

**TOWN OF ORANGETOWN
REGULAR TOWN MEETING
TUESDAY, JUNE 20, 2017**

This meeting was opened at 7:34 p.m. Supervisor Stewart presided and the Deputy Clerk called the roll. Present were:

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

Also present:

Geraldine 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
John Giardiello, Director of OBZPAE
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
James Brown, Police Captain

Pledge of Allegiance to the Flag of the United States of America: Esta Baitler.

Summary of Public Comments:

Frank Fornario, Blauvelt, spoke about his 50 years of experience in Real Estate. He asked, when did the Assessor receive change in the equalization rate; what date did he inform the Town Board; and when did he file an official complaint?

Amy Pritchett, Pearl River – Clean Air for Orangetown (CAFO), was shocked to learn that Aluf will bear no responsibility. Should anyone become sick, who will be held responsible? When did the President of Aluf sign the agreement; Was she present in court on 6/6/17; Was she present when the agreement was notarized; who notarized the agreement; when did the Deputy Attorney see the agreement for the first time?

Allyson Sullivan, Blauvelt – Aluf arrived in 1986. Rockland County Health Dept., Gregory Price, handled complaints regarding odors, from 1986-2012. It is unknown why the County did not inform the Town. Why was Aluf allowed to expand without the Town's knowledge? She is happy with the progress the Town Board has made but Aluf will never change unless they are held accountable.

Barbara Delo, Blauvelt, spoke about senior citizens difficulties (affordability, safety, good help, transportation). She wants the Town to establish a Support Our Seniors Initiative.

Larry Vail, Tappan, the Sparkill Creek Watershed is always a troubled area and needs improvements. He is in favor of the Hudson River Estuary Program grant.

Susan Nemesdy, Palisades – claims the property next to Home for Heroes is not a good place, especially with the railroad, for Hi-Tor Animal Shelter. She hopes the Town Board will consider property at the RPC campus.

Carrie Patel, Pearl River, cautioned the Town Board regarding the Goldstein Group developing property (Lewis & Forest Ave). They are advertising fast food and automotive storage.

Eileen Larkin, Palisades – the Governor's shared services plan is due August 1st. Most schools have opted not to participate. What are the Town's plans?

Thom Kleiner, Sparkill, support the grant to improve the Sparkill Creek Watershed. The Director of OBZPAE is a very important position. It is important that the new Director is experienced in planning and engineering.

Mike Mandel, Pearl River, agrees with Mr. Kleiner regarding the new Director. When did the Board find out the Equalization Rate? Why has our full market value increase by 13.75%?

Donald Brenner, Attorney – Aluf came to Orangetown in 1978. The DEC, EPA and Orangetown did not produce any evidence for sole responsibility. He did not represent them in court.

Heather Hurley, Pearl River, A written statement to the Supreme Court that Anellotect's building application has expired, would be wised. The Board should consider the Building Dept. space, if vacated, a senior/community center and Hi-Tor Animal shelter be built on the RPC campus. She agrees, there is a lot of concern regarding the Goldstein Group project on Middletown Road.

RESOLUTION NO. 333

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

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

RESOLUTION NO. 334

**OPEN PH/HARDSHIP EXEMPTION
TEMPORARY MORATRIUM
TELECOMMUNICATION FACILITIES
COLUMCILLE, LLC (SKAE) 76.08-1-3
337 BLAISDELL RD**

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

RESOLVED, the public hearing on an application by Columcille LLC, as owner of property located at 337 Blaisdell Rd., Orangeburg, New York (76.08-1-3) for a Hardship Exemption from the provisions of Local Law No. 4 of 2017, implementing a temporary moratorium on the construction or installation of new, or the expansion of existing, telecommunications facilities and structures within the unincorporated Town, pursuant to § 6 thereof, is hereby opened.

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

The Deputy Clerk presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 06-B-17 and made a part of these minutes.

Donald Brenner, Attorney, the application was submitted and held-up before the moratorium was approved. This is a simple antenna, like a ham radio. He asked that his client be given permission to move forward on this project.

