



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday December 01, 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:

- ◆ **Share Christmas & The Holidays, presented by the Rotary Club of Pearl River**
They will be driving around the east side of town on Thursday, Dec. 10 and the west side of town on Friday, Dec. 11. There will be no gathering downtown at Braunsdorf Park on Friday night due to the current situation. The Rotary will also be collecting unwrapped toys for needy children. For more details, please visit their Facebook page.
- ◆ **ORANGETOWN RECREATION SANTA CLAUS 5K RUN**
Sunday, December 13, 2020 / Veteran's Memorial Park 10:30 A.M. / * Professional Chip Timing *
On-Line Registration * Safe Socially Distanced Event * Staggered start time
Registration Fee \$25.00 Registration begins Nov 9th
Register @ www.orangetown.com/groups/department/parks
- ◆ **2019 Annual Highway Department Awards: Presented by James J. Dean**
 - **Summit School Summer Youth Employment Work Program:** Nicholas Chimelis, Angel Flores, Hassan Larhissi, Michael Lee, Mehki Pankey, Manny Pichardo and Justin Quesada
 - **Beautification Award:**
(Residential) David & Marcia Fernandez- 141 Franklin Avenue, Pearl River
The Gildea Family- 15 Oriole Street, Pearl River
 - **Community Clean-Up Coordination:** Sonia Cairo & Kevin Lowenwirth (Keep Rockland Beautiful); Melissa Grau (Blauvelt Community); Susan DeAngelis & Susan Wilmink (Pearl River Community); Carol Knudson (Palisades Community); Sparkill Watershed Alliance (Sparkill Community); and George Garrecht IV (Tappan Community)

- **Highway Department Anniversary:**
Brian DeBonis (15 yrs) and Jason Elmendorf (15 yrs)
Thomas Iacobellis (30 yrs) and Anthony Limandri (30 yrs)
- **Highway Department Perfect Attendance:**
Cleland Davis, James Michael Dillon, Stephen Munno, Edward Parrillo and
Christopher Yannazzone
- **Highway Department Retirees:**
Steven Elmendorf, Joseph Italiano, James Scaccia and David Welborn

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 PUBLIC HEARING / 7:15 P.M. AT RTBM OF DECEMBER 15, 2020 / AMEND TOWN CODE CHAPTER 15, SECTION 15-13 ENTITLED "CERTIFICATE OF COMPLIANCE REQUIRED"

RESOLVED, that the Town Board will hold a Public Hearing at 7:15 p.m. at the Town Board meeting of December 15, 2020 to consider an amendment to the Town Code Chapter 15, Section 15-13 entitled "Certificate of Compliance Required" to remove an exception for not-for-profit entities from obtaining a certificate of compliance from the Bureau of Fire Prevention, and authorizes the Town Clerk to publish the meeting notice.

TOWN ATTORNEY

4. APPROVE CARETAKER AGREEMENT 2021 / HENRY V. BORST PARK / TWO PERCENT INCREASE

RESOLVED, that the caretaker agreement for the property located at 212 North Main Street, Pearl River, New York (Henry V. Borst Park), with a TWO PERCENT (2%) INCREASE for a fee of ONE THOUSAND TWO HUNDRED FORTY-EIGHT AND 26/100 (\$1,248.26) DOLLARS per month, for a term from January 1, 2021 through

December 31, 2021, between the Town and BRIAN EDWARDS is hereby approved and the Supervisor is hereby authorized to sign same.

5. **GRANT COVENANT / HOLD HARMLESS AND INDEMNIFICATION AGREEMENT / CAITLIN A. McGEE and DENIS McGEE, 50 SICKLETOWN ROAD, ORANGEBURG, NY, S/B/L 69.19-1-2**

WHEREAS, Caitlin A. McGee and Denis McGee, the property owners of property located at 50 Sickletown Road, Orangeburg, New York, have applied to the Town Highway Department for permission to have fence erected on their property and upon review, a portion of which encroaches on to an existing Town right of way; and

WHEREAS, the matter has been reviewed by the Town Highway Department and the Highway Department has required that the fence may be erected provided the owners of the property provide to the Town and indemnification and hold harmless agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby grants to 50 Sickletown Road, Orangeburg, NY, a revocable license, in the form of a Covenant, Hold Harmless and Indemnification Agreement, which provides in sum and substance the fence may be erected partially in the Town's right of way and the owners of the property, Caitlin A. McGee and Denis McGee must defend, indemnify and hold harmless the Town for any damage related thereto and caused thereby, and that said structures must be removed upon notice as set forth therein, otherwise to be removed by the Town at the expense of the property owner; and

BE IT FURTHER RESOLVED, that the Supervisor or her designee is hereby authorized to execute the Covenant, Hold Harmless and Indemnification Agreement and any and all other documents necessary in order for same to be recorded in the Rockland County Clerk's Office, at the expense of the owner.

