



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday July 21, 2020

This Town Board Meeting was opened at 7:00 PM.

Supervisor Teresa M. Kenny	_____
Councilperson Thomas Diviny	_____
Councilperson Paul Valentine	_____
Councilperson Jerry Bottari	_____
Councilperson Denis Troy	_____

★Pledge of Allegiance to the Flag★

ANNOUNCEMENTS:

- ◆ **PUBLIC HEARING / RTBM OF 8/18/2020 AT 7:15 P.M. / PROPOSED AMENDMENT / TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC ARTICLE II, TRAFFIC ADVISORY BOARD**
- ◆ **PUBLIC HEARING / RTBM OF 8/18/2020 AT 7:25 P.M. / PROPOSED AMENDMENT TO TOWN CODE / CHAPTER 43, ARTICLE IV / SPECIAL PERMIT / OUTDOOR PARKING AND STORAGE OF VEHICLES**
- ◆ **PUBLIC HEARING / STBM ON SATURDAY, SEPTEMBER 12, 2020 AT 8:00 A.M. / 2021 DEPARTMENT HEAD PRESENTATIONS OF BUDGET REQUESTS**
- ◆ **Given the hot and humid weather over the next few days, Orangetown Town Hall, located at 26 W. Orangeburg Road in Orangeburg will be open for town residents as a cooling center from 9 am - 9 pm. Please note: masks and social distancing will be required.**
- ◆ **The Town of Orangetown, as a member of Rockland Community Power, is delighted to bring to our residents and small businesses a community solar program.**

Our community solar program:

- 1. Accesses the benefits of solar without needing to install rooftop panels**
- 2. Saves up to 10% annually on your electricity costs**
- 3. Supports the development of clean, renewable electricity in NY State.**

To help with the COVID -19 relief effort, Rockland Community Power will also donate \$50.00 for every enrollment in the community solar program to the Rockland Community Foundation.

Watch out for a letter coming from the Town of Orangetown regarding our community solar program. For more information please visit our website: www.orangetown.com.

DISCUSSION: WORKSHOP OF AGENDA ITEMS

PUBLIC COMMENT:

1. **OPEN PUBLIC COMMENT PORTION**

RESOLVED, the Public Comment portion is hereby opened.

2. **CLOSE PUBLIC COMMENT PORTION**

RESOLVED, the Public Comment portion is hereby closed.

AGENDA ITEMS:

TOWN BOARD

3. **POLICE COMMISSION MEETINGS / REGULAR TOWN BOARD MEETINGS / TIME CHANGE**

RESOLVED, the following Police Commission Meetings will begin at 6:30 pm and the following Regular Town Board Meetings will begin at 7:00 pm.

- ◆ 08/04/20 Police Commission/Town Board Meeting
- ◆ 08/18/20 Town Board Meeting
- ◆ 09/01/20 Police Commission/Town Board Meeting
- ◆ 09/22/20 Town Board Meeting
- ◆ 10/06/20 Police Commission/Town Board Meeting
- ◆ 10/20/20 Town Board Meeting
- ◆ 11/10/20 Police Commission/Town Board Meeting
- ◆ 11/24/20 Town Board Meeting
- ◆ 12/01/20 Police Commission/Town Board Meeting
- ◆ 12/15/20 Town Board Meeting

4. **APPROVE / ORANGETOWN 2021 BUDGET CALENDAR**

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 2021 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;

SEPTEMBER 12, 2020 (Saturday): Special Town Board Meeting at 8:00 A.M. will take place regarding the 2021 budget hearing at Town Hall, Orangeburg, New York, to include all department heads;

SEPTEMBER 22, 2020: At the **RTBM of the Town Board at 7:00 P.M.**, the Town Clerk shall distribute to the Town Board the 2021 Tentative Budget for the Town and the Finance Department will publish it on the Town’s website;

SEPTEMBER 22, 2020: Schedule a Public Hearing for **October 06, 2020, 7:15 P.M.** regarding the Blauvelt Fire District contract;