Summary of Public Comments:

Mike Pelacastra and Young Ro, Old Tappan, NJ, are opposed to this antenna. The antenna will reduce their property values and they have health concerns. Jonathon Vogel, Orangeburg, requested the Board not to grant this Hardship Exemption. Parents of the nearby campground may have health concerns and afraid of electrical currents.

Mr. Skae, applicant, hired consultants regarding health concerns. This antenna will not have effect or cause any health conditions and will not be near the campgrounds, which are located at 10 Ramland Rd. The Planning Board held up his application on May 10th because a law was coming into play on June 11th.

RESOLUTION NO. 335

**CONTINUE PH /HARDSHIP EXEMPTION
TEMPORARY MORATRIUM
TELECOMMUNICATION FACILITIES
COLUMCILLE, LLC (SKAE) 76.08-1-3 337
BLAISDELL RD**

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

RESOLVED, the public hearing on the application by Columcille LLC, as owner of

property located at 337 Blaisdell Rd., Orangeburg, New York (Tax Map Designation: 76.08-1-3) for a Hardship Exemption from the provisions of Local Law No. 4 of 2017, is hereby continued, July 11, 2017 at 8:05 pm.

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

RESOLUTION NO. 336

**SANDER BONVELL / MED AIR
ASSOCIATES / ENVIRONMENTAL
CHEMIST**

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

WHEREAS, the Town from time to time hires technical experts to review performance standards and related scientific matters, and the NYS DEC has issued a draft permit for Aluf with a 30 day comment period, and

WHEREAS, the DEC permit with Aluf plays the critical role in insuring Aluf upgrades its odor control, ventilation, and emissions systems comply with existing regulations and relieve the community of noxious odor emissions, therefore be it

RESOLVED, the Town Board authorizes the Supervisor to execute documents as necessary to retain Sander Bonvell, environmental chemist with Med Air Associates, at the rate of \$90/hour, to provide expert review of all documents related to the Aluf case, including the NYS DEC’s proposed permit, Aluf’s odor control engineering plan, and related air monitoring reports and plans, not to exceed \$2500 for this particular scope of work.

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

RESOLUTION NO. 337

**AMEND AGREEMENT/TRC
ENVIRONMENTAL CORPORATION/AIR
MONITORING AND RELATED
SERVICES / ALUF PLASTICS**

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

RESOLVED, the agreement with TRC Environmental Corporation is hereby amended to read “in a total sum not to exceed \$59,000, relating to Aluf Plastics”.

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

RESOLUTION NO. 338

**AGREEMENT / TRC ENVIRONMENTAL
CORPORATION /AIR MONITORING
AND RELATED SERVICES / ALUF
PLASTICS**

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

RESOLVED, that the Town Board hereby authorizes the Supervisor, or his designated

representative, to execute a professional services agreement between the Town and TRC Environmental Corporation for engineering consulting services, including air sampling and monitoring, odor survey and on-site meteorological services, in a total sum not to exceed \$59,000.00, relating to Aluf Plastics.

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

Noes: None

RESOLUTION NO. 339

**SEQRA / TYPE II ACTION / SCADA
EQUIPMENT / WASTEWATER
TREATMENT PLANT**

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

WHEREAS, the Town of Orangetown Department of Environment Management and Engineering has conducted reviews of its existing analog Supervisory Control Data Acquisition System (SCADA) equipment at the Town’s waste water treatment plant and 44 pump stations and found several issues that must be addressed in order to insure greater operating efficiency over the long term; and

WHEREAS, the Town has determined that an upgraded SCADA system as described and recommended by the Town’s outside consultants would provide improved efficiencies that would allow the Chief Plant Operator to eliminate back shift and possible weekend staff currently required to insure monitoring of the pump stations and shift these resources from 24-hour daily operations to preventive and proactive maintenance, increasing operating efficiencies and cost reductions over time; and

WHEREAS, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water treatment systems through the New York State Water Infrastructure Improvement Act, Clean Water program for which the Town of Orangetown intends to submit an application for funding; and

WHEREAS, the Town Board, with the assistance of the Department of Environmental Management and Engineering, has considered the proposed action in the light of the State Environmental Quality Control Act (SEQRA), and the implementing regulations adopted thereunder, and has concluded that the action consisting of the upgrading and funding of the wastewater treatment SCADA equipment, constitutes a Type II action under SEQRA in that the action involves “the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. . . “

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that the said action, as described, constitutes a Type II action under SEQRA, as a consequence of which no further action or review under SEQRA is required.

