - a) Southeasterly on a curve to the left having a radius of 441.01 feet, an arc length of 149.81 feet to a 5/8 inch rebar with O.M.H cap, said curve being subtended by a chord having a bearing at South $15^{\circ} 31' 42''$ East and a length of 149.09 feet, thence;

PROPOSED LOCAL LAW - Continued

- b) Southeasterly on a curve to the right having a radius of 170.41 feet, an arc length of 110.10 feet to a 5/8 inch rebar with O.M.H cap, said curve being subtended by a chord having a bearing of South 6° 45' 11" East and a length of 108.19 feet, thence;
- c) South 11° 45' 20" West 113.17 feet to a 5/8 inch rebar with O.M.H cap at the northerly terminus of a curve, thence;
- d) Southwesterly on a curve to the right having a radius of 32.40 feet, an arc length of 44.01 feet to a 5/8 inch rebar with O.M.H cap said curve being subtended by a chord having a bearing South 50° 40' 00" West and a length of 40.70 feet, thence;
- e) South 89° 34' 40" West to a 5/8 inch rebar with O.M.H cap, thence;
- f) South 89° 34' 40" West 15.91 feet to a point at the southwesterly corner of Parcel-17 on the aforesaid filed map, thence;
- 5. Southwesterly and northwesterly along the southerly line of the premises and along the northerly line of Parcel-02 following four (4) courses and distances:
 - a) South 89° 34' 40" West 733.72 feet to a 5/8 inch rebar with O.M.H cap, thence;
 - b) North 01° 22' 03" West 30.82 feet to a point, thence;
 - c) North 77° 11' 18" West 81.21 feet to a point, thence;
 - d) North 89° 59' 01" West 173.11 feet to the southwesterly corner of the premises, thence;
- 6. Northwesterly, southwesterly, northwesterly, northeasterly, and northwesterly along the westerly line of the premises and the easterly line of Parcel-02, Parcel-03, Parcel-04 and the westerly and northerly lines of Parcel-11 the following nine (9) courses and distances:
 - a) North 18° 51' 48" West 162.68 feet to a point, thence;
 - b) South 76° 32' 47" West 24.31 feet to a point, thence;
 - c) North 0° 32' 56" West 425.04 feet to a 5/8 inch rebar with O.M.H. cap at the southerly terminus of a curve, thence;
 - d) Northwesterly, northerly and northeasterly on a curve to the right having a radius of 1055.63 feet, an arc length of 117.91 feet to a 5/8 inch rebar with O.M.H. cap at a point of compound curvature, said curve being subtended by a chord having a bearing of North 2° 39' 04" East and a length of 117.85 feet, thence;
 - e) Northeasterly on a curve to the right having a radius of 168.00 feet, the arc length of 78.76 feet to a 5/8 inch rebar with O.M.H. cap at a point of reverse curvature, said curve being subtended by a chord having a bearing of North 19° 16' 53" East and a length of 78.04 feet, thence;
 - f) Northeasterly on a curve to the left having a radius of 101.52 feet, an arc length of 58.51 feet to a PK nail at a point of tangency, said curve being subtended by a chord having a bearing of North 16° 06' 52" East and a length of 58.00 feet, thence;
 - g) North 0° 28' 51" West 1259.56 feet to a 5/8 inch rebar with O.M.H. cap at the southwesterly corner of Parcel-11 on the aforesaid filed map, thence;
 - h) North 0° 28' 51" West 196.10 feet to a 5/8 inch rebar with O.M.H. cap at the northwesterly corner of Parcel -11 on the aforesaid filed map, thence;
 - i) North 88 °49' 41" East 248.37 feet to a 5/8 inch rebar with O.M.H. cap at the northeasterly corner of Parcel-11 on the aforesaid filed map, thence;

PROPOSED LOCAL LAW - Continued

7. Easterly along the southerly side of Convent Road the following two (2) courses and distances:

- a) North 88° 49' 41" East 330.80 feet to a point, thence;
- b) South 89° 45' 04 East 598.89 feet to an iron pin at the northwesterly corner of Parcel-15 on the aforesaid filed map being the northeasterly corner of the premises hereinabove described and the point or place of BEGINNING, containing 60.9611 acres of land, more or less.