6. **APPROVE EXTENSION OF SRO AGREEMENT WITH SOCSO / 2020-2021 SCHOOL YEAR**

WHEREAS, pursuant to Town Board Resolution 2018-440 and Section 119-0 of the General Municipal Law, the Town of Orangetown entered into an agreement with the South Orangetown Central School District (SOCSO) whereby the Town Police Department would assign a School Resource Officer (SRO) to the SOCSO for the 2018-19 school year, and

WHEREAS, the term of the agreement, the parties may renew the agreement on an annual basis, pursuant to the terms of reimbursement as set forth therein, and

WHEREAS, pursuant to resolution 2019-324, the Town agreed to renew the SRO Agreement with the SOCSO for the 2019/2020 school year, and

WHEREAS, the Town has received a letter from the SOCSO indicating that they wish to renew the agreement in accordance with the renewal terms thereof for the 2020/2021 School year,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby agrees to renew the SRO Agreement with the SOCSO, originally authorized pursuant to Town Board authorizes the Town to enter into an agreement with the SOCSO, for the 2020- 2021 school year, under the terms and conditions as set forth in the agreement, and the SOCSO shall reimburse the Town in accordance with the terms of the agreement.

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

BE IT FURTHER RESOLVED that the Town Board hereby authorizes the Chief of Police or his designee to execute any documents necessary to effectuate the terms of this resolution on behalf of the Police Department and to administer same on behalf of the Town and the Town Police Department.

7. **AUTHORIZE SETTLEMENT OF CLAIM BY TOWN / ORANGE AND ROCKLAND UTILITIES / 122 NORTH MAGNOLIA STREET PEARL RIVER**

RESOLVED, that, upon recommendation of the Town Attorney and Commissioner of DEME, the Town Board hereby approves the settlement of a claim by the Town as against Orange & Rockland utilities in relation to a sewer back up claim from 122 North Magnolia Street, Pearl River, New York, for the sum of Fifteen Thousand Dollars (\$15,000.00) and authorizes the Supervisor or her designee to execute any documents required to effectuate the settlement as authorized herein.

HIGHWAY

8. **AWARD BID / VERDE ELECTRIC MAINTENANCE CORP / NEW TRAFFIC SIGNAL AT THE INTERSECTION OF WILLIAM STREET & CENTRAL AVENUE, PEARL RIVER**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the New Traffic Signal at the Intersection of William Street and Central Avenue in Pearl River, NY, which were publicly opened on November 12, 2020; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit ***** , and made a part of these minutes.

NOW THEREFORE, BE IT RESOLVED that this bid is hereby awarded to Verde Electric Maintenance Corp, Mount Vernon, New York, the lowest qualified bidder, in the amount of \$262,000.00.

9. **AGREEMENT / MASER CONSULTING PA / BIDDING DOCUMENTATION / TABULATION / ANALYZATION & DEC COMPLIANCE SUPPORT FOR NYS ROUTE 303 CULVERT OT MITIGATE SEDIMENT TRANSPORT & WATER QUALITY IMPAIRMENT TO THE SPARKILL CREEK**

RESOLVED, the Town Board hereby approves the retention of Maser Consulting, PA to provide Consulting Services/ Bidding Documentation/Tabulation/Analyzation & DEC Compliance Support of NYS Route 303 Culvert Project to Mitigate Sediment Transport & Water Quality Impairment to the Sparkill Creek, at a cost of \$13,907.50, pursuant to a written proposal, dated November 5, 2020, incorporated herein by reference and to be filed in the Town Clerk's Office.

10. **DESIGNATE / INSTALL MEMORIAL SIGN / RAILROAD AVENUE FROM CENTRAL AVENUE AND WASHINGTON AVENUE, PEARL RIVER**

WHEREAS, Francis T. Duffy enlisted in the United States Marine Corps on August 4, 1942, and attended recruit training at Parris Island, S.C., and received follow-on infantry training at New River and Camp Lejeune, N.C., and;

WHEREAS, Francis T. Duffy trained for the Pacific campaigns at Las Pulgas Canyon, on the northern fringe of Camp Pendleton, CA., and sailed with the 4th Marine Division for the Marshall Islands on January 13, 1944, the only Marine Corps division to sail directly into combat from the United States, and;

