

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 4, 2017**

This meeting was opened at 7:35 p.m. Supervisor Stewart presided and Deputy Clerk called the roll. Present were:

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

Also present: Gerri Orlik, Deputy Clerk
John Edwards, Town Attorney
Teresa Kenny, Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Kevin Nulty, Police Chief

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

Summary of Public Comments:

Ruth Weber, Upper Grandview Association – your redefining of the long time biking law to include a new extreme sport, Mountain Biking, thus catering to special interests and their demand for use of Nike Park, as a staging area for entry to Clausland Mountain and as a speed racing venue for outside clubs was accomplished without notice or an Environmental Impact Study. According to the DEC, Nike Park is a site that should not be disturbed. Aggravation to the soil will cause toxic waste contaminating the high water tables, which feed many water wells and waterways. The Army controlled the rat and carpenter ants problem with DDT and the Parks Department uses chlordane for the ongoing rat infestation. Lead and asbestos exists, especially around the radar platforms, which the County Board of Health ruled unusable. Transformers spread PCP; above ground spills and underground lakes of used motor oil and other substances have germinated the soil for 50 years. The Town Board must now answer legally to an attorney, representing Upper Grandview Friends, for a serious deletion of duties that we consider an embarrassment to your office and the Town of Orangetown.

Chris Dunnigan, Pearl River, is dissatisfied with all of the Telecommunication towers and is in favor of a moratorium.

Eileen Larkin, Palisades, is concerned about Governor Cuomo's mandatory share services plan. The Town should support the County Executive by sending a Memorializing Resolution.

Mike Mandel, Pearl River, agrees with a Memorializing Resolution. A wireless moratorium is a fantastic idea and he would like to see the agendas with backup on the website, by Monday mornings.

Gerri McCaully, Tappan, is very disappointed that Clausland Mountain is not being preserved. Even turning over one stone disrupts the environment, animals, insects and vegetation. People have spent a lot of time and money to keep Clausland Mountain a natural habitat.

Watson Morgan, Blauvelt, - the Environmental Committee and the Orangetown Parks Development Advisory Committee should be included in creating the RPC Waterfront Park.

Thom Kleiner, Sparkill, referenced the Rockland Business Association's white paper, "A Crushing Burden: Why is Rockland So Heavily Taxed?"(available on RBA website). It is important to attract rateables, to stay under the tax cap, and to protect the RPC waterfront. The RPC data center and the IRG (Pfizer Campus) are important as tax rateables.

Allan Ryff, Tappan, concurs with Watson Morgan and Thom Kleiner. The RPC waterfront maybe a place for a dog park, events and a recreation center.

Esta Baitler, Sparkill, said the datacenter is a win-win. She supports Mike Mandel as chairman of the Planning Board.

RESOLUTION NO. 186

CLOSE PUBLIC COMMENTS

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

RESOLUTION NO. 186 - Continued

RESOLVED, that the public portion is hereby closed.

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

RESOLUTION NO. 187

**PROMOTE FRANK BUHLER
POLICE SERGEANT**

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

RESOLVED, that upon the recommendation of the Chief of Police, promote Frank Buhler from Rockland County civil service list # 13041/72-028, to the position of Police Sergeant/Town of Orangetown, effective April 5, 2017, at a salary consistent with the labor agreement between the Town of Orangetown and Orangetown PBA.

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

RESOLUTION NO. 188

**DETAIL BRANDON MYERS
DETECTIVE-YOUTH OFFICER**

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

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 Brandon Myers to the duties of detective/youth officer, effective April 5, 2017, at a salary consistent with the terms of labor agreement, between the Town of Orangetown and the Orangetown PBA bargaining unit.

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

RESOLUTION NO. 189

**ACCEPT RESIGNATION/RETIREMENT
SGT CHRISTOPHER STRATTNER**

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

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Sgt. Christopher Strattner from the Orangetown Police Department effective April 5, 2017.

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

RESOLUTION NO. 190

**ACCEPT RESIGNATION/RETIREMENT
SGT. JOHN PURCELL**

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

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Sgt. John Purcell, from the Orangetown Police Department effective May 29, 2017.

