



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday September 22, 2020

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

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

☼ Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ **James J. Dean Superintendent of Highways, was chosen by the New York State Association of Town Superintendents of Highways (NYSAOTSOH) as the recipient of the 2020 Honorary Life Membership Award. This award is given to individuals who have distinguished themselves by commendable service to their community, continuance of the Association's mission and who exhibit excellence in service, personal reputation and career achievements that have positively impacted the furtherance of local infrastructure.**
- ◆ **October 17, 2020 (Saturday) 8:00 am - noon - Free Drive- Thru Shredding Event at Orangetown Town Hall held by the Town Clerk's Office - Please bring non-perishable food items as a donation to People to People - Help someone get ahead while you shred!**
- ◆ **Community Choice Aggregation (CCA) update: Orangetown, along with five other Rockland municipalities is ready to launch another energy saving program, Community Choice Aggregation. Please look out for a letter from the Town regarding this program. Its goal is to lower energy costs for residents and small businesses, to offer the choice of 100% renewable energy and to provide stronger consumer protection. To learn more, please visit our website: www.orangetown.com**

PRESENTATIONS:

- ◆ **Town Supervisor's Tentative 2021 Budget Presentation**
- ◆ **Nyack Performing Arts Festival Presentation - October 2021**

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. SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 06, 2020, AT 7:15 P.M. / INTENT TO BE LEAD AGENCY / SEQRA 2021 – ONE YEAR CONTRACT / BLAUVELT FIRE PROTECTION DISTRICT CONTRACT

RESOLVED, that pursuant to Town Law §184, the Town Board will hold a Public Hearing at 7:15 p.m. at the Town Board meeting of October 06, 2020 to consider a contract with the Blauvelt Volunteer Fire Company, Inc., for Fire Protection Services in and throughout the Blauvelt Fire Protection District, within the Town, for year 2021 and authorizes the Town Clerk to publish the meeting notice.

BE IT FURTHER RESOLVED, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA and makes the preliminary determination that the action is an “unlisted” action under SEQRA.

4. SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 06, 2020, AT 7:35 P.M. / INTENT TO BE LEAD AGENCY / SEQRA / 2020 – ONE YEAR CONTRACT / ORANGETOWN LIBRARY DISTRICT

RESOLVED, that the Town Board hereby sets October 6, 2020 at 7:35 p.m. for a public hearing on the proposed Contracts between the Town of Orangetown and the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district as contained in the Orangetown Library District (and including the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012 within the Town) for calendar year 2021; and

BE IT FURTHER RESOLVED, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA and makes the preliminary determination that the action is an “unlisted” action under SEQRA.

5. **SET DATE PUBLIC HEARING / RTBM OF OCTOBER 20, 2020 AT 7:15 P.M. / 2021 PRELIMINARY BUDGET**

RESOLVED, that the Town Board affirms the public hearing on the 2021 Preliminary Budget for October 20, 2020 at 7:15 P.M., and authorizes the Town Clerk to publish the meeting notice, publish the Preliminary Budget, and for the Finance Department to publish on the Town website and in the Town Clerk's office for public viewing.

6. **2021 TOWN SUPERVISOR'S TENTATIVE BUDGET DISTRIBUTED / RECEIVED / FILED**

RESOLVED, the 2021 Supervisor's Tentative Budget is hereby distributed to the Town Board for review; filed with the Town Clerk and the Finance Department will make it available on the Town's website (www.orangetown.com).

TOWN BOARD / IT

7. **APPOINT MATT LENIHAN / INFORMATION SERVICES & EQUIPMENT SPECIALIST / PERMANENT**

RESOLVED, Appoint Matthew Lenihan to the position of Information Services & Equipment Specialist (Networked System), permanent from EL#20017, effective September 23, 2020, Grade 18, Step 5, at a salary of \$99,831.00, no change in salary.

