



**TOWN OF ORANGETOWN REGULAR TOWN MEETING  
Tuesday July 09, 2019**

This Town Board Meeting was opened at 7:30 PM.

Councilman Denis Troy \_\_\_\_\_  
Councilman Thomas Diviny \_\_\_\_\_  
Councilman Paul Valentine \_\_\_\_\_  
Councilman Jerry Bottari \_\_\_\_\_  
Supervisor Chris Day \_\_\_\_\_

***Pledge of Allegiance to the Flag***

**ANNOUNCEMENTS:**

**Open Public Hearing / TBWS/RTBM of July 23, 2019 at 8:05 p.m. / Proposed zone change for vacant property located at corner of Manor Blvd and 268 North Middletown Road, PR from "CS" to "R-15" Residential Zoning (George Alatsas)**

**Continue Public Hearing / TBWS/RTBM of July 23, 2019 at 8:15 p.m. / Proposed zone change for 576 route 303 and adjoining properties (Bieber)**

**The Town of Orangetown and The Pearl River Chamber of Commerce will be sponsoring its first seasonal Pearl River Farmer's Market / Open to Public, every Sunday, from 10 a.m. to 3 p.m. / Beginning May 19th continuing through November 24, 2019. The stretch of North William Street (Between Washington Avenue and Central Avenue) will be blocked off and closed to vehicular traffic during the hours of 7:00 a.m. through 4:00 p.m. each Sunday while the Market is open. Locally sourced vendors will be gathering at the market to sell fresh produce and other farmer's market items. The new market place will serve as a healthy and fun meeting place for residents, while also promoting all that downtown Pearl River has to offer. Occasionally, the Market will be accompanied by live music and other amusements.**

**PRESENTATIONS:**

**Ciara Durcan - 3000 Meter Racewalk National High School Champion from Pearl River High School**

**Shannon Flood, Coach to Ciara Durcan for 3000 Meter Racewalk National High School Championship Winner**

**Presentation by Marcia Schiffman, Maser Consulting regarding proposed Pearl River TOD Ordinance, Zone Map and Design Guidelines**

**Donald Brenner regarding Petitions of Ryerson Farms, LLC for amendment to zoning from "LO" and "R40" to "MFR" for property located on the east side of Route 303, Blauvelt (SEC. 65.15, BLOCK 1, LOT 1, 19-1314G)**

**DISCUSSION:**

WORKSHOP OF AGENDA ITEMS

**PUBLIC COMMENT:**

**1. OPEN PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

**2. CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

**AGENDA ITEMS:**

**TOWN BOARD**

**3. RESOLUTION TO AWARD BID / ARCHITECTURAL ENGINEERING AND SPACE PLANNING SERVICES / ORANGETOWN TOWN HALL**

WHEREAS, pursuant to Town Board Resolution No. 743 of 2018, the Town Board authorized the Town Clerk to issue a Request for Proposal (RFP) for Architectural Engineering and Space Planning Services, for the purpose of receiving bids to provide design plans and consultation for a proposed Town Hall, subject to final approval of appropriate Town department heads, and

WHEREAS, the Town Clerk received said proposals which were publicly opened on, and May 1, 2019;

WHEREAS, the Town Board and relevant Department Heads have thoroughly reviewed the proposals and have met with certain proposers to further evaluate their proposals and interview prospective providers; and

WHEREAS, funding is pending the issuance of capital bonding; and

WHEREAS, such services are for professional services and not subject to the competitive bidding requirements of NY General Municipal Law §103,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has determined that \_\_\_ has provided the best and most desired proposed \_\_\_, and most cost efficient proposal and hereby agrees to accept the proposal from \_\_\_ dated \_\_\_, respective of the amendments/modifications to the original proposal outlined in \_\_\_, to provide Architectural Engineering and Space Planning Services to provide design plans and consultation for the proposed Orangetown Town Hall Building at a total cost of \$\_\_\_ in expenses, and

BE IT FURTHER RESOLVED, that the Supervisor and/or Director of OBZPAE is authorized to execute the agreement as necessary to effectuate this resolution, upon approval by the Town Attorney's Office.

