



**TOWN OF ORANGETOWN REGULAR TOWN MEETING
Tuesday March 10, 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 _____

POLICE COMMISSION / 7:00 P.M. - 7:30 P.M. / YOUTH COURT GRADUATION IN COURT ROOM 2

1. ENTER EXECUTIVE SESSION

RESOLVED, at ____ pm, the Town Board entered Executive Session.

2. RE-ENTER PC/TBM

RESOLVED, at ____ pm, the Town Board re-entered the Police Commission/Town Board Meeting.

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- **MARCH 22, 2020 AT 1:30 P.M. - ST. PATRICK'S DAY PARADE IN PEARL RIVER**
- **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 A NON-PERISHABLE FOOD ITEM FOR DONATION TO LOCAL FOOD PANTRIES / SPONSORED BY ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

- **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 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 for more details.**

PRESENTATIONS:

- **PROCLAMATION FOR NATIONAL WOMEN'S HISTORY MONTH 2020 / HONORING ALICE HAAGENSEN GERARD**
- **PROCLAMATIONS FOR NATIONAL CATHOLIC SISTERS WEEK / March 8-14, 2020 / Honoring Sr. Mary Flood and Sr. Michaela Connolly of the Dominican Sisters of Blauvelt and Sr. Mary Murray of the Dominican Sisters of Sparkill**
- **PROCLAMATIONS FOR IRISH CULTURAL HERITAGE MONTH 2020 HONORING:**
 - **FERGAL HAYES, Hibernian of the Year**
 - **FRANK MC DONAGH, Rockland County Grand Marshal**
 - **LILLIAN MURPHY, Aide to the Grand Marshal, NYC**
 - **DEIRDRE SMITH-WITHERS, Parade Commander**
 - **EDMUND HARTNETT, Businessperson of the Year**
- **Present award to Jeffrey Bencik, Director of Finance, the "Certificate of Achievement for Excellence in Financial Reporting" by the Government Finance Officers Association for fiscal year ended December 31, 2018.**
- **Unification of the Palisades, Tappan and Orangeburg Library Districts into a Single District with Three Branches / Vicki Caramante**

DISCUSSION: WORKSHOP OF AGENDA ITEMS

PUBLIC COMMENT:

3. OPEN PUBLIC COMMENT PORTION

RESOLVED, the Public Comment portion is hereby opened.

4. CLOSE PUBLIC COMMENT PORTION

RESOLVED, the Public Comment portion is hereby closed.

TOWN BOARD

5. **OPEN PUBLIC HEARING / RTBM / MARCH 10, 2020 AT 8:00 P.M. / AMENDMENT TO TOWN CODE SECTION 30B-3 / POLLUTANT LIMITATIONS FOR MERCURY**

RESOLVED, that the Public Hearing to amend the Town Code, Section 30B-3, to change the Town limitation on Mercury discharged into the Town sewer or storm water systems, is hereby opened.

PRESENTATION of Affidavit of Public Hearing posting and publication.

SUMMARY OF COMMENTS:

6. **CLOSE / CONTINUE PUBLIC HEARING / PROPOSED AMENDMENT TO TOWN CODE SECTION 30B-3 / POLLUTANT LIMITATIONS FOR MERCURY**

RESOLVED, that the Public Hearing regarding the Proposed Amendment to Town Code Section 30B-3 / Pollutant Limitations is hereby closed or continued to

_____.

7. **LEAD AGENCY AND DETERMINATION OF SEQRA / AMEND TOWN CODE/ POLLUTANT LIMITATION FOR MERCURY**

RESOLVED, that the Town Board declares itself Lead Agency in this matter, and further determines that such action is a Type II action pursuant to SEQRA, that the action will not have a significant adverse environmental impact, and, therefore, no further action is necessary with respect thereto under the State Environmental Quality Review Act.

8. **ADOPT LOCAL LAW ____, 2020 / POLLUTANT LIMITATION FOR MERCURY**

RESOLVED, that the Town Board hereby adopts Local Law ____, 2020 to amend the Town Code, Section 30B-3, to change the limitation for mercury from 0.05 mg/L to 0.0005 mg/L. * * *

**LOCAL LAW NO. ____ - 2020 OF THE TOWN OF ORANGETOWN,
AMENDING SECTION 30B-3, CHANGING THE POLLUTANT LIMITATION
FOR MERCURY**

Be it enacted by the Town Board of the Town of Orangetown as follows:

BOLD TYPE = PROPOSED ADDITIONS

STRIKEOUTS = PROPOSED DELETIONS

Section 1. § 30B-3 – Specific pollutant limitations, shall be modified as follows:

§ 30B-3 – Specific pollutant limitations.

These specific limitations shall apply at each point of discharge to the sewerage system of the Town or of the municipality that conveys wastewater to the Town. A user's discharge to the POTW shall not exceed the following specific limitations:

<u>Pollutant</u>	<u>Discharge Limit (mg/L)</u>	
...		
Mercury	0.05	0.0005

Section 2.