Section 4: This local law shall take effect immediately on filing with the Secretary of State.

**AMENDMENT TO ORANGETOWN ZONING LAW
RPC- OFFICE PARK**

S u m m a r y :

Amend

Article I, General Provisions:

Section 2.1 Establishment of Districts

Add the following new zoning district, following the RPC-R zoning district:

RPC-OP -- Rockland Psychiatric Center Office Park

A m e n d

Article III, §§ 3.11 and 3.12 Tables of General Regulations

Add the following tables:

43 Attachment 12 A – Table of General Use Regulations (§ 3.11) RPC-OP District

43 Attachment 17A - - Table of General Bulk Regulations (§3.12) RPC-OP District

**Town of Orangetown
Table of General Bulk Regulations
Sections 3.12
RPC-OP District**

District	For Uses Listed Below	Max. Floor Area Ratio	Min. Lt Area (acres)	Min. Lt Width (feet)	Min. Street Frontage (feet)	Required Front Yard (feet)**	Required Side Yard (feet)	Total Side Yards (feet)	Required Rear Yard (feet)	Max. Bldg. Height
RPC -OP	Data Centers	.4	10*	150 ft.	150 ft.	100 ft.**	100 ft.**	250 ft.**	100 ft.**	55 ft.***
	Business Office	.4	10*	150 ft.	150 ft.	100 ft.**	100 ft.**	250 ft.**	100 ft.**	55 ft.***
	Executive Conference / Lecture Center	.4	10*	150 ft.	150 ft.	100 ft.**	100 ft.**	250 ft.**	100 ft.**	t.***

*In the RPC-OP District, Maximum Land Coverage shall not exceed Eighty percent (80%), including buildings parking, roads and road widening. (This land coverage provision shall supersede that provided at 43 Attachment 18, Note 14.)

** Except for sites abutting roads that are internal within the RPC-OP District, for which 75 ft. may be required. For purposes of this section, an internal road shall be any roadway that is not on the perimeter of the RPC site, i.e., Convent Rd., Old Orangeburg Rd., Veterans Memorial Drive and the Palisades Interstate Parkway are not internal roads. There shall be a buffer of 100 ft. in addition to the yard requirement along Convent Rd., in which no parking or other

development shall be permitted. (This buffer requirement is intended to supersede any buffer requirement as may be specified elsewhere in this Zoning Law.)

***For purposes of this Section, building height shall be measured from the average finished grade to the maximum point of any roofline.

RESOLUTION NO. 164

**AMEND RESOLUTION NO. 145 / SET
PH /AMENDING TOWN CODE
REMOVE CHERRY BROOK PARK
NON-RESIDENT FEE**

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, Resolution No. 145/2017 is hereby amended, changing the date of the Public Hearing to April 4, 2017 at 8:10 pm to amend the Town Code, Chapter § 7A-13 to Repeal Subsection(B)(4)[6]. The purpose of this proposed Law is to remove Cherry Brook Park from list of parks for which a non-resident fee is required.)

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Troy, Valentine, Bottari

Noes: None

RESOLUTION NO. 165

**APPOINT/IRENE McCARTHY/BOARD
OF ASSESSMENT REVIEW**

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that Irene McCarthy, is hereby appointed, member of the Board of Assessment of Review, for a period of 5-Years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 166

**AGREEMENT/ BOARDSYNC
AGENDA AUTOMATION**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, upon the recommendation of the Supervisor and the Director of Automated Systems, the Town Board hereby authorizes the Supervisor to enter into a contract with BOARDSYNC, 4470 Chamblee Dunwoody Road, Suite 220, Dunwoody, GA, to provide cloud-based electronic Meeting Management services, for the period of July 1, 2017 through December 31, 2017, at a rate of \$299/month plus a \$750 set-up fee, for a total of \$2544, per the Terms and Conditions of Services. This proposal includes business process review; configuration design and workflow; training; launch/post-launch review.

