



**RESOLUTION NO. 266 - Continued**

RESOLVED, the public hearing on a proposed local law, amending Chapter 5, § 5-1, of the Town Code of the Town of Orangetown, entitled “Applicability of Uniform Code”, is hereby opened.

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

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The Town Clerk presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 05-D-17 and made a part of these minutes.

Summary of Public Comments:  
There were no comments from the public.

**RESOLUTION NO. 267**

**CLOSE PH/ PROPOSED LOCAL LAW  
AMENDING CHAPTER 5 (BUILDING  
CONSTRUCTION AND FIRE  
PREVENTION), § 5-1**

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

RESOLVED, the public hearing on a proposed local law, amending Chapter 5, § 5-1, of the Town Code of the Town of Orangetown, entitled “Applicability of Uniform Code”, is hereby closed.

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

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**RESOLUTION NO. 268**

**LEAD AGENCY AND SEQRA  
PROPOSED LOCAL LAW  
AMENDING CHAPTER 5 (BUILDING  
CONSTRUCTION AND FIRE  
PREVENTION), § 5-1**

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari 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 Chapter 5, § 5-1, of the Town Code of the Town of Orangetown, entitled “Applicability of Uniform Code”, and determines that such action will not have a significant adverse environmental impact, and, therefore, issues a Negative Declaration (Exhibit 05-E-17) with respect thereto under the State Environmental Quality Review Act.

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

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**RESOLUTION NO. 269**

**ADOPT LOCAL LAW NO. 5, 2017  
AMENDING CHAPTER 5 (BUILDING  
CONSTRUCTION & FIRE PREVENTION)  
§ 5-1, OF THE TOWN CODE**

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

**RESOLUTION NO. 269 - Continued**

RESOLVED, that the Town Board hereby adopts Local Law No. 5, 2017 amending Chapter 5, § 5-1, of the Town Code of the Town of Orangetown, entitled “Applicability of Uniform Code”.

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

**TOWN OF ORANGETOWN  
LOCAL LAW NO. 5, 2017  
AMENDING CHAPTER 5 OF THE TOWN CODE  
“BUILDING CONSTRUCTION AND FIRE PREVENTION”**

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

*Section 1.* Chapter 5, § 5-1, of the Town Code of the Town of Orangetown, entitled “Applicability of Uniform Code”, is hereby amended to reflect the adoption by the Town Board of the revised New York State Fire, Building and Energy Construction Codes as applicable in the Town of Orangetown. Section 5-1, as amended, shall read as follows:

Chapter 5: Building Construction and Fire Prevention

§ 5-1. Applicability of Uniform Code.

The applicability of the New York State Uniform Fire Prevention and Building Code (Uniform Code) and the State Energy Conservation Construction Code (Energy Code) were accepted by Local Law No. 5, 2017, adopted by the Town Board of the Town of Orangetown on May 16, 2017.

*Section 2. Effective Date.* This Local Law shall become effective immediately upon its filing with the Secretary of State.

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**RESOLUTION NO. 270**

**OPEN PH/ENACT AN ENTITY  
DISCLOSURE LAW / FOR ALL LAND  
USE APPLICATIONS**

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

RESOLVED, that the 8:15 pm public meeting to consider a local law, to enact an Entity Disclosure Law, is hereby opened.

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

The Town Clerk presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 05-F-17 and made a part of these minutes.

Robert Magrino, Deputy Town Attorney – this law will provide for full and fair disclosure of all privately held and/or non- publicly traded entities (principles of corporations and LLCs) and all conflicts of interest or other ethical concerns are properly disclosed and addressed.

Summary of Public Comments:

Mike Mandel, Chairman of the Ethics Board – in-favor of this law. It gives transparency and it is good to know who is coming before the Boards. This law will make the Town a shining star in ethics and a Town that people would want to invest in.

**Summary of Public Comments - Continued**

Chris Dunnigan, Pearl River – in-favor. The code needs to address when an individual sells the property to an LLC or corporation. Large graduated penalties are appropriate.  
Thom Kleiner, Sparkill – law is terrific and makes sense. He guesses most of the other towns will jump on it.

**RESOLUTION NO. 271**

**CONTINUE PH / ENACT AN ENTITY  
DISCLOSURE LAW / LAND USE  
APPLICATIONS**

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

RESOLVED, that this public hearing will continue on June 13, 2017, 8:05 pm.

