



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday August 10, 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:

- ◆ **STBM of September 08, 2021 (Wednesday) at 5:30 P.M. / Town Departments 2022 Budget Presentations to Town Board**
- ◆ **SEPTEMBER 11, 2021 (Saturday) - 20TH ANNIVERSARY OF 9/11 / Remembrance Service at Town Hall Lawn Monument at 5:30 P.M.**
- ◆ **RTBM of September 14, 2021 (Tuesday) at 7:05 P.M. - 2022 Special Districts Budget Presentation to the Town Board (Libraries (Blauvelt, Palisades, and Tappan) / SOAC / Rockland Paramedics / Nyack Ambulance Corp / Blauvelt Fire Company)**

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 ATTORNEY

3. **[PROPOSED] SETTLE CLAIMS TURK V. TOWN OF ORANGETOWN AND POPOV V. TOWN OF ORANGETOWN**

WHEREAS, on or about May 4, 2021, a sewer backup occurred at properties located at 88 First Street, Nyack, New York and 89 First Street, Nyack, New York, whereby Claimant Elizabeth Turk claims the sewer backup resulted in property damage at 88 First Street, and Claimant George Popov claims the sewer backup resulted in property damage at 89 First Street;

WHEREAS, after investigation by DEME, a blockage was found in a sewer main that receives flow from Nyack Hospital, and it was determined that Nyack Hospital caused and/or contributed to the blockage and May 4, 2021 sewer backups;

WHEREAS, on or about May 25, 2021, the Town received and was served with a Notice of Claim from George Popov for the cost of repairs at 89 First Street, Nyack, New York, in the amount of \$2,257.50 as damages;

WHEREAS, on or about May 26, 2021, the Town received and was served with a Notice of Claim from Elizabeth Turk for the cost of repairs at 88 First Street, Nyack New York, in the amount of \$894.09 as damages;

WHEREAS, Nyack Hospital has agreed to pay the Town the full cost for damages claimed in the May 25, 2021 Notice of Claim by George Popov and May 26, 2021 Notice of Claim by Elizabeth Turk;

WHEREAS, the Town has agreed to pay, subject to Town Board approval, the amount of \$2,257.50 to George Popov as full and final settlement of the damages asserted in the Notice of Claim;

WHEREAS, the Town has agreed to pay, subject to Town Board approval, the amount of \$894.09 to Elizabeth Turk as full and final settlement of the damages asserted in the Notice of Claim;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized pursuant to Town Law §65 to accept from Nyack Hospital, the sum of \$3,151.59 in full and final settlement of the damages caused by the blockage and May 4, 2021 sewer backup at 88 First Street and 89 First Street, and

BE IT FURTHER RESOLVED, that the claim by George Popov be settled and paid by the Town in the full and final amount of \$2,257.50, and

BE IT FURTHER RESOLVED, that the claim by Elizabeth Turk be settled and paid by the Town in the full and final amount of \$894.09, 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.

HIGHWAY

4. **APPROVE / LEND ASSISTANCE / 2021 COLOR RUN / PEARL RIVER MIDDLE SCHOOL**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes that, the Highway Department lends assistance, which includes the use of barricades & cones, for the PRMS Color Run, to be held on Saturday, September 18, 2021.

5. ******PLACEHOLDER**** APPROVE/ LEND ASSISTANCE/ VOLUNTEER FIRE ASSOCIATION OF TAPPAN 911 MEMORIAL SERVICE**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes that, the Highway Department lends assistance, which includes the use of two message boards, for the 911 Memorial Service, to be held on Saturday, September 11, 2021 from 8am- 11am.

6. **ACCEPT RESIGNATION / RETIREMENT / HELEN WILSON / HIGHWAY DEPARTMENT /EFFECTIVE AUGUST 8, 2021**

RESOLVED, that upon the recommendation from the Superintendent of Highways, the Town Board accepts with regret the resignation/retirement of **HELEN WILSON**, Principal Clerk Stenographer, in the Highway Department, effective August 8, 2021.

PARKS AND RECREATION

7. **APPROVE / LEND ASSISTANCE / 2021/ ITALIAN FEAST / THURSDAY, SEPTEMBER 16 -SUNDAY, SEPTEMBER 19TH**

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 Sons of Italy - Rockland Lodge 2176 for their Italian Feast, Thursday, September 16 - Sunday, September 19, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

8. **APPROVE / LEND ASSISTANCE / 2021/ DOMINICAN COLLEGE FIRE IN THE SKY / SATURDAY, SEPTEMBER 18TH**

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 Dominican College for their Fire In The Sky event, Saturday, September 18, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

HIGHWAY / POLICE

9. ******PLACEHOLDER**** APPROVE / LEND ASSISTANCE / ST. CHARLES FUNDRAISER / SATURDAY, SEPTEMBER 18, 2021**

RESOLVED, upon the recommendation from the Superintendent of Highways, and the Chief of Police, that the Town Board hereby authorizes these departments upon completion of all necessary paperwork to lend assistance which includes the use of barricades, cones, no parking signs and detour signs from the Highway Department and Police assistance from OPD for the St. Charles Fundraiser to be held on Saturday, September 18, 2021 from 12pm to 4pm.

HIGHWAY / POLICE / PARKS

10. *****Placeholder*** APPROVE / LEND ASSISTANCE / 2021 SOUTH NYACK TEN MILER / SEPTEMBER 12, 2021**

RESOLVED, upon the recommendation from the Superintendent of Highways and the Superintendent of Parks & Recreation, that the Town Board hereby authorizes these departments upon completion of all necessary paperwork to lend assistance which includes authorizing road use only from the Highway Department and the rental of Portable Toilets (9 regular units) from the Parks & Recreation Department for the Rockland Road Runner's 33rd annual South Nyack 10 miler to be held on Sunday, September 12, 2021, from 8:30 am - 12:00 pm.

DEME

11. **AUTHORIZE / OPTIMUM CONTROLS CORP AMENDMENT NO.1 / WWTP TELEMETRY AGREEMENT / RE: NYS EFC GRANT CONTRACT LANGUAGE**

WHEREAS, the Town was awarded and accepted a NYS EFC WIIA Grant for the WWTP SCADA Telemetry System project (C3-5345-09-00) for which Optimum Controls Corporation (OCC) has an original agreement with the Town; and

WHEREAS, OCC provided Amendment No.1 to this agreement for the addition of NYS EFC required contract language for construction contracts.

NOW THEREFORE, BE IT RESOLVED, the First Amendment to the January 30, 2018, Agreement, as amended, between the Town of Orangetown and OCC is hereby approved and further authorizes the Supervisor to sign said amendment.

AUDIT

12. **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 \$520,657.87.

EXECUTIVE SESSION

13. ENTER EXECUTIVE SESSION

RESOLVED, at _____ pm, the Town Board entered Executive Session to discuss proposed, pending or current litigation and employment-related matters.

ADJOURNMENTS

14. RE-ENTER RTBM / ADJOURNED / MEMORY

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

❖ **Barbara Ann Hofsommer**, *Resident of Tappan, Retired Justice Department Employee for the Town of Orangetown*