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

RESOLUTION NO. 191

**OPEN PH/AMENDING TOWN CODE
§7A-13/ REPEAL SUBSECTION
(B)(4)[6]/CHERRY BROOK PARK**

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

RESOLVED, that the 8:10 P.M. public hearing to amend the Town Code, Chapter §7A-13 to Repeal Subsection (B)(4)[6] is hereby opened. The purpose of this proposed Local Law is to remove Cherry Brook Park, from the list of parks for which a non-resident fee is required.

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

The Deputy Clerk presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 04-A-17 and made a part of these minutes.

Summary of Public Comments:

Mike Mandel, Pearl River - was this amendment mandated by a complaint or something else.
Chris Dunnigan, Pearl River – why did the State mandate this change; did the Town receive any funds; and what can be done to prevent large out of Town groups from using Cherry Brook Park.
Barbara Delo, Blauvelt – did the Town accept any funds for this park.

RESOLUTION NO. 192

**CLOSE PH/ AMENDING TOWN
CODE-§7A-13/ REPEAL SUBSECTION
(B)(4)[6]/CHERRY BROOK PARK**

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

RESOLVED, that the public portion is hereby closed.

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

RESOLUTION NO. 193

**DESIGNATION OF LEAD AGENCY
AND DETERMINATION UNDER
SEQRA/ AMENDING TOWN CODE-
§7A-13/ REPEAL SUBSECTION
(B)(4)[6]/CHERRY BROOK PARK**

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

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to a proposed Local Law, amending the Code of the Town of Orangetown, Chapter 7A, § 7A-13, relating to Town Parks and Park Use, removing Cherry Brook park from the list of Town parks subject to a non-resident fee, and, acting in such capacity, determines that such action will not have a significant adverse environmental impact, and, therefore, issues a Negative Declaration with respect thereto under the State Environmental Quality Review Act.

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

RESOLUTION NO. 194

**ADOPT/LOCAL 3, 2017/AMENDING
THE TOWN CODE §7A-13/REPEAL
SUBSECTION (B)(4)[6]/CHERRY
BROOK PARK**

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

RESOLVED, that the Town Board hereby adopts proposed Local Law No. 3, 2017, amending the Town Code of the Town of Orangetown, Chapter 7A, relating to Town Parks and Park Use, to delete § 7A-13B.(4)(a)[6], thereby removing Cherry Brook Park from the list of Town parks subject to a non-resident fee, as follows:

**LOCAL LAW NO. 3, 2017
AMENDING CHAPTER 7A, § 7A-13B OF THE TOWN CODE
RELATING TO USE OF TOWN PARKS AND NON-RESIDENT USE FEES**

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

Section 1: Chapter 7A § 7A-13 of the Town Code, relating to the use of Town Parks and Non-resident fees, shall be amended to delete § 7A-13B.(4)(a)[6], thereby removing Cherry Brook Park from the list of Town parks subject to a non-resident fee.

Section 2: This local law shall take effect immediately upon filing with the Secretary of State.

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

RESOLUTION NO. 195

**AMEND RESOLUTION NO. 146/SET
PH /ENTITY DISCLOSURE LAW**

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

RESOLUTION NO. 195 – Continued

RESOLVED, that the Town Board hereby amends Resolution No. 146 to set public hearing for the Entity Disclosure Law to be rescheduled to May 2, 2017 at 8:00 P.M.

Ayes: Councilpersons Diviny, Troy, Valentine
Supervisor Stewart

Noes: None

Absent: Councilperson Bottari

RESOLUTION NO. 196

**AGREEMENT/MUNICIPAL STREET
LIGHTING LICENSE & POLE
ATTACHMENT / VERIZON**

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

WHEREAS the Town of Orangetown has entered an agreement with ORU to purchase street lights; and

WHEREAS approximately 985 of those fixtures sit on poles owned or co-owned by Verizon Communications; and

WHEREAS in order to complete the purchase of street lights the Town must enter into a Pole Attachment Agreement for Municipal Street Lighting with Verizon Communications, which calls for the Town to pay annually a fee of \$5.19 per pole, subject to future increases, if and as may occur, therefore