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

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**TOWN OF ORANGETOWN  
PROPOSED LOCAL LAW  
ADD A NEW ARTICLE TO CHAPTER 43 - "ENTITY DISCLOSURE"**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

Section 1. Chapter 43 of the Code of the Town of Orangetown is amended by adding a new Article, designated as Article XVI entitled "Entity Disclosure", to read as follows:

§16.1 A. Legislative Findings and Intent.

The Town Board finds and determines that there is a critical and compelling need, in the public interests as set forth herein, to provide for full and fair disclosure of all privately held and/or non-publicly traded entities making land use applications before the Town to the extent possible to ensure that any and all potential conflicts of interest or other ethical concerns are properly disclosed and addressed by any and all affected parties.

The Town finds and declares that there is no existing law that preempts the adoption of this Local Law so that the public interests in open and transparent government and land use applications can be promoted by enactment of this Local Law to require all privately held and/or non-publically traded entities making land use applications to supply information as to all limited and general members, shareholders, officers and directors or any other authorized persons having control over such privately held entities who apply for approval from the Town.

Such disclosure will inform the public and the Town concerning the names of individuals with a vested interest in land use applications, will facilitate application review by the reviewing boards, will disclose actual or potential conflicts of interest and enhance enforcement of the code.

Section 2. §16.2 Definitions.

For the purpose of this article, the following words and phrases shall have the meanings ascribed to them.

**AUTHORIZED PERSON**-Any person who is authorized to act or does act either alone or in conjunction with others, on behalf of an entity, or who has authority to direct, control or influence the entity in any manner.

## PROPOSED LOCAL LAW - Continued

APPLICANT-The legal, beneficial and equitable owner(s) of property seeking approval(s) by one or more land use board(s) of the Town, including the Town Board where applicable, in a land use application, including but not limited a contract purchaser or holder of an option to purchase such property, and a person or entity authorized to make a process such a land use application on behalf of a legal, beneficial or equitable owner of property.

ENTITY-A limited liability company, limited liability partnership, general or limited partnership, professional corporation, joint venture, “doing business as” name or venture, association or non-publically traded corporation.

LAND USE APPLICATION-An application form and supporting documents submitted by an applicant for review and approval of a building permit, certificate of occupancy, subdivision plat, site plan, special use permit, conditional use permit, variance, zoning amendment, or any other permit, approval or certificate required, necessary or requested for the development of land or construction.

### §16.3 Requirement for disclosure

A. A land use application for land development or construction within the Town that lists an entity as the owner or applicant shall complete an Entity Disclosure Statement in a form approved by the Town Board from time to time by resolution and provide all information required in said form. Said Entity Disclosure Statement shall be affirmed or sworn to under the penalty of perjury and shall be filed along with any such land use application or request for permission to undertake any construction activity within the Town.

B. In the event that, prior to issuance of a Certificate of Occupancy for any project under this article, a project that has previously received approval is in any manner transferred, whether by transfer of the property or transfer of the management and/or operation of the original Entity making application to another Entity, the transferring Entity shall notify the Town and such succeeding Entity must fully comply with this article before any work on the project shall be permitted to proceed. It shall be the responsibility of both the applicant and the Entity to which transfer is being made, to notify the Town of any such transfer.

C. Said Entity Disclosure Statement shall apply to any land use applications, approvals or permission sought from the Building Inspector, Town Board, Town Planning Board, Town Zoning Board of Appeals, the Architectural Community Appearance Board of Review (ACABOR) or Historical Area Board of Review (HABOR). The Town shall not process, hear, rehear, approve or sign any new or pending preliminary or final site plan, preliminary or final subdivision map, special permit, variance or other land use application or permit which relates directly or indirectly to any construction, including but not limited to any grading permit, erosion and sediment control permit, wetland permit, sewer connection permit, floodplain development permit, water connection permit, which may be granted in association with any construction unless the application includes a fully completed Entity Disclosure Statement signed and either sworn to or affirmed and submitted with said application to the respective Board.