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

Noes: None

RESOLUTION NO. 340

**NYS EFC CLEAN WATER GRANT
APPLICATION / TELEMETRY
UPGRADE (SCADA)/DEME**

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

WHEREAS, the Town of Orangetown Department of Environment Management and Engineering conducted reviews of its existing analog Supervisory Control Data Acquisition system (SCADA) equipment at the Town’s waste water treatment plant and 44 pump

stations and found several issues that must be addressed in order to insure greater operating efficiency over the long term;

WHEREAS, the Town of Orangetown in order to determine the status of its SCADA system and identify equipment best suited to improve operating efficiency, engaged a consultant to assess the existing equipment and prepare recommendations for the design, equipment, software and construction services that would be needed to upgrade the system to a digital system that would provide effective communication from all the pump stations to the plant, and to each other, which is not currently the case because of the age of the system and the staggered dates of installation;

WHEREAS, the Town of Orangetown determined that a upgraded SCADA system as described by the consultants would provide improved efficiencies that would allow the Chief Plant Operator to eliminate back shift and possible weekend staff currently required to insure monitoring of the pump stations and shift these resources from 24-hour daily operations to preventive and proactive maintenance, increasing operating efficiencies and cost reductions over time;

WHEREAS, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water treatment systems through the New York State Water Infrastructure Improvement Act, Clean Water program;

WHEREAS, the Town of Orangetown intends to submit an application to the NYS Environmental Facilities Corporation for funding not to exceed 25% of the total project cost, and hereby authorizes the Supervisor, Andrew Y. Stewart, to submit the application.

NOW, THEREFORE, BE IT RESOLVED BY the Board of the Town of Orangetown:

1. That Andrew Y. Stewart, as Supervisor, is hereby authorized to file an application to the NYS Environmental Facilities Corporation for funding from the New York State Water Infrastructure Improvement Act for Clean Water projects.
2. That the Town of Orangetown agrees that it will fund at least 75% of the cost of the Project and those funds will be available upon execution of the contract with the NYS Environmental Facilities Corporation.

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

Noes: None

RESOLUTION NO. 341

**SYLVIA WELCH, GRANT WRITER/EFC
GRANT REQUEST/DEME TELEMETRY
(SCADA) / PAYMENT**

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

WHEREAS, the Town Board has previously approved the application to the NYS Environmental Facilities Corporation Clean Water Grant for \$95,875 in grant funding (25% of total project cost) for upgrading the town’s wastewater treatment telemetry system (SCADA);

RESOLVED, the Town Board authorizes the Supervisor to pay Sylvia Welch up to \$650(10 hours X \$65/hour), for the research, writing and submission of this EFC grant request, and to sign any related documents to obtain these funds.

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

Noes: None

RESOLUTION NO. 342

**GRANT APPLICATION/HUDSON
RIVER ESTUARY PROGRAM
WATERSHED PLAN AND FIELD
ASSESSMENT/SPARKILL CREEK
WATERSHED**

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

WHEREAS, the Sparkill Creek and adjacent properties suffer from chronic flooding, erosion and water pollution; and

WHEREAS, the Orangetown Highway Department, DEMA, Building Department, and other town departments routinely invest in reducing flooding and water pollution (i.e. sewer pipe re-lining, culvert and catch basin upgrades, and the planning, permitting and inspection of construction sites to prevent erosion, etc.); and

WHEREAS, as storms increase in severity and frequency with climate change, it is ever more important to manage the Sparkill watershed in pursuit of traffic safety, the protection of public and private assets and the enhancement of biological life through pollution reduction. Various studies of the Sparkill watershed exist, and there is active community interest and involvement in water quality monitoring, litter cleanups, and promotion of green infrastructure; and

WHEREAS, the Town is in the process of building a regional scale artificial wetland in Tappan at the Homes for Heroes site; is seeking grant funding for upgrading the culvert on the Sparkill at Innovation Plastics, for a first flush/salt brine system at the Highway Department, and a flood mitigation project at the intersection of the Town's rail trail with Oak Tree Rd and the Palisades Parkway; and