SEPTEMBER 22, 2020: Schedule Public Hearings for **October 06, 2020, 7:30 P.M.** regarding the library districts for one year contract (Blauvelt, Orangeburg Tappan, and Palisades);

SEPTEMBER 22, 2020: Schedule a Public Hearing for **October 20, 2019, 7:15 P.M.** regarding the Preliminary Budget;

OCTOBER 20, 2020: Last day for the Town Board to complete review of Tentative Budget and file the Preliminary Budget with the Town Clerk, and for the Finance Department to publish on the Town’s website;

OCTOBER 20, 2020: Adjourn Public Hearing of Preliminary Budget to **November 10, 2020 at 7:15 P.M;**

NOVEMBER 10, 2020: At 7:15 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, 2021.

5. AMENDING RESOLUTION NO. 272 / APPROVE / ELECTED & APPOINTED OFFICIALS / ESTABLISHING STANDARD WORK DAY / HOURS / NYS RETIREMENT SYSTEM

BE IT RESOLVED that the Town of Orangetown (“Town”) hereby establishes the following as standard work days for elected and appointed Officials, and will report the following days worked to the New York State & Local Retirement System (“NYSLRS”), based on the Record of Activities (“ROA”) maintained, and submitted by, these Officials to the Town Clerk or Town Attorney:

<u>Elected or Appointed Official’s Title</u>	<u>Name</u>	<u>NYSLRS Registration Number</u>	<u>Standard Work Day/SWD (hours per day)</u>	<u>Term Begins/Ends</u>	<u>Participates in Town’s Time Keeping System</u>	<u>SWD Days per Month (based on ROA)</u>	<u>ROA Submitted</u>
Deputy Supervisor	Michael Lawler	REDACTED	7	01/1/2020 - 12/31/2021	NO	6.74	YES (2020)

BE IT FURTHER RESOLVED that this Resolution shall be posted for at least 30 days, and a certified copy of the Resolution shall be filed by the Town Clerk with the Office of the New York State Comptroller.

6. APPROVE APPLICATION BY NY FOOTBALL CLUB / INSTALLATION OF TEMPORARY STRUCTURES

WHEREAS, the pursuant to Town Code Section 6-5(F), the Director of OBZPAE has the authority to modify, waive or adjust the regulations, rules and procedures of Chapter 43, Zoning, for non residential establishments/uses during times that a state, county or local state of emergency is in effect or as part of the economic recovery form any such state of emergency, and

WHEREAS, the New York Football Club, with property at Old Orangeburg Road, Orangeburg, NY, tax lot 73.12/1/3.2 (property), as part of the recovery from the economic impacts of the COVID 19 pandemic and the state of emergency that exists in the State of New York, which uses the property typically for training purposes, plans on conducting professional soccer matches at the property since its current facility for the matches, Yankee Stadium, is unavailable, and

WHEREAS, the New York Football Club, desires to place certain temporary structures to accommodate the matches, including but not limited to temporary locker rooms, ground mount units, press boxes, restrooms, and temporary lighting and

WHEREAS, the Town Board hereby finds that as part of the economic recovery from the COVID19 pandemic, authorization for use of the property and temporary structures, as authorized by the Director of OBZPAE, which as planned will not have a negative impact on the Town and is in the best interests of the Town and its residents,

NOW THEREFORE BE IT RESOLVED that the Director of OBZPAE may authorize the use of the property in such fashion including the installation of temporary structures thereon on a temporary basis without the necessity for a formal site plan approval under the following terms and conditions:

- 1) The property owner must submit sketch plans to Director of OBZPAE or her designee, who shall have discretion regarding the requirements of the detail to be shown on the plans. These plans may be approved, denied, or required to be modified, at the discretion of OBZPAE.
- 2) Any plans approved by OBZPAE must be strictly adhered to by the property owner and any violation thereof shall be considered to be a violation of the Town Code, Chapter 6-5(F) punishable pursuant to Chapter 41A of the Town Code.
- 3) Upon approval, such sketch plan shall be signed, stamped and dated "Approved" by the Director of OBZPAE, and displayed on premises near the main entrance during operation.
- 4) The Director or her designee shall thereafter issue a permit permitting the use of the property in accordance with the plans as approved. The permit fee is hereby established at \$500.00.
- 5) If any night games are played, any temporary lighting for such purposes must be limited to between the hours of 5:00 p.m. and 11:00 p.m.
- 6) Any permission or authorization issued by OBZPAE pursuant to this resolution shall be effective from August 1, 2020 through December 31, 2020. Any temporary structures authorized pursuant to this resolution must thereafter be removed, unless formal site plan approval authorizes same.