D. An Entity Disclosure Statement is not required for any of the following activities:

1. Construction of a private garage, not in excess of 500 square feet. Said building shall not be used for any other purpose that the storage of automotive vehicles.
2. Construction of accessory structures, other than garages, not in excess of 300 square feet.
3. Construction of outdoor decks, sidewalks, or porches;
4. Construction of outdoor swimming pools;
5. Installation of fences;
6. Interior or exterior remodeling of a single family detached residential dwelling in existence and with a valid certificate of occupancy as of the effective date of this local law, which does not involve any change of use or increase the size of the building, including but not limited to window replacement, door replacement, plumbing improvements, new siding, removal of interior walls, and similar improvements;
7. Installation or removal of home heating oil or propane tanks, in accordance with all applicable laws;

## **PROPOSED LOCAL LAW - Continued**

8. Repair, involving the removal and installation of an individual well or in-ground septic system, for a dwelling in existence and with a valid certificate of occupancy as of the effective date of this law;
9. Construction of a private shed not exceeding 300 square feet.
10. Other minor improvements to dwellings or residential lots with an existing certificate of occupancy, after the Building Inspector has conferred with the Town Board, and the Town Board has rendered a determination that the improvement falls within the scope and nature of the exemptions listed herein.

### Section 3. §16.4 Penalties for offenses

- A. Where an Entity or its representative(s) refuses or fails to provide the information required under this Local Law, the further processing of such application and any work related thereto (“the application”) shall be suspended in all respects, until such time as the board or official before which application is submitted or pending determines that the Entity has fully complied with the provisions of this Local Law. In the event of any form of transfer of the property that is the subject of the application occurs or the ownership and/or management of the project is transferred in any manner to another Entity during a pending suspension of the application under the Local Law, the application shall remain suspended until such time as the succeeding Entity shall appear before such body or official before whom the application is pending and obtain approval for any continued work in relation to the application in addition to compliance with this Local Law. The Building Inspector is authorized to issue a Stop Work order on any project where an application has been suspended under this Local Law.
- B. Any Entity or representative of an Entity that provides false information or grossly inaccurate information regarding any application, or who fails to advise the Town of a change in ownership shall, in addition to the suspension of any pending application as set forth in subdivision A above, be subject to a fine not exceeding \$5,000 for a violation of this Local Law. The Town Building Inspector/Code Enforcement Officer is hereby authorized to issue an appearance ticket or other process for a violation of this Local Law.
- C. Nothing herein shall be deemed to preclude a criminal proceeding being instituted by the People of the State of New York against the Entity or any of its representatives in the Justice Court or County Court for any offenses where the conduct committed may constitute a violation of the New York State Penal Law or other criminal statutes.
- D. Civil Penalty: In addition to those penalties prescribed by herein and by state law, any person or Entity who violates any provision of this chapter shall be liable for a civil penalty of not more than \$3,000.00 for each offense. The civil penalties provided by this subsection shall be recoverable in an action instituted in the name of this Town. In any such proceeding to collect a civil penalty, the Town shall be entitled to collect interest, costs and disbursements incurred in connection with such proceeding and in addition reasonable counsel fees or a charge to reimburse the Town for expenditures for attorneys employed or appointed by the Town.

### Section 4. Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.

#### Summary of Public Comments (RTBM):

Frank Fornario, Blauvelt, spoke about property assessment Grievance Day. Assess Values and Market Values are not the same. Next year assessed values are going up over 12% compared to other Towns. This will impact the school districts, the County and the Town.

Eileen Larkin, Palisades – Governor Cuomo’s shared services/consolation plan is “undue influence” on his part to Rockland County. He is taking advantage of positions over municipalities and town officials. Rockland County and Orangetown will not benefit this. The Town Board needs to opt-out.

Carol Silverstein, Orangeburg – Allan Ryff is not a good candidate for the Town Board. The Town Board must represent the people of Orangetown.

Thom Kleiner, Sparkill - Lives will be saved with the new sidewalks along Route 340 and he is glad to see people using them.

**Summary of Public Comments (RTBM) - Continued**

Barbara Delo, Blauvelt - spoke about Sustainable Development horrors; mass transit, high density zoning, big yards and waste of space. Do not allow our Town to look like a city.  
Mike Mandel, Pearl River, does the new Chief Operator for DEMA have the certifications to sign-off on all paperwork? The Assessor should explain, at a public meeting, why all assessments are increasing.  
Robert Tompkins, Pearl River – in favor of Allan Ryff being a Town Board Councilperson.

**RESOLUTION NO. 272**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

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**RESOLUTION NO. 273**

**AID/GREEK FESTIVAL**

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

RESOLVED, that the Town Board hereby authorizes the Highway and Police Departments to lend assistance, including personnel and equipment, as may be required, for the Greek Festival, to be held on June 1 – 4, 2017, from 12:00 noon to 12:00 am.