The provisions of this local law shall take effect immediately upon filing with the Secretary of State. * * *

9. **APPROVE APPLICATION / ADOPT-A-SPOT COMMITTEE / LANDSCAPE THE CORNER OF MIDDLETOWN ROAD AND CENTRAL AVENUE (LOCATED BY CVS) / DONNELLY LANDSCAPING**

RESOLVED, upon acceptance of the applicant's insurance documentation naming the Town as additional insured, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which has a place of business at 26 W. Orangeburg Road, Orangeburg, New York 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization with Donnelly Landscaping as part of the Adopt-A-Spot Committee to contribute toward the maintenance of a more attractive Town Property located on the corner of Middletown Road and Central Avenue in Pearl River, NY (located by CVS) by performing necessary cleanup and/or desired beautification activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Adopt-A-Spot Agreement between the Town of Orangetown and the Adopt-A-Spot Committee dated September 4, 2018.

10. **APPOINT / ORANGETOWN SUBSTANCE ABUSE COMMITTEE / 2020 / 1 YEAR TERM**

RESOLVED, that the following are hereby appointed as Members of the Orangetown Substance Abuse Committee for a 1-year term, commencing on January 1, 2020 and expires on December 31, 2020:

- Lara Benz
- Det. Brandon Myers, Orangetown Police Department

TOWN ATTORNEY

11. **APPROVAL OF 2020 CERTIFICATE OF SEWER REGISTRATION**

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:

- **Travcon, Inc.**, 375 Kings Highway, Valley Cottage, New York 10989-1633

12. APPROVAL OF NYSDEC CONSENT ORDER MODIFICATION

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) entered into a Consent Order with the Town of Orangetown dated October 9, 2014 (R3-20131223-167);

WHEREAS, the NYSDEC has requested that the Town consent to the issuing and entering of a modification of the Order on Consent and that the Town waive its right to notice and hearing on the modification;

WHEREAS, the NYSDEC has provided the proposed modification for signature by a person authorized by the Town Board to execute said document; and

WHEREAS, the Department of Environmental Management and Engineering (DEME) and the Town Attorney’s Office recommend that (1) the Town consent to the issuing and entering of the modification, (2) the Town waive its right to notice and hearing on the modification, and (3) the Town Board authorize Supervisor Teresa Kenny to sign the Consent Order Modification.

NOW BE IT RESOLVED, that, upon recommendation of the Department of Environmental Management and Engineering (DEME) and the Town Attorney’s Office, the Town consents to the issuing and entering of the proposed Consent Order Modification, the Town waives its right to notice and hearing on the modification, and the Town Board hereby authorizes the Town Supervisor to sign the proposed Consent Order Modification.

POLICE

13. ACCEPT WITH REGRET / RESIGNATION OF ALAINA WALKER / PARKING ENFORCEMENT AIDE / EFFECTIVE MARCH 16, 2020

RESOLVED, that the Chief of Police accepts with regret, the resignation of Alaina Walker as Parking Enforcement Aide, effective March 16, 2020.

HIGHWAY

14. APPROVE / SURPLUS HIGHWAY DEPARTMENT / WINTER COATS

RESOLVED, that upon the recommendation from the Superintendent of Highways, that the Town Board hereby approve for surplus of twenty- nine (29) winter coats.

15. **APPROVE / AGREEMENT EXPENDITURE OF HIGHWAY MONIES / ROCKLAND COUNTY 2020 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 **\$ 1,175,000.00** 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 2020 Pavement Preservation Program:

PEARL RIVER

Evergreen Lane
Quake Lane
Reynolds Lane
Wildwood Drive
Phillips Lane
Mountainview Avenue
Lenape Road
Montgomery Road
Naomi Road
Sunrise Lane
Garrecht Lane
West Nauraushaun Avenue
Bocket Road
Cardinal Street
Sandra Lane
Edsall Terrace
Rowan Road
Sparrow Lane
Colonial Court
Pearl Crest Court
Abbey Road
Rolyn Hills Drive
McCandless Court
Neill Lane
Hogan Lane
Amory Avenue
Hovenkamp Avenue
Silver Birch Lane
West Allison Avenue
East Allison Avenue
Allison Avenue
Beckerle Drive
Van Zandt Drive
North Main Street (E. Washington to Crooked Hill)

TAPPAN

Horn Street (Hardwood to Howard)
Gates Place
Tea Place
Eagle Lane
Musket Road
Hardwood Drive
Amy Court
Berry Court
Kim Court
Greene Road
Gregg Court
South Mary Francis Street
Elissa Lane
Thomas Circle
Sterling Avenue
Old Mill Lane
Delo Drive
Concord Drive
Saratoga Street
Bennington Drive
Lester Drive (Lowe to Washington)

PALISADES

Washington Springs Road

BLAUVELT

Pvt Del Regno Court
Terrace Lane
Hickory Street
Valenza Lane
Blauvelt Road (Van Wyck to Western)
West Erie Street (Van Wyck to Western)

ORANGEBURG

Glenshaw Street
South Greenbush Road
Stevens Way
Lester Drive

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.