WHEREAS, Francis T. Duffy participated in the landings at Saipan, Tinian and Iwo Jima. At Iwo Jima, Francis T. Duffy was serving as a Runner for the Commanding Officer of the Second Battalion, Twenty-fifth Marines, Fourth Marine Division when a group of the enemy attacked the observation post personnel with hand grenades from a concealed position, Private First Class Duffy unhesitatingly advanced alone and despite being wounded by grenade fire, succeeded in annihilating two of the Japanese, and;

WHEREAS, Francis T. Duffy was awarded the Silver Star for "conspicuous gallantry and intrepidity" for his actions and would spend a year in various naval hospitals recovering from the wounds he sustained until he was finally discharged on February 13, 1946, and;

WHEREAS, After the war, Francis T. Duffy was employed by the U.S. Postal Service and retired in June 1979. He and his wife, moved to Pearl River, N.Y. in January 1969, and raised their family.

WHEREAS, Francis T. Duffy is a member of St. Margaret's Church in Pearl River; the American Legion Post 329 in Pearl River since 1981, and the John Cardinal D'Alton AOH – Division III in Pearl River, receiving his major degree in 1977, and;

WHEREAS, on the 1st of December, 2020, the Town Board designated a town roadway in Francis T. Duffy's name for a term of five years in his honor with the intention of installing nearby Memorial Street Sign to signify the dedication.

THEREFORE, BE IT RESOLVED, that in his honor, Railroad Avenue, between Central Avenue and Washington Avenue in Pearl River is hereby designated as "PFC Francis T. Duffy Way". The aforementioned designation will expire December 1st, 2025.

PARKS AND RECREATION

11. AWARD BID / GENESEE VALLEY FORD / 2021 PICKUP TRUCK

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation award the bid for 2021 Pickup Truck / 4WD / Super Cab / 6 ¾' bed to Genesee Valley Ford of Avon NY in the amount of: \$37,324.00. Amount to be charge to 2018 equipment bond. Account H.7110.200.06

12. AWARD BID / SCHULTZ FORD / 2021 PICKUP TRUCK

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation award the bid for 2021 Pickup Truck / 4WD / 8' bed to Schultz Ford of Nanuet NY in the amount of: \$29,780.00. Amount to be charge to 2018 equipment bond. Account H.7110.200.06.

POLICE

13. DECLARE SURPLUS VEHICLES / POLICE DEPARTMENT

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

- ◆ 2008 Dodge Durango – 1D8HB38N38F126815 – 70,000 miles (rust issues) TOT Assessor's Office
- ◆ 2016 Ford Explorer – 1FM5K8AR4GGA78340 – 105,000 miles (end of patrol service life) - TOT I.T. Dept.
- ◆ 2015 Ford Taurus – 1FAHP2MK7FG126223 – 101,000 miles (end of patrol service life) - AUCTION
- ◆ 2013 Ford Taurus – 1FAHP2MK5DG213535 – 100,000 miles (end of patrol service life) – AUCTION
- ◆ 2005 Ford Taurus – 1FAFP53U65A262081 – mileage unknown (end of serviceable life) – AUCTION
- ◆ 2009 Ford Taurus – 1FMCU59399KB19075 – 125,000 miles (end of serviceable life/does not run) - AUCTION

TRAFFIC ADVISORY BOARD

14. APPROVE / INSTALLATION OF TWO STREET LIGHTS / NEAR 58 & 70 LIVINGSTON STREET, TAPPAN

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of two street lights near 58 & 70 Livingston St, Tappan (utility poles #60693/37107 & 60690/37086) are hereby approved to be paid from the following budget line item B.5182.452.17.

AUDIT

15. PAY VOUCHERS

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of four (4) warrants for a total of \$1,877,840.13

EXECUTIVE SESSION

16. EXECUTIVE SESSION

RESOLVED, at ___ pm, the Town Board entered Executive Session to consult with counsel on legal and contractual matters.

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:

- ❖ **Thomas Boyle**, *Resident of Pearl River*
- ❖ **Thomas Cicarelli**, *Resident of Pearl River*
- ❖ **Daniel Collins**, *Resident of Pearl River*
- ❖ **Paul Forgacs**, *Resident of Pearl River*
- ❖ **John Kennedy**, *Resident of Pearl River*
- ❖ **Michael J. Killeen**, *Resident of Pearl River and Father of Supervisor Teresa M. Kenny*
- ❖ **Peter Reynolds**, *Resident of Pearl River*
- ❖ **Kevin Ryan**, *Resident of Pearl River*
- ❖ **Jim Shepard**, *Resident of Pearl River and Past President of the Rotary Club of Pearl River*
- ❖ **Dennis Smith**, *Resident of Pearl River*