



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
August 10, 2021**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Joseph Thomassen, Deputy Clerk, called the roll.

Present were:

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

Absent: Councilperson Paul Valentine

Also Present:

Allison Kardon, Supervisor's Confidential Assistant
Carmel Reilly, Director of Economic Development & Tourism
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob Urban, Human Resource Coordinator
Anthony Bevelacqua, Director of Automated Systems
Matthew Lenihan, Computer Network Specialist
Donald Butterworth, Police Chief
James Brown, Police Captain

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

RESOLUTION NO. 325

OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

RESOLUTION NO. 325 - Continued

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

Summary of Public Comments:

Susan McWhinney, Sharon Vanhouten, Tom Reynolds, and Gerard Goggin, Orangetown residents, are still not happy with Rockland Cider Works. Traffic, noise and parking are a concern. Variances do not allow for music or food trucks. Site plans have not been addressed, therefore, how has the zoning been approved. The plan submitted to the Building Department is misleading and fraudulent. The Town Board needs to make a judgement on facts and protect the citizens of Orangetown.

Mike Mandel, Pearl River, asked if the Town is still sending money to Hi-Tor.

Eileen Larkin, Palisades, made comments about Governor Cuomo. She is against defunding the Police and supports the Orangetown Police Department's budget.

RESOLUTION NO. 326**CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 327**SETTLE SEWER CLAIMS TURK AND POPOV / 88-89 FIRST ST / NYACK HOSPITAL**

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, upon which a Notice of Claim was filed against the Town by Claimant Elizabeth Turk claims the sewer backup resulted in property damage at 88 First Street, in the amount of \$894.09 and a Notice of Claim was filed against the Town by Claimant George Popov claims the sewer backup resulted in property damage at 89 First Street in the amount of \$2,257.50; and

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; and

WHEREAS, Nyack Hospital, without admitting liability, 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;

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 upon receipt of such payment from Nyack Hospital that the claim against the Town by George Popov be settled and paid by the Town in the full and final amount of \$2,257.50 and the claim by Elizabeth Turk be settled and paid by the Town in the full and final amount of \$894.09, and

RESOLUTION NO. 327 - Continued

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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 328

APPROVE / LEND ASSISTANCE / 2021 COLOR RUN / PEARL RIVER MIDDLE SCHOOL / SEPTEMBER 18, 2021

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

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 329

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

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

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 330

APPROVE / LEND ASSISTANCE / 2021/ ITALIAN FEAST / SEPTEMBER 16TH - 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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

RESOLUTION NO. 330 - Continued

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 331

**APPROVE / LEND ASSISTANCE / 2021/ DOMINICAN COLLEGE FIRE IN THE SKY
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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 332

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

RESOLVED, upon the recommendation from the Superintendent of Highways and the Chief of Police, that the Town Board hereby authorizes that these departments, upon completion of all necessary paperwork, to lend assistance which includes the use of two message boards from the Highway Department and the Auxiliary Police from OPD for the 911 Memorial Service, to be held on Saturday, September 11, 2021 from 8am- 11am.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 333

APPROVE / LEND ASSISTANCE / SOUTH NYACK TEN MILER / SEPTEMBER 12th

RESOLVED, upon the recommendation from the Superintendent of Highways, the Chief of Police 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, 1 Orangetown Police Officer for Traffic Control at 9W and Broadway from the OPD 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.

RESOLUTION NO. 333 - Continued

Supervisor Teresa M. Kenny offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 334

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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 335

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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 336

ENTER EXECUTIVE SESSION

In attendance, at this Executive Session were Supervisor Teresa M. Kenny, Councilpersons Denis Troy, Thomas Diviny, and Jerry Bottari, Rob Magrino James Dean, Jane Slavin, Eamon Reilly and Chief Butterworth.

RESOLVED, at 7:29 pm, the Town Board entered Executive Session to discuss proposed, pending or current litigation, employment-related matters and employee litigation matters.

RESOLUTION NO. 336 - Continued

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine

RESOLUTION NO. 337

RE-ENTER RTBM / ADJOURNED / MEMORY

RESOLVED, at 8:46 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of **Barbara Ann Hofsommer**, *Resident of Tappan, and Retired Court Clerk for the Town of Orangetown* and **Nick Gatti**, *Resident of Sparkill and former employee of DEME and Highway departments.*

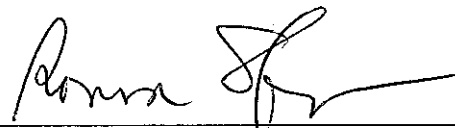
Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Paul Valentine



Rosanna Sfraga, Town Clerk

Town Of Orangetown

DATE: August 10, 2021

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	072321	\$ 211,973.07
	072821	\$ 17,674.99
	081021	\$ 291,009.81
	Total	\$ 520,657.87

The above listed claims are approved and ordered paid from the appropriations indicated.

APPROVAL FOR PAYMENT

AUDITING BOARD



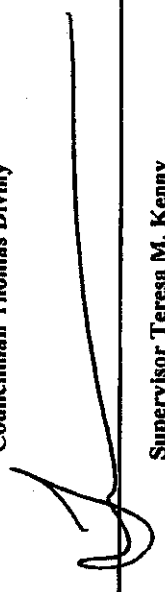
Councilman Geraki Bottari

Councilman Paul Valentine



Councilman Thomas Diviny

Councilman Denis Troy



Supervisor Teresa M. Kenny

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 8/05/2021
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 8/10/21 consists of 3 warrants for a total of \$520,657.87

The first warrant had 26 vouchers for \$211,973.07 and had the following items of interest.

1. Applied Golf (p1) - \$124,500 for Blue Hill contract.
2. Applied Golf (p1) - \$49,583 for Broadacres contract.

The second warrant had 1 voucher for \$17,674.99 and had the following items of interest.

1. Commissioner of Taxation & Finance (p1) - \$17,675 for quarterly Workman's Compensation assessment.

The third warrant had 104 vouchers for \$291,009.81 and had the following items of interest.

1. Applied Golf (p2) - \$15,508 for merchandise sales at Broadacres.
2. Chestnut Ridge Transport (p5) - \$10,015 for day camp transportation.
3. Integrated Systems & Services (p14) - \$23,964 for Police camera system upgrade.
4. Keane & Beane (p16) - \$5,003 for legal fees.
5. Metropolitan Life (p19) - \$12,829 for Police Dental benefits.
6. Sport-Tech Acrylics Corp (p28) - \$68,480 resurfacing of basketball courts (bonded).
7. Sprague Operating Resources LLC (p28) - \$21,502 for diesel fuel.
8. State Comptroller (p30) - \$29,937 for Justice Court fines.
9. Tilcon New York Inc (p32) \$13,266 for road repairs.

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA
845-359-5100 x2204