16. **APPROVE CORNELL LOCAL ROADS CLASSES / MICHAEL DONAHUE AND BRIAN DEBONIS / APRIL 2, 2020; APRIL 21, 2020; APRIL 30, 2020**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves Michael Donahue and Brian DeBonis, Highway Maintenance Supervisors 1, to attend classes through the Cornell Local Roads on the above dates held in Rockland and Putnam Counties, at a cost of \$300.00, charged to Account Number D.5140.441.05

17. **APPROVE RELEAF CONFERENCE / ANTHONY LIMANDRI / MARCH 27, 2020**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves Anthony Limandri, General Foreman, Highway Department, to attend ReLeaf Workshop - Creating Connections: Volunteers and Professionals Staten Island, NY at a cost of \$35.00, charged to Account Number D.5140.441.05

PARKS AND RECREATION

18. **AWARD BID / SPORT-TECH CONSTRUCTION CORP / RESURFACING BASKETBALL COURTS**

WHEREAS, the Superintendent of Parks, Recreation & Building Maintenance duly advertised for sealed bids for resurfacing of basketball courts, which were received and publicly opened on February 27, 2020; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit: _____, and made part of these minutes.

NOW THEREFORE, BE IT RESOLVED, that this bid is hereby awarded to Sport-Tech Construction Corp of Brewster, NY, the lowest qualified bidder, in the amount of \$131,500.00.

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

19. **AWARD BID / HAUSER BROTHERS / HEATING AND AIR CONDITIONING SERVICE**

WHEREAS, the Superintendent of Parks, Recreation & Building Maintenance duly advertised for sealed bids for heating and air conditioning service, which were received and publicly opened on February 27, 2020; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit: _____, and made part of these minutes.

NOW THEREFORE, BE IT RESOLVED, that this bid is hereby awarded to Hauser Bros. Inc. of Orangeburg, NY, the lowest qualified bidder, in the amount of \$13,348.00.

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

HIGHWAY / POLICE

20. **APPROVE/ LEND ASSISTANCE / 2020 ST. DOMINIC'S CONVENT 5K NUN RUN/WALK**

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes that these two departments lend assistance which includes the use of barricades from the Highway Department, and police detail from OPD, for the 5K Nun Run/Walk to be held on Saturday, May 9, 2020, from 8:30 am - 11:30 am.

PERSONNEL

21. **APPOINT / MARY FERRARA / SECRETARIAL ASSISTANT (LEGAL) / PERMANENT**

RESOLVED, appoint Mary Ferrara to the position of Secretarial Assistant (Legal) in the Office of the Town Attorney , Permanent, from RC-T&E (Rockland County Training & Experience) EL#20076, effective March 11, 2020, Grade 12/Step 8, \$82,288.52, with no change in salary.

22. **APPOINT HUGH DAVIES / REAL PROPERTY APPRAISER / PERMANENT**

RESOLVED, appoint Hugh Davies to the position of Real Property Appraiser in the Assessor's Office, permanent, from RC-NCP (Rockland County Non-Competitive Promotion) EL#20063, effective March 11, 2020, Grade 15/Step 5, \$86,529.03, with no change in salary.

23. RECLASSIFY JUSTINE FAVRE / CHEMIST / DEME

RESOLVED, Upon the recommendation of Rockland County Personnel through an approved PO 27 and the Labor Management Committee, reclassify Justine Favre to the position of Chemist, Grade 15, Step 14/18 at a salary of \$99,680.00 effective March 11, 2020.

BUILDING

24. APPROVE SUMMER HOURS / OBZPAE / APRIL 13 - OCTOBER 16, 2020

RESOLVED, upon the recommendation of the Director of OBZPAE, the Town Board hereby approves a change to the basic work week for the employees of OBZPAE, from Monday to Friday, 8 am to 4 pm, to a four day work week (Monday to Thursday/Tuesday to Friday), 7:30 am to 5:15 pm. This flexible work schedule shall be in place from Monday, April 13, 2020 to Friday, October 16, 2020. In accordance with Section 5.1.2 of the Collective Bargaining Agreement, the Town Board has the sole responsibility for establishing flexible hour schedules.

TOWN CLERK

25. 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. Agreement w/Joule Assets, Inc. - Community Choice Aggregation
2. Town Board Minutes: January 28th and February 11th Police Commission / Regular Town Board Meeting and February 25th Regular Town Board Meeting.
3. Agreement w/Blauvelt Volunteer Fire Company, Inc. for Fire Protection Services.
4. PILOT Agreement w/ Premier Brands, 7 Corporate, Orangeburg.
5. PILOT Agreement w/ Diversified Glass, 8 Olympic, Orangeburg.

AUDIT

26. 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 3 (three) warrants for a total of \$1,565,050.01.

EXECUTIVE SESSION

27. 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

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:

- Michael "Mickey" Mahoney, resident of Pearl River, native of County Tyrone, Ireland