- 7) All compulsory social distancing, gathering limitations, and other applicable COVID-19 requirements for the operation of any business under the Governor's phased re-opening plan, must be followed and shall be observed.
- 8) The property owner and applicant must adhere to any and all applicable Federal, State, and County statutes, laws, codes, rules and regulations with respect to business operations, including but not limited to State and County Health Department regulations.
- 9) Any permission authorized herein, shall be revocable at the discretion of the Town Board, upon a finding that the property owner has violated the terms of this resolution, OR that the activities authorized pursuant to this resolution and as implemented at the property constitutes a nuisance, or otherwise adversely impacts upon the health, safety and welfare of the community, and that upon such revocation, the property owner and any other interested parties may be given an opportunity to be heard by the Town Board in an effort to have such permission reinstated upon such conditions as the Town Board shall deem just and appropriate under the circumstances.

7. APPROVE / LEND ASSISTANCE FAMILY, FOOD & FUN / CENTRAL AVENUE, PEARL RIVER / AUGUST 1, 2020

WHEREAS, as the Kickstart Orangetown Committee has submitted to the Town an application to lend assistance to "Family, Food and Fun", a Town sponsored event to assist local businesses as part of the economic recovery from the COVID-19 pandemic related closures of businesses, which would include the closure of a section of Central Avenue (County Road) and a section of Main Street in Pearl River for a limited period of time, and

WHEREAS, the Town Board is mindful of the overall impact the COVID-19 pandemic has had on businesses and individuals in the community, and has taken steps to assist local businesses in the economic recovery and provide residents an opportunity to safely return to restaurants and shopping in the Town through its Kickstart Orangetown Program and as part of the phased re-opening in accordance with the Governor's Executive Orders and all appropriate safety measure including the wearing of masks and social distancing, and

WHEREAS, the Town Board finds that it is in the best interests of the Town, local businesses and residents to lend such assistance,

NOW THEREFORE BE IT RESOLVED, subject to the issuance of appropriate permits by all authorities having jurisdiction to any establishments requiring same the Town Board hereby authorizes the lending of assistance for the use of trash cans, barricades, electronic message board & detour signs from the Highway Department and Police detail, for the "Family, Food & Fun Event" to be held in Pearl River on Saturday, August 1, 2020 from 3 pm to 10 pm and

BE IT FURTHER RESOLVED, that only businesses currently being operated in an establishment on the aforesaid streets may utilize the street for purposes of providing tables and chairs for outdoor dining in the area immediately in front of the restaurant establishments in areas that are clearly roped off or otherwise demarcated, or in the case of retail, tables or racks containing merchandise ordinarily offered for sale by said establishments, in the area immediately in front of the retail establishments, provided that the Kickstart Committee shall ensure appropriate walking areas for pedestrian traffic with sufficient spacing in accordance with the Governor's Executive Orders and physical distancing guidelines, and

BE IT FURTHER RESOLVED that pursuant to Section 10-4(B)(1) of the Town Code, the consumption or possession of an open container containing an alcoholic beverage while in a clearly demarcated area of a restaurant authorized by this resolution and authorized to serve alcoholic beverages, shall not be considered to be a violation of Chapter 10 of the Town Code, however any such possession outside of a clearly demarcated area as set forth herein is strictly prohibited and shall constitute and remain a violation of Chapter 10, and

BE IT FURTHER RESOLVED, that any establishment serving alcoholic beverages shall adhere to Executive Order 202.43 and New York State Liquor Authority guidelines and permits, and shall only permit service and consumption of same in a clearly demarcated area and not allow persons to leave said areas with an open container of an alcoholic beverage, and

BE IT FURTHER RESOLVED, that this authorization shall be subject to approval of the Superintendent of Highways, the Chief of Police, and Town Attorney with respect to the requirements of the permit application and submissions of the applicant, including a map of the specific areas demarcated where outdoor dining is proposed.