Ayes: Supervisor Stewart
Councilpersons Troy, Diviny, Valentine, Bottari

Noes: None

RESOLUTION NO. 167

**APPOINT/BLAUVELT FIRE
DEPT/LUKE HENRY HOVORKA**

Councilman Bottari offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, upon the recommendation of the Blauvelt Fire Dept., Luke Henry Hovorka is hereby appointed to the position of Firefighter, with the Blauvelt Volunteer Fire Company.

Ayes: Councilpersons Bottari, Valentine, Troy, Diviny
Supervisor Stewart
Noes: None

RESOLUTION NO. 168

**AGREEMENT COUNTY OF ROCKLAND
REGIONAL INVESTIGATIVE
RESOURCE CENTER/JAN 1-DEC 31, 2015**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED , that upon the recommendation of the Chief of Police, the Town Supervisor is hereby authorized to sign an Inter-Municipal Agreement, between the Town and the County of Rockland, approving participation by the Town, in the Regional Investigative Resource Center (RIRC), for the period from January 1, 2015 through December 31, 2015.

Ayes: Supervisor Stewart
Councilpersons Diviny, Troy, Valentine, Bottari
Noes: None

RESOLUTION NO. 169

**PERMISSION GRANTED/JAMES J.
DEAN/STEPHEN F. MUNNO
ANTHONY LIMINADRI/J. MIKE
DILLON/ 2017 ASSOCIATION OF
TOWNS HIGHWAY SCHOOL**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that permission is hereby granted to James J. Dean, Stephen F. Munno, Anthony Liminadri and J. Mike Dillon to attend the “Association of Towns Highway School” in Ithaca, NY, on June 12-14, 2017, at a cost of \$1,619.00, with \$925.00 charged to Account No. D.5140.441.05 and \$775.00 charged to Account A.5010.441.

Ayes: Supervisor Stewart
Councilpersons Troy, Diviny, Valentine, Bottari
Noes: None

RESOLUTION NO. 170

**SHOWMOBILE/COMMEMORATION
OF THE 75TH ANNIVERSARY OF THE
BATAAN DEATH / PHILIPPINE-
AMERICAN CULTURAL FOUNDATION**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

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 Philippine – American Cultural Foundation for their Commemoration of the 75th Anniversary of the Bataan Death March, on Saturday, April 8, 2017, at a rental cost of \$400.00, with the

RESOLUTION NO. 170 - Continued

organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

Ayes: Councilpersons Valentine, Diviny, Troy, Bottari
Supervisor Stewart

Noes: None

RESOLUTION NO. 171

CONTRACT/D & B ENGINEERS AND ARCHITECTS PC/TEMPORARY CHIEF OPERATOR SERVICES WASTEWATER TREATMENT PLANT

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) mandates that Wastewater Treatment Plants (WWTP) have a Chief Operator certified at a grade commensurate with the classification of the treatment plant, available to oversee operations for a specified period of time during every quarter calendar year; and

WHEREAS, due to the imminent retirement of the Town’s Chief Operator, the Town is faced with the need to retain a person or firm having the necessary skills and certifications in order to meet the NYSDEC’s requirements; and

WHEREAS, in furtherance thereof, a Request for Proposals for temporary part-time Chief Operator services for the Town Treatment Plant was prepared and advertised in the appropriate professional publications; and

WHEREAS, the Town received two proposals in response to the RFP, and one subsequently rescinded its proposal; and

WHEREAS, the Town cannot operate its treatment plant without an approved Chief Operator,

THEREFORE, be it resolved that the engineering firm D & B Engineers and Architects, P.C. be retained, to provide Chief Operator services, for a two month period, at a cost not to exceed \$31,410.00; and be it

FURTHER RESOLVED, that the Supervisor or his designated representative is authorized to execute a Professional Services Agreement consistent herewith, in form and content as may be approved by the Town Attorney.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 172

