



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday June 08, 2021

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:

- ◆ **PUBLIC HEARING / RTBM OF JUNE 22, 2021 AT 7:05 P.M. / RE: LOCAL LAW OPT OUT OF ADULT USE CANNABIS / MARIJUANA RETAIL DISPENSERS AND ON-SITE CONSUMPTION SITES**
- ◆ **PUBLIC HEARING / RTBM OF JULY 13, 2021 AT 7:05 P.M. / RE: PERFORMANCE STANDARDS / TOWN CODE CHAPTERS 6, 14, 24 AND 43**
- ◆ **PUBLIC HEARING / RTBM OF JULY 13, 2021 AT 7:15 P.M. / PROPOSED ZONE CHANGE FOR BNE REAL ESTATE GROUP / THE RESERVE AT PEARL RIVER LOCATED ON VETERANS DRIVE PEARL RIVER TAX LOT 73.10-1-6**

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. APPROVE / 2021 HIGH SCHOOL PROJECT GRADUATION FUNDING

RESOLVED, that upon the recommendation of the Director of Finance, PROJECT GRADUATION funding for 2021 is hereby approved as follows and charged to Account A4211.457:

Pearl River High School	\$1,500.00
Tappan Zee High School	\$1,500.00
Nanuet High School	\$750.00
Nyack High School	\$750.00
Albertus Magnus High School	\$400.00

4. AUTHORIZATION FOR OUTDOOR DINING / SIDEWALK CAFES / ECONOMIC RECOVERY / COVID-19

WHEREAS, on June 2, 2020 pursuant to Town Board Resolution 2020-249, the Town Board, in response to the economic recovery as a result of the COVID-19 crisis and pursuant to the authority prescribed in Chapter 6-5(F) of the Orangetown Code, authorized the Director of OBZPAE to waive, modify, and adjust certain requirements of Chapter 31B regarding Sidewalk Cafes and Vending, and to suspend enforcement of the zoning regulations and requirements or land use restrictions to obtain an Outdoor Dining Permit, and to maintain required off-street parking for outdoor dining, at a lawful restaurant and food service establishment, and to issue a Temporary Outdoor Dining Permit and

WHEREAS, one of the conditions of Resolution 2020-249 was that Temporary Outdoor Dining Permits would expire on December 31, 2020 or seven days after the State of New York authorizes restaurants to operate at 100% occupancy, whichever is sooner, and

WHEREAS, on December 15, 2020 pursuant to Town Board Resolution 2020-539, the Town Board extended the temporary suspension of Section 31B of the Town Code and authorized the Director of OBZPAE to issue Temporary Outdoor Dining permits through and including December 31, 2021, subject to the same terms and conditions of Town Board Resolution 2020-249, and

WHEREAS, while a State of Emergency remains in effect in the State of New York related to the COVID-19 crisis, the Governor has recently permitted restaurants to open to full capacity with certain restrictions remaining in place, including social distancing of patrons who are not vaccinated, and

WHEREAS, the COVID-19 crisis and the economic recovery therefrom continues to impact the residents and businesses of the Town of Orangetown and the authorization for outdoor dining and sidewalk cafes have provided relief to the businesses in the Town of Orangetown while providing patrons an opportunity to socialize in a safe setting in accordance with the Governor's guidelines for operations of dining facilities during the COVID-19 crisis,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby extends the temporary suspension of Section 31B as set forth in Town Board Resolution 2020-249 and 2020-539 and authorization to the Director of OBZPAE to issue Temporary Outdoor Dining Permits through and including December 31, 2021, subject to all of the terms and conditions as set forth in Resolution 2020-249 and 202- 539, regardless of when the State of New York authorizes restaurants to operate at 100% capacity, and

BE IT FURTHER RESOLVED, that notwithstanding the foregoing, the combined occupancy of the indoor and outdoor dining for businesses operating under the Temporary Dining Permit, shall not exceed the occupancy limits for the premises related to life safety issues such as fire safety matters and sanitary facilities.

HIGHWAY

- 5. APPROVE CONSTRUCTION INSPECTION SERVICES / INNOVATIVE PLASTICS CULVERT / COLLIERS ENGINEERING & DESIGN, CT, P.C. (FORMERLY MASER CONSULTING, P.A.)**

RESOLVED, the Town Board hereby approves the retention of COLLIERS ENGINEERING & DESIGN, CT, P.C. (formerly Maser Consulting, PA) to provide Construction & Post- Construction Phase Inspection Services of NYS Route 303 Culvert Project to Mitigate Sediment Transport & Water Quality Impairment to the Sparkill Creek, at a cost of \$78,012.50, pursuant to a written proposal, dated November 5, 2020, incorporated herein by reference and to be filed in the Town Clerk's Office.

- 6. APPROVE / LEND ASSISTANCE / 2021 ACS RELAY FOR LIFE / SATURDAY, JUNE 12TH**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Highway Department upon completion of all necessary paperwork to lend assistance which includes the use of barricades, cones and caution tape for the ACS Relay for Life to be held on Saturday, June 12, 2021 from 6:00 pm to 9:00 pm.