HIGHWAY

8. ACCEPT DRAINAGE EASEMENT / 87 BURROWS LANE BLAUVELT, NY

RESOLVED, upon recommendation of the Town Attorney's Office and Engineering and the Superintendent of Highways, accept, receive and file a Drainage Easement from Patricia Scifo-Waffenschmidt as grantor, in favor of the Town of Orangetown, as grantee on the property identified as tax lot 70.09-2-38 and located at 87 Burrows Lane, Blauvelt, New York.

9. APPROVE JUNGLE LASERS AGREEMENT FOR TIME SHEETS & TIME CLOCK

RESOLVED, to approve new payroll module into existing time sheet module for construction reports & management, in the amount of \$ 23,607.00, for three years, payable to Jungle Laser. Agreement subject to review and approval of the Town Attorney's Office.

PARKS AND RECREATION

10. ACCEPT DONATION / PLANTINGS / TAPPANTOWN HISTORICAL SOCIETY

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation accept with gratitude the donation ornamental plantings in planter boxes at Tappan Memorial Park. Efforts will include the purchase, installation and watering of plants. In addition a two (2) 4" x 6" signs will be placed, one in each box acknowledging the work being done. All costs will be covered by the Tappantown Historical Society.

11. AWARD CONTRACT / TOWN HALL HVAC MAINTENANCE AND AUTOMATION CONTROL / JOHNSON CONTROLS

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation award the contract for HVAC Mechanical Service and Automation Control to Johnson Controls of Hawthorne, NY as per Sourcewell Contract: 030817-JHN in the amount of \$21,998.00 for Mechanical Services and \$3,487.00 for Automation Services, Account # A.1620.443.

12. AWARD CONTRACT / VETERANS PARK BASKETBALL RESURFACING / SPORT TECH ACRYLICS

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation award the bid for the resurfacing of the basketball courts at Veterans Memorial to Sport Tech Acrylics of Brewster, NY in the amount of \$63,400.00 to be charged to the 2020 capital improvement bond, Account # H.7110.200.08.

POLICE

13. DECLARE SURPLUS VEHICLES

RESOLVED, that upon the recommendation of the Chief of Police, the Town Board hereby declares the following vehicles are to be declared as surplus:

- ◆ 2FAHP71W37X1 2007 Black Ford Crown Victoria B/W, over 120,000 miles - end of service life and extensive mechanical repairs.
- ◆ 2FABP7BVOBX171900 2011 Black Ford Crown Victoria end of service life, peeling paint, transmission issues, approximately 100,000 miles.
- ◆ 2FAHP71V19X145490 2009 Black Ford Crown Victoria end of service life, peeling paint, transmission issues approximately 100,000 miles.

TOWN CLERK

14. ACCEPT / RECEIVE / FILE DOCUMENTS / TOWN CLERK'S OFFICE

RESOLVED that the following documents are accepted, received and filed in the Town Clerk's Office:

1. Adopt-A-Spot Agreement with Donnelly Landscaping
2. Town Board Meeting minutes: June 2 & 16, 2020 Regular Town Board Meeting and June 23, 2020 Special Town Board Meeting.
3. Temporary Revocable License Agreement w/ ELP, LLC & Reil-Buy, LLC (Grape DeVine).
4. Agreement - Reimbursement of Overtime for Counterterrorism Training w/ Rockland County

AUDIT

15. PAY VOUCHERS

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of two (2) warrants for a total of \$591,188.83.

EXECUTIVE SESSION

16. EXECUTIVE SESSION

RESOLVED, at ___ pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value.

ADJOURNMENTS

RESOLUTION TO RE-ENTER RTBM / ADJOURNED / MEMORY

RESOLVED, at ___ pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of:

- ❖ **Beatrice Florence Badolato**, *Pearl River*
- ❖ **Giovanni Boiano**, *Orangeburg*