#### 4. RESOLUTION TO ADOPT TOWN OF ORANGETOWN COMPLETE STREETS POLICY

WHEREAS, Complete Streets are streets that provide safe, comfortable, and convenient access for users of all abilities and all modes including pedestrians, bicyclists, motorists, and transit riders; and

WHEREAS, the Town of Orangetown Complete Streets vision is to encourage the development of a complete streets network throughout the Town of Orangetown to create a more balanced transportation system; and

WHEREAS, Complete Streets support economic development by helping to create a walkable, vibrant Town of Orangetown where businesses can thrive while also supporting livable neighborhoods; and

WHEREAS, the Complete Streets Program outlines an approach for an improved, transparent process to promoting shared access throughout the community; and

WHEREAS, the Complete Streets Program encourages incorporating complete streets design practices, to the extent feasible, as a part of routine infrastructure planning, design, and maintenance for public and private projects; and

WHEREAS, the Complete Street program shall be consistent with and assist in achieving the goals and recommendations set forth in the Town of Orangetown Comprehensive Plan and other more recently adopted policy documents; and

WHEREAS, New York State passed the complete streets law in 2011 that requires that complete streets design guidelines be considered for the planning, design, construction and reconstruction of roadways receiving federal and state funding; and

WHEREAS, County Executive Day issued Executive Order #2015-04 in August of 2015, "Complete Streets Initiative." This Order states that the Rockland Complete Streets Interdepartmental Workgroup "shall consider planning and design features" for all users of the County's roadway network;

WHEREAS, the people of the Town of Orangetown have expressed strong support for Complete Streets;

NOW, THEREFORE BE IT RESOLVED that the Orangetown Town Board hereby adopts the Complete Streets Ordinance to enhance shared access within the Town of Orangetown and to improve quality of life for its residents; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Town of Orangetown Town Board will strive to initiate the recommended action items in the immediate future, including the establishment of a Shared Access Advisory Board and a Complete Streets Checklist; and

FURTHER RESOLVED following adoption of this policy a certified copy of this resolution be delivered to the following parties: Orangetown Planning Board, Orangetown Project Review Committee, Rockland County Planning Board, and the Rockland County Health Department (Melissa Jacobs).

**5. RESOLUTION TO ACCEPT WITH REGRET / THE RESIGNATION OF BLYTHE YOST / MEMBER / ORANGETOWN PLANNING BOARD / EFFECTIVE JUNE 11, 2019**

RESOLVED, that the Town Board accepts with regret, the resignation of Blythe Yost, as Member of the Orangetown Planning Board, effective June 11, 2019.

**6. RESOLUTION TO APPROVE / RENEWAL AGREEMENT / 2019-2020 / BROWN & WEINRAUB / LEGISLATIVE AND REGULATORY REPRESENTATION (LOBBYIST)**

WHEREAS, pursuant to Town Board resolution 2017- 358 the Town approved an Agreement for Government Relations with Brown and Weinraub, PLLC to provide legislative and regulatory representation for a monthly fee of \$4,000.00; and

WHEREAS, the term of said agreement has expired and Brown and Weinrub, LLC has proposed an agreement to continue to provide representation on behalf of the Town of Orangetown for legislative and regulatory representation for the period of August 1, 2019 through July 31, 2020 at a monthly fee of \$4,000.00 per month;

NOW THEREFORE BE IT RESOLVED, that upon recommendation of the Supervisor and the Town Attorney, the Town Board does hereby accept the proposal from Brown and Weinraub, PLLC to provide legislative and regulatory representation to the Town with the firm Brown and Weinraub, PLLC for the period of August 1, 2019 through July 31, 2020 at a monthly fee of \$4,000.00 per month and the Supervisor or his designee is authorized to execute any and all documents necessary to effectuate said agreement.