TOWN ATTORNEY

8. **ACCEPT PERFORMANCE BOND / SAMBROTTO SUBDIVISION / 31 CLAUSLAND MOUNTAIN ROAD, BLAUVELT**

WHEREAS, Raymond N. Sambrotto and Beverly W. Sambrotto, as owners of property located at 31 Clausland Mountain Road, Blauvelt, New York (Tax Lot 70.15 Block 2 Lot 11), applied for and received subdivision plan approval from the Town of Orangetown Planning Board for said property, pursuant to Planning Board decisions PB #2016-34 and #2018-39 for the project known as the "Sambrotto Subdivision," and

WHEREAS, pursuant to the aforesaid approvals, the Planning Board, at the recommendation of the Department of Environmental Management and Engineering, in its decisions identified as PB #2016- 34 and #2018- 39 required that the applicant post a Performance Bond in the amount of \$65,232.00 (Sixty-Five Thousand Two Hundred Thirty-Two Dollars) to ensure the construction and completion of certain public improvements pursuant to the aforesaid approvals, and

WHEREAS, the applicant has submitted a fully executed Performance Bond dated August 22, 2020, issued by the Western Surety Company, as Surety, on behalf of Raymond N. Sambrotto and Beverly W. Sambrotto, as principals, in the amount of \$65,232.00 (Sixty-Five Thousand Two Hundred Thirty-Two Dollars) naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "Sambrotto Subdivision," which Performance Bond has been approved as to form and substance by the Town Attorney's Office.

NOW THEREFORE BE IT RESOLVED THAT, the Town hereby formally accepts, receives and files with the Office of the Town Clerk a Performance Bond dated August 22, 2020 issued by the Western Surety Company as Surety, on behalf of Raymond N. Sambrotto and Beverly W. Sambrotto, as principals, in the amount of \$65,232.00 (Sixty-Five Thousand Two Hundred Thirty-Two Dollars) naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "Sambrotto Subdivision" no later than December 12, 2020 and said bond to be returned only upon satisfactory completion of said public improvements according to the terms of said Bond and Planning Board decisions #2016-34 and #2018-39 and any Town departments having jurisdiction thereof, and formal resolution of the Town Board.

9. **SETTLE CLAIM/LOUIS LIGGIO AND KERRY LIGGIO**

WHEREAS, on or about June 28, 2020, a property damage incident occurred whereby Louis Liggio and Kerry Liggio claimed that a Town of Orangetown ("Town") tree limb fell resulting in property damage at their premises; and

WHEREAS, on or about June 28, 2020, the Town received a Notice of Claim from Louis Liggio and Kerry Liggio which notified the Town of damages and/or repairs; and

WHEREAS, the Town investigated this claim and obtained estimates concerning the property damage and the cost of repairs claimed or alleged; and

WHEREAS, the Town has agreed to pay, and the claimants have agreed to accept, subject to Town Board approval, the amount of \$4,450.00 as full and final settlement of the damages asserted in the Notice of Claim,

NOW THEREFORE BE IT RESOLVED, that the claim by Louis Liggio and Kerry Liggio shall be settled and paid by the Town in the full and final amount of \$4,450.00, and

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to execute any and all legal documents in order to effectuate the enforcement of this resolution.

10. **MALONEY SUBDIVISION / RELEASE OF MONEY HELD IN ESCROW PENDING FILING OF REQUIRED EASEMENT**

WHEREAS, Michael Maloney, as owner of property located at 60 Fisher Avenue, Pearl River, New York (Tax Lot Section 68.11 Block 2 Lot 70), has applied for and received subdivision approval from the Town of Orangetown Planning Board for said property pursuant to Planning Board decision #19-51 for the project known as the "Maloney Minor Subdivision Plan," and

WHEREAS, pursuant to the aforesaid approval and Planning Board decision #20-08, the Planning Board required that the applicant file an agreement for granting an easement to the Town as well as \$10,000.00 in cash to be held in escrow pending the filing of the required easement, and

WHEREAS, the applicant, Michael Maloney, has forwarded to the Town Attorney's Office the agreement for granting the required easement, signed by the applicant on April 21, 2020, and a check for \$10,000.00, which check the Town Attorney's Office has forwarded to the Town Finance Department and which has been deposited in the Town's escrow account, and

WHEREAS, the applicant has filed the required easement and provided proof of filing with the Town Attorney's office, and further, the applicant has obtained the title insurance required by the Town, and

WHEREAS, the Town Attorney's office recommends that the \$10,000.00 being held in escrow be released to the applicant.