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

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**RESOLUTION NO. 274**

**AID/BLUEGRASS FESTIVAL**

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

RESOLVED, that the Town Board hereby authorizes the Police Department to lend the use of their message board for the Traveling Man Bluegrass Festival on June 11, 2017, from 10:00 a.m. to 6:00 p.m. The message board will be used for pedestrian traffic and should be placed on Western Highway on Saturday, June 10, 2017.

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

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**RESOLUTION NO. 275**

**AID/GRAN FONDO BIKE RACE**

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, Parks & Police Departments, to lend assistance, including personnel & equipment, as may be required, which includes the use of barricades, cones & detour signs from the Highway Department and Police detail, for the Gran Fondo NY bike race on Sunday, May 21, 2017, from 8 am to 3 pm.

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

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**RESOLUTION NO. 276**

**AID/RAYMOND W. DEMEOLA POST  
1615/WALKWAY OF HEROES  
MEMORIAL DAY / MAY 28, 2017**

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

RESOLVED, that the Town Board hereby authorizes the Highway, Parks, and Police Departments to lend assistance, including personnel & equipment, which includes chairs, podium, barricades and traffic control, for the Raymond W. DeMeola Post 1615 Memorial Day Event, on May 28, 2017 at 10:00 A.M.

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

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**RESOLUTION NO. 277**

**APPOINT ELIZABETH MCCONEGHY  
ACCOUNT CLERK TYPIST/GRADE 4,  
STEP 1 HIGHWAY DEPARTMENT**

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, appoint Elizabeth McConeghy from RC EL#14065, to the position of Account Clerk Typist, Grade 4, Step 1, at a salary of \$40,216.00, effective June 7, 2017.

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

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**RESOLUTION NO. 278**

**GRANT PERMISSION/BRUCE  
PETERS / DEME /ATTEND THE NYS  
FLOODPLAIN & STORMWATER  
MANAGERS ASSOC CONFERENCE**

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

RESOLVED, that upon the recommendation of the Commissioner of DEME, grant permission for Bruce Peters, Engineer III of DEME, to attend the New York State Floodplain and Stormwater Managers Association conference, in Binghamton, NY, from June 12–14, 2017 at a cost of \$876.00 to be charged to Account No. A.8130.441/440.

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

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**RESOLUTION NO. 279**

**EXTEND AGREEMENT / D & B  
ENGINEERS/CHIEF OPERATOR  
SERVICES**

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

RESOLVED, upon the recommendation of the Commissioner of DEME, extend the agreement with D&B Engineers, to provide Chief Operator services, until June 9, 2017 at an additional cost of \$5,000.00.

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

**RESOLUTION NO. 280**

**APPOINT MICHAEL WEBER/DEME  
CHIEF OPERATOR 3**

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

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) mandates that Wastewater Treatment Plants (WWTP) have a Chief Operator for a requisite amount of time during every quarter calendar year,

WHEREAS, a request for a full time Chief Operator was advertised in the appropriate professional publications to secure said position,

WHEREAS, two qualified candidates applied and were interviewed for the position,

THEREFORE, be it resolved that upon the recommendation of the Commissioner of DEME, appoint Michael Weber to the position of Chief Operator 3, provisionally, to CSEA grade 23, step 1 at a salary of \$96,396.00, effective May 30, 2017.

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

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**RESOLUTION NO. 281**

**REQUEST /NYS DOT / SAFETY  
IMPROVEMENTS / ROUTE 9W  
BETWEEN OAK TREE ROAD AND  
KOPAC LANE**

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

WHEREAS, the Palisades community has expressed grave concerns about pedestrian/cyclist safety along the Route 9W corridor between Oak Tree Road and Kopac Lane for several years, and despite measures taken over the years safety remains a concern; and

WHEREAS, between March 2016 and March 2017 twenty-three (23) incident/accident reports were filed with the Orangetown Police Department, seven of which occurred between January and February 2017; and

WHEREAS, members of the Palisades community again appeared before the Orangetown Traffic Advisory Board twice in April 2017 requesting and receiving support for a letter to the NYS Department of Transportation requesting they conduct a study of the corridor and now requests a letter from the Town Board supporting these changes; and

WHEREAS members of the Palisades community since met with representatives of the Orangetown Highway Department and NYS Department of Transportation on site to review safety concerns and a meeting is planned Monday, May 14 with representatives of the Orangetown Police Department; be it

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the Town Board asks the NYS Department of Transportation to make the following changes along Route 9W between Oak Tree Road and Kopac Lane:

1. Move the pedestrian "push button/traffic light countdown" pole from the NE and NW corners of the intersection, to the SW and SE corners where pedestrians actually cross. (NO ONE crosses on the north side because the sidewalk and bus stops are on the south side.)
2. Move the "No Turn on Red" sign (that no one sees) on the SW corner of Oak Tree and hang it right next to the traffic light. (Most cars do not abide by the No Turn on Red, and don't even slow down to make the right turn as they speed around the extremely wide shoulder, a danger to pedestrians crossing RT 9W and waiting for the bus.)
3. Narrow the extremely wide shoulder on the SW corner. It is 20 ft wide. Cars turning right whizz around the corner without having to slow down. We ask for the installation of a new curb, following the already existing curb line on Oak Tree Road, further east towards

**RESOLUTION NO. 281 – Continued**

the intersection and then south towards the bus stop. There is plenty of existing room to create a curbed “bay” for the bus stop. This will calm the traffic turning right and create a much safer place for those waiting for the bus.

- 4. Adjust the traffic light to make a delayed green for motorists traveling south. There is chaotic traffic trying to get through the intersection due to cars (traveling north) who stop to turn left onto Oak Tree Road. Cars behind them wishing to go straight, get jammed up behind them and speed around the stopped cars illegally on their right, into the bus stop. This is a treacherous situation for cars traveling south who wish to turn left. These cars cannot see the illegally moving cars until the cars are almost upon them. And it has been witnessed that some cars, impatiently speed past the waiting cars illegally on their LEFT into the on-coming lane. (The traffic light is about 24 seconds. If the cars traveling north are given a 10-12 second advance, it would allow for all cars traveling north and turning left to freely flow through the intersection without creating a backup of cars. It will calm the frantic and illegal traffic patterns.)
- 5. Lower speed limit to 35 mph from NYS line to the viaduct. The speed limit in NJ just before the NYS line is 35mph. At the NYS line the speed limit is increased to 45mph down the steep, very dangerous curvy road. A majority of motorists pick up speed going down the hill and by the time they get to the Oak Tree Road traffic light it is not uncommon for cars to be going 50- 55mph. Many floor it to make the light. They continue to surpass 45mph past the narrow residential area that includes the very busy “Filling Station”.

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

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**RESOLUTION NO. 282**

**AGREEMENT / 2017 STORMWATER  
II EDUCATION PROGRAM  
ROCKLAND COUNTY CORNELL  
COOPERATIVE EXTENSION**

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

WHEREAS, the Town of Orangetown contracts with Rockland County Cornell Cooperative Extension to provide educational services as part of meeting NYS DEC’s Minimum Control Measures for Stormwater Phase II Regulations;

RESOLVED, that the Town of Orangetown hereby authorizes the renewal of Stormwater II Education Program Agreement with Rockland County Cornell Cooperative Extension for 2017 for the period April 1, 2017 through March 31, 2018 in the amount of \$6,800.00.

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

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**RESOLUTION NO. 283**

**PROMOTE JOSEPH SULLIVAN  
POLICE SERGEANT**

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

RESOLVED, that upon the recommendation of the Chief of Police, promote Joseph Sullivan, from Rockland County civil service list # 13041/72-028, to the position of Police Sergeant/Town of Orangetown, effective May 30, 2017, at a salary consistent with the labor agreement, between the Town of Orangetown and the Orangetown PBA.

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

**RESOLUTION NO. 284**

**DETAIL DAVID MADDALENA  
DETECTIVE/YOUTH OFFICER**

Under new business, Councilman Bottari offered the following resolution, which was seconded by Councilman Troy 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 David Maddalena to the duties of Detective/Youth Officer, Town of Orangetown, effective May 30, 2017, at a salary consistent with the terms of the labor agreement, between the Town of Orangetown and the Orangetown PBA bargaining unit.