BE IT RESOLVED THAT upon the recommendation of the Town Attorney and the Supervisor, the Town Board authorizes the Supervisor to enter into and execute a Pole Attachment Agreement for Municipal Street Lighting and to execute any and all documents related to said agreement as may be required to effectuate this resolution and the prior resolutions approving the street light purchase

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Diviny

Noes: None

Absent: Councilperson Bottari

RESOLUTION NO. 197

**AGREEMENTS/NY POWER
AUTHORITY/STREET LIGHT
CONVERSION/ LED FIXTURES**

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

WHEREAS upon completion of the purchase of street lights throughout unincorporated Orangetown from ORU the Town intends to convert the street lights to LED fixtures; and

WHEREAS the Town of Orangetown intends to enter into a Master Cost Recovery Agreement, a Capital Program Agreement, and an Advisory Services Agreement with the NY Power Authority (NYPA) for the purpose of managing and executing design, bidding of materials, labor, and installation of new LED street light fixtures at a cost to not exceed \$16,000; and

WHEREAS any bids gathered by NYPA for the procurement of materials and labor related to the conversion (light fixtures, etc.) are subject to approval by the Town of Orangetown, and,

WHEREAS should the Town decide to move forward, it will enter into a Customer Implementation Agreement with NYPA thereafter at an additional cost of 12.5% of the total project cost, yet to be determined (estimated at ~\$140,000); therefore

RESOLUTION NO. 197 - Continued

BE IT RESOLVED that the Town Board authorizes the Supervisor to enter into and execute any and all documents related to Master Cost Recovery Agreement, a Capital Program Agreement, and an Advisory Services Agreement with the NY Power Authority and to execute any and all documents related to said agreement as may be required to effectuate this resolution and the prior resolutions approving the street light purchase.

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

RESOLUTION NO. 198

**ACCEPT RESIGNATION/BRUCE
JENSEN, JR./ ACABOR**

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

RESOLVED, the Town Board, accepts with regret, the resignation of Bruce Jensen. Jr., from the Architecture and Community Appearance Board of Review (ACABOR), effective April 7, 2017.

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

RESOLUTION NO. 199

**ACCEPT/RECEIVE/FILE/TWO
DECLARATIONS OF COVENANT
ANNUAL INSPECTION AND
MAINTENANCE OF STORM WATER
CONTROL FACILITIES/ROUTE 304
LLC/HILLSIDE COMMERCIAL PARK**

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

RESOLVED, that upon the recommendation of DEME and the Town Attorney's Office, accept, receive and file two Declarations of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities from Route 304, LLC, for the Hillside Commercial Park project, Planning Board Decision No. 2014-27, and the Supervisor or his designee is hereby authorized to execute all documents necessary to effectuate the acceptance of the covenant on behalf of the Town. Upon receipt, the above documents to be filed in the Town Clerk's Office.

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

RESOLUTION NO. 200

**ACCEPT/RECEIVE/FILE/ DECLARATIONS
OF COVENANT ANNUAL INSPECTION OF
STORM WATER CONTROL FACILITIES
BRIGHTVIEW LAKE TAPPAN, LLC AND
THE RECREATIONAL ASSOCIATION OF
THE JAMES H. ANDERSON POST #1199-
AMERICAN LEGION, INC./SANITARY
SEWER EASEMENTS**

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

RESOLUTION NO. 200 - Continued

RESOLVED, upon recommendation of the Department of Environmental Management and Engineering and the Town Attorney's Office, accept, receive and file Declarations of Covenant for the Annual Inspection of Storm Water Control Facilities from Brightview Lake Tappan, LLC, and The Recreational Association of the James H. Anderson Post #1199 American Legion, Inc.; as well as Sanitary Sewer Easements from the following persons/entities, all of which are related to the Brightview Lake Tappan project, 31 Hunt Road, Orangeburg, NY, Planning Board Decision Nos. 2015-40 and 2016-14:

1. The Recreational Ass'n of the James H. Anderson Post #1199 American Legion, Inc.
2. 67 Hunt Road, LLC
3. Keira B. Burtch
4. Claude P. Baumann

And hereby authorize the Supervisor or his designee to execute all documents necessary to effectuate the acceptance of these covenants and easements on behalf of the Town. Upon receipt, the above documents to be filed in the Town Clerk's Office.