WHEREAS, while we pursue these specific projects, there is a need to both review what is known about the Sparkill watershed (previous studies) and establish priorities for future projects; and

WHEREAS, the Town in December 2016 authorized the application for a watershed plan grant with the help of the Chazen Group in collaboration with Simon Gruber, but was not awarded;

WHEREAS, a new round of grant funding through the Hudson River Estuary Program offers grants of \$10,000-\$50,000 with a required match of up to 30%, including in-kind services, based on various criteria; and

WHEREAS, the Chazen Group and Simon Gruber have again offered their assistance filing this grant application and managing the grant which would allow for a complete watershed plan for the Sparkill Watershed and complete field assessment of chronically flood-prone sites for opportunities for mitigation for \$25,000; be it

RESOLVED, that the Town of Orangetown authorizes the Supervisor or his designee to submit a Hudson River Estuary Program grant application in the amount of \$25,000 for:

- 1) a watershed plan focused on identifying locations of chronic flooding and summarizing and updating watershed information, including tree cover, impervious surfaces, slopes and related factors, and
- 2) a field assessment of sites of chronic flooding and opportunities for green infrastructure, resulting in recommendations for future grant support, including preliminary cost estimates and conceptual designs of projects. The grant will be written and submitted by Russell Urban Meade, a hydrogeologist with Chazen Company, in collaboration with Simon Gruber, town staff and volunteers with the Sparkill Creek Watershed Alliance; and

BE IT FURTHER RESOLVED the Town commit up to 30% of the \$25,000 budget, or

approximately \$8,000, up to \$4,000 in funds plus in-kind contribution by both town staff and town volunteers to the project including: grant administration; participation in meetings; assembly and review of existing studies of the Sparkill Creek; recruitment of letters of support from Piermont and other stakeholders; and participation in two days of field work.

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

Noes: None

RESOLUTION NO. 343

**APPOINT / WAYNE ROIMISHER
SUBSTANCE ABUSE COMMITTEE**

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

RESOLVED, that the Town Board hereby appoints Wayne Roimisher, Chief, South Orangetown Ambulance Corps, to the Orangetown Substance Abuse Committee effective immediately, for the term ending December 31, 2017.

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

Noes: None

RESOLUTION NO. 344

**ORANGE & ROCKLAND UTILITIES
LED LIGHT FIXTURE REPLACEMENT**

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

WHEREAS, O&R has a program for free replacement of broken street light fixtures with new LEDs and a program for incremental conversion of existing old lamps to new LEDs, and participation in this program requires completion of an agreement titled the “Two Percent System Threshold Option,”

WHEREAS, Orangetown would benefit from O&R replacing broken lights with LEDs and upgrading certain streetlights to LEDs that are wired underground, and therefore not included in Orangetown’s own LED streetlight conversion plan through the New York Power Authority,

RESOLVED, the Town Board authorizes the Supervisor to sign the agreement with Orange and Rockland Utilities to participate in the utility's Two Percent System Threshold Option for street light replacement.

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

Noes: None

RESOLUTION NO. 345

**ACCESS AGREEMENT/OFFICE OF
MENTAL HEALTH / TOWN OWNED
LANDS AND BUILDINGS (RPC)**

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

RESOLVED, that the Town Supervisor, or his designated representative, shall be authorized to sign an Access Agreement with representatives of the NYS Office of Mental Health, in a form suitable to the Town Attorney, and subject to insurance and

indemnification requirements, allowing such party to enter upon Town owned lands and buildings at the Rockland Psychiatric Center, in order to identify and remove property belonging to the party, specifically medical documents, prior to the sale of the buildings to JPM Chase for data center construction, and to take any other action reasonably required to accomplish this goal.