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

Noes: None

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**RESOLUTION NO. 285**

**INTENT LEAD AGENCY  
CIRCULATION LETTER / ROUTE 303  
& GREENBUSH BIKE BYPASS**

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

WHEREAS, the Palisades Interstate Park Commission and the Town of Orangetown propose to enter into a cooperative license agreement, allowing the Town to construct a paved bicycle/pedestrian path, on the east side of Rte. 303, that, when complete, will connect the two ends of Greenbush Road in Blauvelt bypassing the dangerous condition that presently exists at the intersection of Route 303 at Greenbush Road; and

WHEREAS, the License Agreement and the work proposed thereunder constitute an Unlisted Action under the NYS Environmental Quality Review Act ("SEQRA"); and

WHEREAS, in connection with such action, it is the intent of the Town Board to act as lead agency in a coordinated review process,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intent to be lead agency for environmental review of the proposed action, and directs the circulation thereof to all interested and involved agencies, including but not limited to the following:

Palisades Interstate Park Commission; N.Y.S. Department of Transportation;  
N.Y.S. Department of Environmental Conservation; Rockland County Highway  
Department; Dormitory Authority of the State of NY (DASNY)

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

Noes: None

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**RESOLUTION NO. 286**

**AGREEMENT EXTENSION/LOCHNER  
ENGINEERING / CONSTRUCTION  
INSPECTION SERVICES / ROUTE 340  
SIDEWALK PROJECT**

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

RESOLVED, the Town Board hereby authorizes James J. Dean, Superintendent of Highways, to sign an Agreement Extension, with Lochner Engineering for Construction Inspection Services, on the Route 340 Sidewalk Project, in the amount of \$98,000.00.

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

Noes: None

**RESOLUTION NO. 287**

**EXTENSION/ACCESS AGREEMENT  
JPM CHASE**

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

WHEREAS, by Resolution No. 61 of 2017, the Town Board authorized the Supervisor to execute an Access Agreement with JPM Chase, effective 2/17/17 through 6/1/17 (the "Agreement"), allowing JPM Chase to access Town owned lands and structures at the Rockland Psychiatric Center for the purpose of conducting a due diligence review relevant to its contemplated purchase of such lands for eventual development and use as a data center; and

WHEREAS, pursuant to such authority, on or about February 15, 2017, the Supervisor, on behalf of the Town, and JPM Chase executed the approved Agreement for the effective period set forth; and

WHEREAS, in order to complete the required due diligence review of the premises, allowing it to move forward through the planning process toward the contemplated purchase, JPM Chase has requested that the Town extend the period of the Agreement through and including September 1, 2017,

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Supervisor to execute a letter agreement on behalf of the Town, extending the Agreement, on the same terms and conditions, through September 1, 2017, subject to prior evidence of continuing insurance coverage as required under the Agreement, such coverage naming the Town, its officers, employees and agents as "additional named insured" under the General Liability (and excess) insurance policies of JPM Chase and its contractors and subcontractors.

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

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**RESOLUTION NO. 288**

**SET PH / CIRCULATION LETTER  
HISTORIC DISTRICTS/AMENDING  
SECTIONS 12-3, 12-4.(H), 12-5.(A)(3)  
AND 12-6.(A)(3) AND TO AMEND  
CHAPTER 43, ARTICLE III, SECTION  
3.11 AND THE RELATED GENERAL  
USE REGULATIONS THERETO**

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

RESOLVED, that the Town Board hereby sets Tuesday, June 6, 2017, at 8:05 p.m., for a public hearing on a proposed local law amending Historic Districts, Sections 12-3, 12-4.(H), 12-5.(A)(3) and 12-6.(A)(3), and to amend Chapter 34, Article III, Section 3.11 and the related General Use Regulations thereto; and

BE IT FURTHER RESOLVED, that in connection therewith, the Town Board declares its intent to be lead agency for environmental review, and directs the circulation thereof to all interested and involved agencies; and, further, directs the circulation of the proposed law for review and comment to the Rockland County Department of Planning, pursuant to GML § 239, and to the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5.

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

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**RESOLUTION NO. 289**

**APPROVE/2017 SEWER WORK  
CERTIFICATE OF REGISTRATION**

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

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 2017 Sewer Work is approved to:

Cioffi, 27 Skyline Drive, Thiells, New York 10984

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

Noes: None

\*\*\*

**RESOLUTION NO. 290**

**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 of 1 warrant in a total amount of \$1,127,710.74.

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

Noes: None

\*\*\*

**RESOLUTION NO. 291**

**ENTER EXECUTIVE SESSION  
LEGAL COUNSEL / LAWSUIT**

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

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

RESOLVED, at 9:13 p.m. the Town Board entered Executive Session to discuss a particular lawsuit. Supervisor Stewart said no further votes will be taken.

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

Noes: None

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**RESOLUTION NO. 292**

**RE-ENTERED RTBM/ADJOURNED**

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

RESOLVED, at 9:40 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of David J. Guiney, Palisades.

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

Noes: None

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**Charlotte Madigan, Town Clerk**