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

RESOLUTION NO. 201

**STREET NAMING/PRIVATE
ROAD/RIVERVIEW LANE, NYACK
(UPPER GRANDVIEW)**

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

WHEREAS, there is a natural break in the length of Riverview Avenue resulting in there being two (2) sections of Riverview Avenue disconnected from each other; and

WHEREAS, the property owners located at the southernmost part of Riverview Avenue desire to officially designate their section of Riverview Avenue as a private road to assist first responders during response to an emergency; and

WHEREAS, the property owners have for years come to know the southernmost part of Riverview Avenue as Riverview Lane; and

WHEREAS, Rockland County 9-1-1 Emergency Services and the Rockland County Planning Department-GIS Division requires that such roads with addressable structures be formally named, and the United States Postal Service requires numbered and named street addresses for mail delivery; and

WHEREAS, the property owners have requested that said private road, as identified on the attached site map, be officially designated as Riverview Lane; and

WHEREAS, formally naming Riverview Lane as a unique private road would assist first responders when they are dispatched by the Orangetown Police Department to an emergency at the property owners address; and will aid the United States Post Office in delivery of mail to property owners thereupon; and

WHEREAS, the property owners expressly acknowledge that the private road shall not be owned nor maintained by the Town of Orangetown; and

WHEREAS, the property owners acknowledge that the Town of Orangetown has standardized requirements for street signs, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Orangetown hereby authorizes and directs that the private road consisting of Orangetown Tax

RESOLUTION NO. 201 – Continued

Lot Section/Block/Lot: 66.17-1-10, 66.17-1-20, 66.17-1-22, shall be forever named and known as "Riverview Lane", and all future maps depicting said area shall indicate the naming of this private roads as "Riverview Lane"; and authorizes and directs that any such street sign posted shall follow the Town of Orangetown Highway Department "Requirements for Street Sign Specifications" for posted speed limits not to exceed 30 mph sign."

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

RESOLUTION NO. 202

**AID/PEARL RIVER MEMORIAL DAY
PARADE**

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

RESOLVED, that the Town Board hereby authorizes the Highway & Police Departments to lend assistance, including personnel & equipment, as may be required, for the Memorial Day Parade in Pearl River on Monday, May 29, 2017, from 9:45 am to 11:45 am.

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

RESOLUTION NO. 203

**AID/PALISADES-SPARKILL
MEMORIAL DAY PARADE**

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

RESOLVED, that the Town Board hereby authorizes the Highway & Police Departments to lend assistance, including personnel & equipment, as may be required, for the Memorial Day Parade in Palisades/Sparkill on Monday, May 29, 2017, from 8:00 am to 10:30 am.

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

RESOLUTION NO. 204

**AID/PEARL RIVER HOOK & LADDER
LADIES AUXILIARY CRAFT
FAIR/FLEA MARKET**

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

RESOLVED, that the Town Board hereby authorizes the Highway and Parks Departments to lend assistance, which includes the use of trash barrels and (3) port-o-johns (1 ADA & 2 Regular), for the PR Hook & Ladder Ladies Auxiliary Craft Fair/Flea Market to be held on Sunday, May 7, 2017, from 10 am to 4 pm.

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

RESOLUTION NO. 205

**AID/PEARL RIVER PARKS AND
ACTIVITY COMMITTEE / 4TH OF
JULY FIREWORKS DISPLAY AND
CELEBRATION**

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

RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Highway, Parks Department and Police Department to lend assistance, which includes the use of trash receptacles and field cleanup and large dumpster, snow fence and barricades and message board; Six port-o-sans (4 Regular and 2 ADA Complaint); and police detail for the Pearl River Parks and Activity Committee, Inc., to celebrate the 4th of July Fireworks Display and Celebration on Tuesday, July 4, 2017 (rain date of Friday, July 7, 2017).

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

RESOLUTION NO. 206

**AGREEMENT/ CORNELL COOPERATIVE
EXTENSION/ ROCKLAND COUNTY MS4
MAPPING GRANT/NYSDEC C00386GG**

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

WHEREAS, a NYSDEC Water Quality Improvement (WQIP) Round 12 grant has been issued through the Stormwater Consortium of Rockland County (SCRC) and Cornell Cooperative Extension, Rockland County (CCE);

WHEREAS, the grant has been referenced as NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT';

WHEREAS, NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT' promotes enhanced mapping of the Municipal Separate Storm Sewer System (MS4).