**7. RESOLUTION TO RECOGNIZE TENANT / MARY MILLS / REPRESENTATIVE ORANGETOWN HOUSING AUTHORITY BOARD**

RESOLVED, that Mary Mills is recognized as a tenant representative of the Orangetown Housing Authority Board, based on report of election results. She was elected for a 2-year term on July 1, 2019 and expires on June 30, 2021.

**TOWN ATTORNEY**

**8. APPROVE INTERMUNICIPAL AGREEMENT WITH PEARL RIVER SCHOOL DISTRICT FOR EMERGENCY RECEPTION CENTER**

WHEREAS, the Town of Orangetown Police Department, Office of Emergency Management, seeks to identify and provide for facilities throughout the Town to be available as Reception Centers for the general public in the event a state of local emergency is declared under Article 2-B of the New York Executive Law, and

WHEREAS, pursuant to Section 119-0 of the General Municipal Law, the Town of Orangetown and Pearl River School District seek to enter into an Intermunicipal Agreement in the form annexed hereto for the purposes of identifying such Reception Centers, under the terms and conditions as set forth more fully therein,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby agrees to enter into an Intermunicipal Agreement for Emergency Reception Center with the Pearl River School District, under the terms and conditions as set forth more fully therein, and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor or his designee to execute any documents necessary to effectuate the terms of this resolution.

**9. AUTHORIZATION TO FILE NOTICE OF CLAIM AGAINST VILLAGE OF UPPER NYACK**

WHEREAS, on or about December 16, 2018, the Town was notified by a resident of Upper Nyack of a sewer backup located at 221 Old Mountain Road, Upper Nyack, New York, and

WHEREAS, after investigation by DEME, it was determined that a contractor hired by the Village of Upper Nyack caused damage to a sanitary sewer pipe located in that area and which services the property of 221 Old Mountain Road, Upper Nyack, New York, which damage caused and/or contributed to a sewer back up at the subject location and

WHEREAS, a Notice of Claim has been filed by against the Town by the owner of the premises located at 221 Old Mountain Road, Upper Nyack, New York for damages incurred as a result of the sewer back up, and

WHEREAS, on or about May 7, 2019, the Town determined the cause of the backup was the result of the work performed by Intercounty Paving Associates, LLC on behalf of the Village of Upper Nyack, and

WHEREAS, the Town does not and should have no liability for the damage, the amount of damages and claims as against the Town are for the approximate sum of \$36,000.00,

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized pursuant to Town Law §65 to pursue any actions necessary to seek reimbursement and/or contribution for any costs or damages suffered by the Town as a result of the incident, including but not limited to as against Intercounty Paving Associates, LLC and/or the Village of Upper Nyack, by filing a Notice of Claim, and pursuing further legal action as against the Village of Upper Nyack as may be necessary, and that the Supervisor or his designee is authorized to execute any and all legal documents in order to effectuate the enforcement of this resolution.

## **PARKS AND RECREATION**

### **10. RESOLUTION TO APPROVE / LEND ASSISTANCE / 2019 TRAUBENFEST / SUNDAY, OCTOBER 6**

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$400.00 by The Noble Ninth Inc for their Traubenfest, Sunday, October 6, 2019, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

### **11. RESOLUTION TO APPROVE / ACCEPT DONATION / BRIGHTVIEW SENIOR LIVING / SUMMER CONCERT SERIES - JULY 19, 2019**

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board to accept a gift of \$1,000 as a donation to the Summer Concert Series on Friday, July 19, 2019 from Brightview Senior Living Lake Tappan.