NOW THEREFORE BE IT RESOLVED THAT, upon the recommendation of the Town Attorney's office, the Town Finance Department is authorized and directed to release the \$10,000.00 being held in escrow, to Michael Maloney, based upon the full satisfaction of the terms of the agreement for granting an easement to the Town of Orangetown, signed by Michael Maloney on April 21, 2020.

HIGHWAY

11. APPROVE/ SURPLUS EQUIPMENT HIGHWAY DEPARTMENT

RESOLVED, that upon the recommendation from the Superintendent of Highways, the Town Board hereby approve for surplus the following equipment:

46-	2007 International 4300	1HTMMAAL67H453056
50-	2008 International 4300	1HTMMAAL88H640283
600-	2004 International 7400	1HTWGADT04J025872
604-	2009 International 4300	1THMMAAN59H134400
D2-	2008 Dingo TX-525	280000381
D3-	2009 Dingo TX-525	290000172
TD2	2009 Petersen TT2A	1P9T4182081314210

12. DESIGNATE / INSTALL MEMORIAL SIGN / KINGS HIGHWAY/ TAPPAN "REV. JOHN F. DWYER DRIVE"

WHEREAS, Rev. John F. Dwyer was ordained in 1956 before joining the US Air Force as a chaplain, and served overseas in Turkey, Okinawa, Germany, The Phillipines and England as well as eight stateside bases, and;

WHEREAS, after retiring from the Air Force in 1986 as a full Colonel, he was assigned to Our Lady of the Sacred Heart Parish at Tappan and became pastor there in June of 1990, and;

WHEREAS, in his 25 years at Sacred Heart, Rev. John F. Dwyer built a new church and rectory while inviting the priests of the Oratory of St. Philip Neri to become an integral part of the parish which insured the continued vitality not only of OLSH but also of St. John's in Piermont; St. Ann's in Nyack and St. Paul's in Valley Cottage-Congers, and;

WHEREAS, Rev. John F. Dwyer entered eternal life on January 12, 2020, and;

WHEREAS, on the 22nd of September, 2020, the Town Board designated a town roadway in Rev. John F. Dwyer's name for a term of five years to honor the deceased with the intention of installing nearby memorial street signs to signify the dedication.

NOW THEREFORE BE IT RESOLVED, that in honor of the deceased, Kings Highway, between Route 303 and Greenbush Road is hereby designated as "Rev. John F. Dwyer Drive". The aforementioned designation will expire September 22nd, 2025.

POLICE

13. ACCEPT \$14,000 GRANT / POLICE TRAFFIC SERVICES PROGRAM/ GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that the Town of Orangetown hereby accepts an award in the amount of \$14,000.00 from the State of New York, Governor's Traffic Safety Committee, for participation in the statewide Police Traffic Services Program, to increase seat belt usage and reduce dangerous driving behaviors, and authorize the Chief of Police or his designee to execute any and all agreements with the State to accept the award.

TRAFFIC ADVISORY BOARD

14. APPROVE / INSTALLATION OF STOP SIGN / 6-MONTH POLICE REGULATION / ORANGEBURG ROAD HEADING WEST / OLD MIDDLETOWN ROAD INTERSECTION IN PEARL RIVER

RESOLVED, that upon the recommendation of the Orangetown Traffic Advisory Board and in accordance with N.Y.S. Manual on Uniform Traffic Control Devices (M.U.T.C.D.), the Town Board approves installation of a stop sign on Orangeburg Road heading west at the intersection of Old Middletown Road and Orangeburg Road in Pearl River under a 6-month police regulation to be reviewed after 6 months.

JUSTICE COURT

15. ORANGETOWN JUSTICE COURT / AUTHORIZE GRANT APPLICATION

RESOLVED, that the Town of Orangetown authorizes Orangetown Justice Court to apply for a grant in the 2020-21 Justice Court Assistance Program grant cycle up to \$30,000.00.