WHEREAS, CCE has entered into a sub-contract with the Rockland County Soil & Water Conservation District to manage all components, absent of fiscal duties, of NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT';

WHEREAS, CCE will strive to enhance MS4 mapping components for jurisdictions within the Stormwater Consortium, who remain in good standing, who choose to participate in NYSDEC C00386GG 'ROCKLAND COUNTY MS4 GRANT' through incorporating business enterprises and other resources as required, available, and needed per grant requirements to assist with the collection of data.

WHEREAS, jurisdictions may choose to participate with CCE to promote enhanced mapping of the MS4 system through grant monies provided with NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT' with the commitment to fund 25% of the grant amount with Town funds or in kind services as obligated by the grant requirements; therefore be it

RESOLVED that the Town Board hereby authorizes the Town of Orangetown's participation in the Rockland County MS4 Grant with the commitment to fund 25% of the grant amount with Town funds or in kind services as obligated by the grant requirement; and be it further

RESOLVED, the Town Board hereby authorizes the Supervisor to execute any and all documents related to the administration of this action.

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

RESOLUTION NO. 207

**AGREEMENT/OPTIMUM CONTROLS
CORPORATION/PUMP STATION
TELEMETRY SYSTEM FIELD
INVESTIGATION & SCADA
UPGRADES /DEME**

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

RESOLVED, that the Town of Orangetown, as recommended by the DEME Commissioner, enter into a Purchase Agreement with Optimum Controls Corporation to provide services as noted in schedule A, inclusive of the Wastewater Treatment Plant, in an amount up to \$7500 and funded in the Town's 2017 budget. This service will begin the work in determining the communication status and the updating the Cimplicity hardware and telemetry system at selected pump stations sites. This service will also assist in determining funding needed beyond the 2017 budgeted amount.

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

RESOLUTION NO. 208

2017 PROJECT GRADUATION FUNDING

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

RESOLVED, that upon the recommendation of the Director of Finance, Project Graduation funding is hereby approved as follows and charged to Account A4211.457:

Tappan Zee High School	\$1500	Pearl River High School	\$1500
Nanuet High School	\$750	Albertus Magnus High School	\$200
Nyack High School	\$750		

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

RESOLUTION NO. 209

**ACCESS AGREEMENT/ TOWN
OWNED LANDS /HUNT ROAD**

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

RESOLVED, that the Town Supervisor, or his designated representative, shall be authorized to sign an Access Agreement with representatives of a prospective purchaser, in a form suitable to the Town Attorney, and subject to insurance and indemnification requirements, allowing such party to enter upon Town owned lands at Hunt Road (Tax Lots: 73.15-1-17 & 73.15-1-17.1), in Orangetown, NY, in order to inspect and to conduct such tests, as may be reasonably be required, in contemplation of a purchase offer.

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

RESOLUTION NO. 210

**AID/ MEMORIAL DAY PARADE
TAPPAN**

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

RESOLUTION NO. 210 - Continued

RESOLVED, the Town Board hereby authorizes the Highway Department to lend assistance, which includes the use of barricades, for the Memorial Day Parade in Tappan, Monday, May 29, 2017, from 10:30 am to 12:30 pm.

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

RESOLUTION NO. 211

**APPOINT / CHRISTOPHER
DUNNIGAN /ARCHITECTURE AND
COMMUNITY APPERANCE BOARD
OF REVIEW/ FILL THE REMAINDER
OF BRUCE JENSEN, JR.'S TERM**

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

RESOLVED, the Town Board hereby appoints Christopher Dunnigan to the Architecture and Community Appearance Review Board, effective immediately, to fill the vacancy left by the resignation of Bruce Jensen, Jr. Said term shall expire December 31, 2017.