ADS ENVIRONMENTAL SERVICES MONITOR, ANALYZE AND REPORT FINAL FLOW REDUCTIONS/NYACK SANITARY SEWER SYSTEM

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

WHEREAS, an Order on Consent, from the New York State Department of Environmental Conservation (NYSDEC), was imposed upon the Town of Orangetown in 2014 to eliminate overflows at the Nyack pump station,

WHEREAS, the Town of Orangetown was directed to devise a plan of action to comply with said order,

RESOLUTION NO. 172 – Continued

WHEREAS, the Town of Orangetown proposed to rehabilitate key segments of the sanitary sewer system, in Nyack, to reduce inflow and infiltration into the sanitary sewer system using the Cured In Place Pipe (CIPP) method, thereby reducing wet weather flows to the Nyack pump station, to ultimately eliminate overflows,

WHEREAS, the Town of Orangetown is required to analyze the current flows in the Nyack sanitary sewer system subsequent to the CIPP sewer rehabilitation and report the results to the NYSDEC,

WHEREAS, proposals were solicited, from three companies, for the monitoring study, and the lowest said proposal for monitoring and analysis was received from ADS Environmental Services.

THEREFORE, be it resolved, authorize ADS Environmental Services, to monitor, analyze and report on the final flow reductions achieved, in the Nyack sanitary sewer system, after 3 years of rehabilitation work, for the price of \$80,421.00.

Ayes: Supervisor Stewart
Councilpersons Diviny, Troy, Valentine, Bottari
Noes: None

RESOLUTION NO. 173

**APPOINT STEPHEN FORDHAM
ASSISTANT MAINTENANCE
SUPERVISOR (SEWERAGE SYSTEMS)**

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the Town Board hereby recognizes the appointment of Stephen Fordham, made by the Commissioner of the Department of Environmental Management and Engineering, to the position of Assistant Maintenance Supervisor (Sewerage Systems), provisional, Grade 18, Step 5, at a salary of \$92,003.00, effective March 22, 2017.

Ayes: Councilpersons Diviny, Valentine, Troy, Bottari
Supervisor Stewart
Noes: None

RESOLUTION NO. 174

AID/LT JOHN G BELLEW 5K RUN

Under new business, Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, that the Town Board hereby authorizes the Orangetown Highway, Parks and Police Departments, to lend assistance, which includes the use of trash receptacles & barricades, (2) port-a-sans and Auxiliary Police, (for intersection control), for the Lt. John G. Bellew 5K Run, on Saturday, April 22, 2017, from 10 am to 4 pm.

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Troy, Valentine, Bottari
Noes: None

RESOLUTION NO. 175

**EAGLE SCOUT PROJECT/BOGERT
CEMETARY/Ryan Slattery**

Under new business, Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLUTION NO. 175 - Continued

RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, the Town Board hereby approves an Eagle Scout Project, to be conducted at Bogert Cemetery in Pearl River, by Ryan Slattery.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Stewart
Noes: None

RESOLUTION NO. 176

**COTTAGE LANE ELEMENTARY
SCHOOL/BUTTERFLY GARDEN
JOSEPH P CLARKE RAIL TRAIL**

Under new business, Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, the Town Board hereby approves a Cottage Lane Elementary School class project, Butterfly Garden, to be placed on the Joseph B. Clarke Rail Trail.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Diviny, Bottari
Noes: None

RESOLUTION NO. 177

PAY VOUCHERS

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds, total of 3 warrants in a total amount of \$1,240,744.84.

Ayes: Supervisor Stewart
Councilpersons Diviny, Troy, Valentine, Bottari
Noes: None

RESOLUTION NO. 178

ADJOURNED/MEMORY

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, at 9:55 pm, the Town Board adjourned in memory of Martin McGuinness, Orangetown; Conor Donnelly (18 yrs old), Pearl River; and Susan Antonutti, wife of employee Joe Antonutti and mother of employee Brian Antonutti.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Stewart
Noes: None

Charlotte Madigan, Town Clerk