PARKS AND RECREATION

16. ACCEPT DONATION / MEMORIAL BENCH / DAVID ALLISON

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation accept with gratitude the donation of a memorial bench to be placed at Veterans Memorial Park. Engraving will read:

In memory of my best friend David Allison.
"88mph"

17. ACCEPT DONATION / MEMORIAL BENCH / JENNA BENZ

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation accept with gratitude the donation of a memorial bench to be placed along the J.B.C. Rail Trail. Engraving will read:

In Memory of
Jenna Benz

DEME

18. APPROVE CONTRACT / FEDERAL SIGNAL CORP — ELGIN SWEEPER COMPANY / VACTOR MANUFACTURING / COMBINATION TRUCK / SOURCEWELL

WHEREAS, pursuant to General Municipal Law § 103(16), a municipality is authorized to make purchases of apparatus, materials, equipment and supplies, as required, through the use of a contract let by the United States, or any agency thereof, or any state or any other political subdivision or district therein, if such contract was let to the lowest responsible bidder or on the basis of best value, in a manner consistent with GML § 103 and specifically made available to other municipalities; and

WHEREAS, Sourcewell, formerly known as the National Joint Powers Alliance ("NJPA"), is a public entity whose creation was authorized by the State of Minnesota, pursuant to Minn. Stat. § 123A.21; and

WHEREAS, Sourcewell is permitted to engage in cooperative purchasing, pursuant to Minn. Stat. § 471.345, for supplies, materials and equipment based on sealed competitive bid, direct negotiation or best value, based on the estimated cost of the item; and

WHEREAS, the Town of Orangetown, hereafter Town, is a member agency of Sourcewell; and

WHEREAS, in or about November 16, 2017, the NJPA, now Sourcewell, issued a Request for Proposal for the procurement of Sewer Vacuum, Hydro-Excavation, and Street Sweeper Equipment, With Related Accessories and Supplies; and

WHEREAS, on December 21, 2017, the responses to the RFP were publicly opened; and

WHEREAS, as a result thereof, a contract #122017-FSC was awarded to FEDERAL SIGNAL CORP (ELGIN SWEEPER COMPANY AND VACTOR MANUFACTURING) of Oakbrook, IL, which contract was expressly made available to member agencies, including the Town of Orangetown; and

WHEREAS, the Combination Truck, as bid, meets the specifications and needs of the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the purchase of a Vactor Combination Truck Model 2110i PD, 15"Vacuum, 10 Yard Debris mounted on an International HV607 SBA Chassis from Deluxe International Trucks., through their regional sales representative, Jack Doheny Company, under NJPA Contract #122017FSC, at a total cost of Four Hundred Thousand, Eight Hundred, Twelve Dollars and 15/100 Dollars (\$400,812.15) to be charged to account # H.8120.200.08, and further authorizes the Supervisor, Commissioner of DEME and Director of Finance to take such further action, and to execute such further documents, as may be necessary to effectuate such purchase.

TOWN CLERK

19. 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. Agreement with Johnson Controls for HVAC and Mechanical Services (Town Hall).
2. Town Board Meeting minutes: September 1 & 12, 2020 Special Town Board Meeting; September 1, 2020 Police Commission Meeting and September 1, 2020 Regular Town Board Meeting
3. Agreement with Brown & Weinraub, PLLC for legislative & regulatory representation (9-1-20 through 8-31-2021).
4. Lease Agreement (Second Extension & Modification) with Orangetown Volunteer Emergency Service Coalition (OVESC) for property & houses located on Chief Bill Harris Way (formerly Blaisdell Rd) Orangeburg.

AUDIT

20. 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 three (3) warrants for a total of \$ 1,877,389.57.

EXECUTIVE SESSION

21. ENTER 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:

- ❖ **Andrew T. Albanese**, *Resident of Pearl River*
- ❖ **Daniel Barry**, *Former Resident of Pearl River*
- ❖ **Patricia A. Dolan**, *Former Resident of Pearl River*
- ❖ **Rita A. Freud**, *Resident of Pearl River*
- ❖ **Phyllis Romano**, *Resident of Pearl River*
- ❖ **Diane Saunders**, *Resident of Pearl River*
- ❖ **Helene M. Smith**, *Resident of Pearl River*
- ❖ **Ruth Bader Ginsburg**, *U.S. Supreme Court Justice, Advocate for Women's Rights*