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

RESOLUTION NO. 212

**APPROVE AGREEMENTS - NEW
TURF SOCCER FIELD/OMM**

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

RESOLVED, that in furtherance of the License Agreement between the Town and the Orangetown Mighty Midgets Athletic Club, LLC ("OMM"), through which OMM is authorized to use and to improve the fields and other facilities at the Orangetown Soccer Complex, the Town Board hereby approves an Agreement between the Town and OMM (the "OMM Agreement"), permitting OMM to enter into a related Agreement with Sprinturf, LLC, a Georgia Limited Liability Company ("Sprinturf"), pursuant to which Sprinturf will install a new turf soccer field at the Orangetown Complex at the sole cost and expense of OMM, which field, upon completion, shall become the property of the Town. A copy of the OMM / Sprinturf Agreement made a part of the OMM Agreement; and

BE IT FURTHER RESOLVED, that the Supervisor or his designated representative shall be authorized to execute such Agreement with OMM.

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

RESOLUTION NO. 213

**2017 TOWN AND COUNTY TAX
COLLECTION CLOSEOUT PROCEDURES**

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

WHEREAS the Town Board has authorized the Town Clerk to execute all aspects related to the 2017 collection of Town and County Taxes, with assistance from the Orangetown Finance

RESOLUTION NO. 213 - Continued

Department, among others, while the Receiver of Taxes of the Town of Orangetown has been on medical leave since January 2017 and remains so; and

WHEREAS, the Office of the Receiver of the Town of Orangetown is required to follow Town and County Tax Collection Closeout procedures, required to be completed and delivered to the County no later than April 15, 2017; and

WHEREAS, the closeout requires, at a minimum, final reconciliation of funds received and disbursed; closing statement with corrections, paid/unpaid, and roll book included; final sign-off by the Receiver, who turns the collection over to the County; and final transfer to the Town of any ending balance; and

WHEREAS, financial best practices involves a segregation of duties and responsibilities, the involvement of the Director of Finance in the final closeout may be perceived as a lack of internal accounting controls, therefore be it

RESOLVED, that the Town Board hereby authorizes Jeffrey Bencik, Director of Finance, and his department to complete the final closeout of the 2017 Town and County Tax Collection as prescribed by the Rockland County Receiver. The Town Clerk will provide access and help as required.

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

RESOLUTION NO. 214

**SET PUBLIC HEARING
TELECOMMUNICATIONS TOWERS
MORATORIUM**

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

WHEREAS, in 1997 the Town of Orangetown enacted a local law entitled “Wireless Communications Facilities” to address the siting of telecommunications towers within the Town; and

WHEREAS, the technology has changed since the enactment of the law, including the use of distributed antenna system networks, or DAS, to fill service gaps in densely populated areas; and

WHEREAS, the technology is different from traditional wireless facilities that typically locate on tall cell towers;

WHEREAS, the Town Board recognizes the need to update the language in the Town Code to regulate these new technologies; be it

RESOLVED, that the Town Board hereby sets a public hearing May 2, 2017 at 8:10 pm to consider the adoption of a local law providing for a Moratorium on the erection of Telecommunications Towers, Cellular Towers, and Monopoles, and the installation of Antennas, including distributed antenna systems (DAS) and stealth Antennas, for a period of one hundred and eighty (180) days, pursuant to the authority and provision of Section 10 of the Municipal Home Rule.

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

RESOLUTION NO. 215

**AGREEMENT/TRC ENVIRONMENTAL
CORPORATION / AIR QUALITY
TESTING/SURVEY/ALUF PLASTICS**

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

RESOLVED, the Town Board approves the proposal, up to \$40,000, from TRC Environmental Corporation, subject to Town Attorney's review of the agreement, for Quality Testing (Aluf Plastics).

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

RESOLUTION NO. 216

PAY VOUCHERS

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart 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 for a total amount of 2 warrants for a total amount of \$416,028.92.

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

RESOLUTION NO. 217

**ENTER EXECUTIVE SESSION
CSEA CONTRACT**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, and Valentine, John Edwards, and Teresa Kenny.

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

RESOLVED, at 9:10 p.m. the Town Board entered Executive Session to discuss the CSEA Contract. Supervisor Stewart said no further votes will be taken.

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

RESOLUTION NO. 218

RE-ENTERED RTBM/ADJOURNED

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

RESOLVED, at 9:30 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Frances Davis, Pearl River; and Kyle Boyce, son of employee, Kimberly Allen.

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

Charlotte Madigan, Town Clerk