- 7. APPROVE / AWARD BID / GABRIELLI TRUCK SALES / ONE (1) NEW HEAVY DUTY PLOW TRUCK WITH WING AND ACCESSORIES**

RESOLVED, that upon the recommendation of the Superintendent of Highways, award the bid for One (1) New Heavy Duty Plow Truck with Wing and Accessories to Gabrielli Truck Sales, Jamaica, New York in the amount of \$334,105.00 to be charged to account # H.5130.200.08.

PARKS AND RECREATION

8. APPROVE / LEND AID / 2021 RELAY FOR LIFE / SATURDAY, JUNE 12TH

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 \$500.00 by the American Cancer Society for their Relay for Life, Saturday, June 12, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

BE IT FURTHER RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of 4 Portable Toilets (3 regular units, 1 ADA accessible) for the American Cancer Society's Relay for Life, Saturday, June 12, 2021.

9. APPROVE FLEXIBLE WORK SCHEDULE / BUILDING MAINTENANCE MECHANIC / JUNE 14 - OCTOBER 15, 2021

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, the Town Board hereby approves a change to the basic work week for the Building Maintenance Mechanic from Monday to Friday from 6:30 am to 3 pm, to a four day work week (Monday to Thursday), 6:30 am to 4:30 pm. This flexible work schedule shall be in place from Monday June 14, 2021 through Friday, October 15, 2021. In accordance with Section 5.1.2 of the Collective Bargaining Agreement, the Town Board has the sole responsibility for establishing flexible work hour schedules.

HIGHWAY / POLICE

10. APPROVE / LEND ASSISTANCE / REVEREND SANDERS ROAD DEDICATION & MEMORIAL SERVICE / SUNDAY, JUNE 13TH

RESOLVED, that upon completion of all necessary paperwork and upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades, cones, detour signs and no parking signs from the Highway Department and Police detail from OPD, for the Reverend Sanders Road Dedication and Memorial Service, to be held on Sunday, June 13, 2021 from 3pm-5pm.

HIGHWAY / POLICE / PARKS

11. APPROVE / LEND ASSISTANCE / JFCS WHEELS-FOR-MEALS: RIDE TO FIGHT HUNGER / SUNDAY JUNE 13, 2021

RESOLVED, upon completion of all necessary paperwork, the Superintendent of Highways, Parks and the Chief of Police have forwarded for approval by the Town Board, authorization for the use of Town Roads from the Highway Department, authorization for the use of the Rail Trail from the Parks Department and police detail from the Police Department for The JFCS Wheels-for-Meals: Ride to Fight Hunger on Sunday, June 13, 2021.

FIRE PREVENTION

12. CREATE / FIRE SAFETY INSPECTOR (PART-TIME) / FIRE PREVENTION BUREAU

RESOLVED, upon the recommendation of Rockland County Personnel and the Director of OBZPAE, after the result of approval of a P.O. 27, create the position of Fire Safety Inspector, Part-Time.

13. APPOINT / MICHAEL BETTMANN / FIRE SAFETY INSPECTOR (PART-TIME) / FIRE PREVENTION BUREAU / EFFECTIVE JUNE 9, 2020

RESOLVED, upon the recommendation of the Director of OBZPAE, after the result of approval of a P.O. 27, appoint MICHAEL BETTMANN to the position of Fire Safety Inspector, Part-Time, effective June 9, 2021.

FINANCE

14. APPROVE 2020 FINAL BUDGET LINE REALLOCATIONS

RESOLVED, that based upon the recommendation of the Finance Director, the Town Board approves the following 2020 final Budget line reallocations:

- ◆ General Fund: See attached exhibit for General Fund Budget line reallocation details.
- ◆ Town Outside Village – Police: See attached exhibit for TOV-Police Budget line reallocation details.
- ◆ Town Outside Village – Other: See attached exhibit for TOV-Other Budget line reallocation details.
- ◆ Highway-Part Town: See attached exhibit for Highway-Part Town Budget line reallocation details.
- ◆ Highway- Town Wide: See attached exhibit for Highway-Town Wide Budget line reallocation details.
- ◆ DEME: See attached exhibit for DEME Budget line reallocation details.
- ◆ Debt Service Fund: See attached exhibit for Debt Service Budget line reallocation details.

TOWN CLERK

15. 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. Town Board Meeting minutes: 4/13/2021 and 5/11/2021 Police Commission; 4/13/2021, 4/27/2021, 5/11/2021 and 5/25/2021 Regular Town Board Meeting; and 4/15/2021 Special Town Board Meeting.
2. Grant Contract (DEC01 / C00597GG-3350000) – Replacement of Culvert Over the Sparkill Creek, Route 303.
3. Agreement w/Environmental Design & Research (EDR) for Tier IV Pumping Station Improvements.
4. Agreement w/AKRF, Inc., consultants for the Comprehensive Plan.
5. Agreement w/CANDLE (2021).
6. Agreement w/Engie, for Electricity (24 mos).
7. Agreement w/Marathon Energy, street light contract (24 mos).

AUDIT

16. 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 three (3) warrants (attached) for a total of \$2,667,127.51.

EXECUTIVE SESSION

17. 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

18. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Julia Connolly**, *Resident of Tappan, Mother of Matt Connolly and Chris Connolly, Town Employees*