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

RESOLUTION NO. 346

**COUNTY GRANT AWARD
DEPARTMENT OF CRIMINAL JUSTICE
SERVICES/POLICE PROTECTIVE
EQUIPMENT**

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

WHEREAS Rockland County has applied for and received a NYS Department of Criminal Justice Services Police Protective Equipment Program Grant (PP16-1261) of \$89,380 in total, \$20,500 of which is allocated for Orangetown; and

WHEREAS the purpose of the grant is to "equip local police agencies with protective equipment and DCJS approved patrol rifles to provide the greatest level of protection and effectiveness...to combat shooter incidents, terrorist attacks, and other criminal events; and

WHEREAS, DCJS requires that the Town of Orangetown execute its portion of the grant award contract;

BE IT RESOLVED, that upon the recommendation of the Chief of Police and the Town Attorney, the Town Board hereby approves grant award contract from the NYS Department of Criminal Justice Services Police Protective Equipment Program Grant (PP16-1261), and authorizes the Supervisor or his designee to execute any and all documents related to said agreement as may be required to effectuate this resolution.

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

RESOLUTION NO. 347

**AID/PEARL RIVER PARKS AND
ACTIVITY CARNIVAL**

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

RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Highway to lend assistance which includes trash receptacles, field clean up, dumpster, message board & caution tape for the PR Parks &Activity Carnival to be held at the Central Avenue Field in PR, from June 22 thru 25, 2017.

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

RESOLUTION NO. 348

**SHOWMOBILE/ROCKLAND BERGEN
MUSIC FESTIVAL INC.**

Councilman Bottari offered the following resolution, which was seconded by Councilman Valentine 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 Rockland Bergen Music Festival Inc. for their Rockland Bergen Music Festival on Saturday, June 24, 2017 & Sunday, June 25, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured

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

Noes: None

RESOLUTION NO. 349

**AID/ROCKLAND GAA CLUBHOUSE
GRAND OPENING**

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

RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Highway, Parks, and Police Departments to lend assistance which includes the use of barricades, trash barrels, road signage from the Highway Department, both the youth soccer & youth baseball complex parking lots for parking from the Parks Dept., & police detail from the Police Department, for the Rockland GAA Clubhouse Grand Opening to be held from July 7th thru 9th, 2017, from 9 am to 12 am each day.

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

Noes: None

RESOLUTION NO. 350

**AID/PR ELKS CLUB FATHER'S DAY
RACE**

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

RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Police Department to lend assistance to the PR Elks Club Father's Day Race to be held on Sunday, June 18, 2017, from 8:30 am to 9:30 am. Auxiliary Police needed to guide the runners.

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

Noes: None

RESOLUTION NO. 351

**AMEND BUDGET LINE A.7020.457
PARKS & REC ADMIN/CONTRACTS
W/OUTSIDE VENDORS/\$5500**

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

WHEREAS, the Town of Orangetown has committed to maintain the buffer between the JB Clark Rail Trail and the homes along DeLongis Court in Sparkill; and

WHEREAS, Orange and Rockland Utilities will remove a significant amount of the vegetation designated non-compliant with Public Service Commission regulations regarding vegetation near and around power lines; and

WHEREAS in order for the Town to clearly delineate the area in which a new buffer shall be installed, based on easement and property lines the Town must hire a surveyor; and

WHEREAS one response to a Request for Bids for survey work at this location was received from Maser Consulting for the amount of \$5700; and

WHEREAS, there is currently only \$1500 in budget line A.7020.457 - Parks and Recreation/Contracts With Outside Vendors, be it therefore

RESOLVED, that upon the recommendation of the Director of Finance, the Town Board authorizes an increase to budget line A.7020.457 by \$5500 to cover the cost of the survey.

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

Noes: None

RESOLUTION NO. 352

**ORDER CALLING PUBLIC HEARING
INCREASED COST OF THE INCREASE
AND IMPROVEMENT OF FACILITIES
OF THE ORANGETOWN/ SEWER
DISTRICT**

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

WHEREAS, pursuant to proceedings heretofore had and taken by the Town Board of the Town of Orangetown, Rockland County, New York, pursuant to the provisions of Section 202 b of the Town Law, it has been determined to be in the public interest to provide for a certain increase and improvement of the facilities of the Orangetown Sewer District, at a maximum estimated cost of \$2,000,000; and

WHEREAS, such increase and improvement of facilities consists of various sewer inflow and infiltration improvements for the Orangetown Sewer District, all as more fully described in the map, plan and report including an estimate of cost prepared in connection therewith which is on file in the office of the Town Clerk of such Town; and