### **12. RESOLUTION TO APPROVE / RENEWAL / 2019 - 2020 HVAC MAINTENANCE AGREEMENT / JOHNSON CONTROLS INC.**

WHEREAS, pursuant to Town Board resolution 2016-368 the Town entered into an agreement with Johnson Controls Inc, for HVAC and Mechanical Services in Town Hall for the period of August 1, 2016 through July 31, 2018, which contained an option to extend the agreement under the same terms and conditions and

WHEREAS, pursuant to Town Board Resolution 2018-461, the Town Board approved extending the Agreement for a one year term as provided for in the Agreement and Request for Proposals for the period of August 1, 2018 through July 31, 2019 and

WHEREAS, the Town and Johnson Controls Inc. have mutually agreed to extend their current agreement for HVAC & Mechanical Services for the period of August 1, 2019 through July 31, 2020 as authorized by the existing agreement,

NOW THEREFORE BE IT RESOLVED, upon the recommendation of the Superintendent of Parks and Recreation, authorize the extension of the previously approved Maintenance Agreement for HVAC & Mechanical Services in Town Hall with Johnson Controls Inc. of Hawthorne, NY under the same terms and conditions, for the period August 1, 2019 through July 31, 2020.



**13. RESOLUTION TO APPROVE / CHANGE ORDER #2 / BLUE HILL GOLF COURSE POND RENOVATION PROJECT**

WHEREAS, pursuant to Town Board Resolution 2019-113, the Town awarded a bid for the 2019 Blue Hill Golf Course Pond Renovation Project to DLG Contracting, the lowest qualified bidder, in an amount not to exceed \$88,500.00, and

WHEREAS, DLG Contracting has started work on the project and suggested changes to the project scope and cost based upon its work to date in the amount of \$3,750.00, and

WHEREAS, the Town Superintendent of Parks and Recreation, as well as Applied Golf, the operator of Blue Hill Golf Course, have met with DLG and agree that certain changes to the original project are necessary and justified, in order to bring the project to a successful completion; and

WHEREAS, the proposed changes are incidental and do not vary in significance to the original bid and contract,

NOW THEREFORE, BE IT RESOLVED, upon the recommendation of the Superintendent of Parks and Recreation, increase the contract amount for the Blue Hill Golf Course Pond Renovation project contract with DLG Contracting as per contract, an amount not to exceed \$3,750.00.00

**POLICE**

**14. RESOLUTION TO APPOINT GORCZYNSKI / POLICE OFFICER / PERMANENT**

RESOLVED, upon the recommendation of the Police Chief, appoint Benjamin Gorczynski to the position of Police Officer, permanent from RC EL#16097, effective July 10, 2019, no change in salary.

**15. RESOLUTION TO GRANT PERMISSION / DETECTIVE BRANDON MYERS /  
ATTENDANCE AT CRIMES AGAINST CHILDREN CONFERENCE / AUGUST 12 - 15, 2019**

RESOLVED, that upon recommendation of the Chief of Police, approve Detective Brandon Myers to attend the Crimes Against Children Conference in Dallas Texas, August 12 - 15, 2019. All travel and registration fees costing \$530.00 will be reimbursed by Rockland County.

**DEME**

**16. RESOLUTION TO RECLASSIFY ENGINEER III / ENGINEER IV / APPOINT PETERS / PROVISIONAL**

RESOLVED, upon the recommendation of the Labor Management Committee and after approval from Rockland County Personnel, reclassify the position of Engineer III to Engineer IV and appoint Bruce Peters provisionally, Grade 27, Step 19/24 at a salary of \$182,389.00, effective 07/10/2019.

**AUDIT**

**17. PAY VOUCHERS**

RESOLVED, upon the recommendation of the Director of Finance Director, the Finance Office is hereby authorized to pay vouchers for a total amount of five (5) warrants for a total of \$1,368,746.01.

**ADJOURNMENTS**

**18. 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:

Charles Cremeans, *Resident of Pearl River*  
Noreen T. Hanson, *Resident of Orangeburg*  
Thomas S. Hogan, Sr., *Resident of Tappan*  
Andrew J. McDonagh, *Resident of Pearl River*  
Edward "Ted" McLean, *Resident of Pearl River*  
Cormac Murriry, *Resident of West Nyack*  
Noreen Quinn, *Resident of Tappan, Retired Nurse from Englewood Hospital and  
Rockland Psychiatric Center*  
Harry Toop, *Resident of Pearl River and father-in-law of our Town Attorney*  
*Robert Magrino*