WHEREAS, in order to complete the improvements to the aforesaid facilities, it will be necessary to expend the sum of \$2,500,000, an increase of \$500,000 over that previously authorized; and

WHEREAS, it is now desired to call a public hearing on the question of authorizing such increase and improvement of facilities at a revised cost of \$2,500,000; NOW,

THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Orangeburg, New York, in said Town, on the 11th day of July, 2017, at 8:05 P.M., Prevailing Time, on the question of increasing the cost of the increase and improvement of the facilities of the Orangetown Sewer District in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is

required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper designated for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Orangetown, Rockland County, New York, will meet at Town Hall, 26 W. Orangeburg Road, in Orangeburg, New York, in said Town, on the 11th day of July 2017, at 8:05 P.M. Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report including a revised estimate of cost prepared in relation to the proposed increased cost of an increase and improvement of the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of various sewer inflow and infiltration improvements for the Orangetown Sewer District. The maximum estimated cost of the aforesaid increase and improvement of the facilities of Orangetown Sewer District in the Town is \$2,500,000, an increase of \$500,000 over that previously authorized.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Orangeburg, New York, June 20, 2017

BY ORDER OF THE TOWN BOARD OF THE TOWN OF ORANGETOWN,
ROCKLAND

Section 4. This Order shall take effect immediately. The question of the adoption of the foregoing Order was duly put to a vote on roll call.

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

Noes: None

The order was thereupon declared duly adopted.

RESOLUTION NO. 353

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

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

RESOLVED, that the Town Board hereby sets a Public Hearing for 8:05 PM on August 15, 2017 to consider amending Chapters 12, Historic Districts, of the Code of the Town of Orangetown; amend Sections 12-3, 12-4.(h), 12-5.(a)(3) and 12-6.(a)(3); and amend Chapter 43, Article III, Section 3.11 and the related General Use Regulations.

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

Noes: None

RESOLUTION NO. 354

**NYSDOT STUDY/ESTABLISH NO
PARKING ZONE/246 ROUTE 9W
PALISADES**

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

RESOLVED, upon the recommendation of the Traffic Advisory Board, the Town Board hereby endorses the Traffic Advisory Board request to have NYSDOT conduct a study for the establishment of a No Parking Zone at the following location on Route 9W in Orangetown, NY:

- a. Route 9W on the west side from Kopac Lane to Closter Road.
- b. Route 9W on the east side from the Tallman Park trail entrance to Closter Road.

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

RESOLUTION NO. 355

**CERTIFICATE OF PLUMBING
REGISTRATION (SEWER)**

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 Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2017 Sewer Work is approved to:

SDM Industries, 21 South Park Terrace, Congers, NY 10920
 Rooter Plumbing, P.O. Box 1740, Pleasant Valley, NY 12569

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

RESOLUTION NO. 356

**CHANGE GRADE/COMPUTER
NETWORK SPECIALIST/GRADE 12 TO
GRADE 16**

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 Rockland County Personnel and the Human Resources Coordinator, upgrade the position of Computer Network Specialist from a Grade 12 to a Grade 16.

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

RESOLUTION NO. 357

**APPOINT MATTHEW LENIHAN
COMPUTER NETWORK SPECIALIST,
PROVISIONAL, GRADE 16, STEP 2**

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

RESOLVED, that upon the recommendation of the Human Resources Coordinator and the Labor Management Committee, appoint Matthew Lenihan to the position of Computer Network Specialist, provisional, Grade 16, Step 2, at a salary of \$72, 401.00, effective June 21, 2016.

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

Noes: None

RESOLUTION NO. 358

**2016 BUDGET LINE REALLOCATIONS
AND USAGE OF FUND BALANCE**

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

RESOLVED, that the Town Board approves the following 2016 Budget Line reallocations and additional usage of Fund Balance:

2016 General Fund & TOV reallocated Budget Lines:

Exhibit JE 4062

A.9040.800 Workers Compensation.Fringe Benefits	\$ 26,778
A.9030.800 SS/Medicare.Fringe Benefits	(\$ 26,778)
B.9040.800.16 Workers Compensation. Fringe Benefits	\$267,785
B.9060.800.16 Hospitalization.Fringe Benefits	(\$267,785)

2016 Highway & DEME amended Fund Balance Lines:

Exhibit JE 4063

D.9040.800.04 Workers Compensation.Fringe Benefits	\$ 58,020
D.9040.800.05 Workers Compensation.Fringe Benefits	\$ 58,020
D.3599.000.05 Appropriated Fund Balance.Townwide	\$116,040
G.9040.800 Workers Compensation.Fringe Benefits	\$482,013
G.3599 Appropriated Fund Balance	\$482,013

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

Noes: None

RESOLUTION NO. 359

**SEQRA DETERMINATION/TYPE II
ACTION/CHLORINATION EQUIPMENT
AND PROCESSES AT THE TOWN
WASTEWATER TREATMENT PLANT**

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

WHEREAS, in connection with the Town's obligation to meet compliance requirements set by the N.Y.S. DEC for the Town's SPEDES Permit for the operation of the Town Wastewater Treatment Plant, the Town is required to upgrade chlorination equipment and final effluent treatment processes; and

WHEREAS, the improvements required to be made involve the installation of new equipment, including pumps, induction mixer, total residual chlorine (TRC) analyzers, piping and wiring and associated controls;, and the treatment processes will include the addition of sodium bisulfite for the dechlorination process; and

WHEREAS, the Town Board, with the assistance of the Department of Environmental Management and Engineering, has considered the proposed action in the light of the State Environmental Quality Control Act (SEQRA), and the implementing regulations adopted thereunder, and has concluded that the installation of the aforesaid upgrades and processes constitute a Type II action under SEQRA in that the action involves “the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. . . .”; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that the improvements to be made to the Town Wastewater Treatment Plant as aforesaid constitutes a Type II action under SEQRA, as a consequence of which no further action or review is required; and

BE IT FURTHER RESOLVED, that the Town Supervisor, or his designated representative is hereby authorized to submit an application to the NYS Environmental Facilities Corporation for funding and financing in connection with the required improvements.

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

RESOLUTION NO. 360

**AMEND RESOLUTION NO. 315/2017
NYS EFC CLEAN WATER GRANT
APPLICATION/ TOTAL RESIDUAL
CHLORINE LIMIT**

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

WHEREAS, the Town of Orangetown in order to comply with the revised SPDES permit issued by the New York State Department of Environmental Conservation to the Orangetown Waste Water Treatment Plant requiring modification of the daily maximum final effluent Total Residual Chlorine (TRC) limit from 0.5mg/L to 0.10m/L, engaged a consulting engineer to prepare an engineering report detailing the design basis, treatment unit type and sizing that will be used to comply with the maximum daily limit of TRC;

WHEREAS, the Town of Orangetown intends to implement the design, equipment and treatment improvements detailed in the consulting engineer’s report of April 2017 in order to be in compliance with the requirements of the revised SPDES permit issued by the NYS DEC;

WHEREAS, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water treatment systems through the New York State Water Infrastructure Improvement Act, Clean Water program;

WHEREAS, the Town of Orangetown intends to submit an application to the NYS Environmental Facilities Corporation for funding not to exceed 25% of the total project cost, and hereby authorizes the Supervisor, Andrew Y. Stewart, to submit the application.

NOW, THEREFORE, BE IT RESOLVED BY the Board of the Town of Orangetown:

1. That Andrew Y. Stewart, as Supervisor, is hereby authorized to file an application to the NYS Environmental Facilities Corporation for funding from the New York State Water Infrastructure Improvement Act for Clean Water projects.

2. That the Town of Orangetown agrees that it will fund at least 75% of the cost of the Project and those funds will be available upon execution of the contract with the NYS Environmental Facilities Corporation.

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

Noes: None

RESOLUTION NO. 361

BUDGET CALENDAR (2018)

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

WHEREAS, Article 8 of the Town Law of the State of New York provides for a budget system for a Town and the Town Board wishes to set up a budget schedule as provided in Article 8 of the Town Law by designating various dates to implement the 2018 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following dates are hereby set as official dates of the Town of Orangetown for the submission and adoption of the budget as required by law:

July 14, 2017: Last day for department heads to submit a capital budget for 2018, as well as a capital improvement plan for the period 2018 through 2022;

July 14, 2017: Last date for department heads to submit estimate of 2018 operating revenues and expenditures to Supervisor with the estimates submitted in such a form and containing such information as the Supervisor shall prescribe;

BETWEEN SEPTEMBER 1 and SEPTEMBER 15, 2017: The Town Board shall endeavor to meet with department heads and amongst themselves to discuss the budget prior to the filing of the budget by the Supervisor;

SEPTEMBER 15, 2017: Last day for each ambulance and paramedic district, and South Orangetown libraries to submit an estimate of revenues and expenditures, as well as audited financial statements;

SEPTEMBER 26, 2017: At workshop meeting of the Town Board at 8:00 P.M. at Town Hall, Orangeburg, New York, the Town Clerk shall distribute to the Town Board the 2018 Tentative Budget for the Town and publish it on the Town's website;

SEPTEMBER 26, 2017: Schedule a public hearing for October 3, 2017, 7:30 P.M. regarding the Blauvelt Fire District contract.

SEPTEMBER 26, 2017: Last day for the Supervisor to file with the Town Clerk the Tentative Budget, budget message for 2018, and the estimates and schedules of the various administrative units;

OCTOBER 3, 2017: Last day for each fire district to submit to the Town Clerk the proposed 2018 budget and notice of public hearing on the 2018 budget for public review and inclusion on the Town's website;

OCTOBER 17, 2017: Public hearing date for all fire district budgets (third Tuesday in October by State Law);

OCTOBER 17, 2017: Last day for the Town Board to complete review of Tentative Budget and file the Preliminary Budget with the Town Clerk who will publish it on the Town's website:

NOVEMBER 14, 2017: At 8:00 P.M. a public hearing on the Preliminary Budget shall be held at Town Hall, Orangeburg, New York. At the conclusion of the hearing, the Town Board may by resolution adopt a final budget, by either accepting or amending the Preliminary Budget and said budget may become the legally Adopted Budget for the Town of Orangetown for the year commencing January 1, 2018;

NOVEMBER 14, 2017: Last regularly scheduled Workshop/RTBM before the budget is due;

NOVEMBER 20, 2017: Legal deadline for budget adoption and submittal of approved fire district budgets to the Town Finance Director who will publish the budgets on the Town’s website.

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

Noes: None

RESOLUTION NO. 362

**EASEMENT/155 CORPORATE DRIVE,
LLC/ACCESS TO AN EXISTING TOWN
SEWER LINE/EASEMENT/TAX LOTS
73.15/1/18 AND 73.19/1/1**

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

WHEREAS, as a condition of Final Site Plan Approval (PB 2016- 56), the Planning Board required, at the request of DEME, that 155 Corporate Drive, LLC provide an access easement to the Town into and through the 155 Corporate Drive, LLC parking lot identified as the Northern Parking Lot and by tax lots 73.15/1/18 and 73.19/1/1 located on Corporate Drive, Orangeburg, NY and

WHEREAS, 155 Corporate Drive, LLC has provided such easement to the Town, which has been reviewed and approved by DEME and the Town Attorney’s Office,

NOW THEREFORE, BE IT RESOLVED that the Town hereby accepts an access easement from 155 Corporate Drive, LLC which easement grants the Town access into and through properties owned by 155 Corporate Drive, LLC identified as the “Northern Parking Lot” and as tax lots 73.15/1/18 and 73.19/1/1 (identified collectively as Access Easement 1 and Access Easement 2) to a Town sewer line/easement on adjacent property.

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

Noes: None

RESOLUTION NO. 363

PAY VOUCHERS

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

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for three (3) warrants for a total amount of \$1,145,008.95.

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

Noes: None

RESOLUTION NO. 364

**ENTER EXECUTIVE SESSION
CSEA CONTRACT**

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

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari 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 Bottari, Troy, Diviny, Valentine
Noes: None

RESOLUTION NO. 365

RE-ENTERED RTBM/ADJOURNED

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

RESOLVED, at 9:35 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Nora McDonagh, Pearl River, mother-in-law of former Town Board Member Thomas Morr; Kathleen McGuire, Sparkill; Robert McCrudden, Blauvelt/New City; and Robert Lee, Nanuet.

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

Geraldine Orlik, Deputy Clerk