



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday October 12, 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:

- ◆ **October 16, 2021 (Saturday) 8:00 am - 11:30 am / Free Drive- Thru Shredding Event at Orangetown Town Hall held by the Town Clerk's Office / Please bring nonperishable food items as a donation to People to People / Help someone get ahead while you shred!**
- ◆ **40th Anniversary Brinks Memorial Ceremony on October 20, 2021 - Honoring the memory of Nyack Police Sergeant Edward J. O'Grady Jr., Police Officer Waverly "Chipper" Brown and Brinks Guard Peter Paige. We will always remember these brave men and their sacrifice has not been forgotten.**
- ◆ **The Tappan Players at the Barn will be performing a Neil Simon production of California Suite at the Manse Barn in Tappan. There are only four shows left Saturdays October 16th and 23rd at 8:00 PM and Sundays October 17th and 24th at 3:00 PM. Come out and support Orangetown's very talented local theater group.**
- ◆ **Public Hearing / RTBM of October 26, 2021 at 7:05 P.M. Re: Amending Chapter 5 (Building Construction and Fire Prevention) / Adopt the NYStretch Energy Code - 2020**
- ◆ **Public Hearing / RTBM of November 9, 2021 at 7:05 P.M. / Proposed Zone Change for 100 Corporate Drive, Blauvelt, NY**
- ◆ **Public Hearing / RTBM of November 30, 2021 at 8:00 P.M. / Dominican College / Application for Watercourse Diversion Permit**
- ◆ **FEMA's Disaster Recovery Center is open to all Rockland Residents and Businesses who have suffered damage due to the remnants of Hurricane Ida. The Center is open 7 days a week from 8 am to 7 pm and is located at the Orangetown Soccer Complex, 175 Old Orangeburg Road in Orangeburg.**
- ◆ **Orangetown's Comprehensive Plan Update: Visit orangetown.com to complete Orangetown's Comprehensive Plan Survey and for link to the First Public Outreach on October 18, 2021 at 7 pm.**

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. **ACCEPT WITH REGRET / RESIGNATION OF WILLIAM YOUNG / MEMBER / PLANNING BOARD / EFFECTIVE OCTOBER 4, 2021**

RESOLVED, that the Town Board accepts with regret, the resignation of WILLIAM YOUNG, Member of the Planning Board, effective October 4, 2021.

4. **AMEND RESOLUTION NO. 372 / BLAUVELT FIRE PROTECTION DISTRICT CONTRACT / CHANGE PUBLIC HEARING DATE**

RESOLVED, that Resolution No. 372 is hereby amended - the Public Hearing regarding the 2022 - One Year Contract with the Blauvelt Fire Protection District is rescheduled for October 26, 2021 at 7:10 P.M.

5. **AMEND RESOLUTION NO. 373 / PH / ORANGETOWN LIBRARY DISTRICT (BLAUVELT, ORANGEBURG, TAPPAN AND PALISADES LIBRARIES) / CHANGE PUBLIC HEARING DATE**

RESOLVED, that Resolution No. 373 is hereby amended - the Public Hearing regarding the Orangetown Libraries (Blauvelt, Orangeburg, Tappan and Palisades Libraries) 2022 Budgets is rescheduled for October 26, 2021 at 7:15 P.M.

6. **AMEND RESOLUTION NO. 374 / PH / 2022 PRELIMINARY BUDGET / CHANGE PUBLIC HEARING DATE**

RESOLVED, that Resolution No. 374 is hereby amended - the Public Hearing regarding the 2022 Preliminary Budget is rescheduled for October 26, 2021 at 7:20 P.M.

7. **APPROVE PERMIT AGREEMENT / BUSINESSES TO DISPENSE ALCOHOLIC BEVERAGES ON TOWN PROPERTY / PEARL RIVER DAY / SATURDAY, OCTOBER 16, 2021**

WHEREAS, the Pearl River Chamber of Commerce has formally requested on behalf of the member businesses it represents, permission, pursuant to Town Code Section 10-4(B)(1) to dispense alcoholic beverages on Town Property as part of their Pearl River Day Festival to be held on Saturday, October 16, 2021,

BE IT RESOLVED, that subject to the requirements of the New York State Liquor Authority regulations (SLA), including a securing a proper license therefrom, and the requirements of the Town of Orangetown Police Department, and to the execution of an agreement with the Town to provide indemnification and proof of insurance to the Town, and execution of an Agreement/Permit with respect to same, the Town Board hereby grants permission to the businesses authorized under the Pearl River Chamber of Commerce's permit to dispense alcoholic beverages upon Town property during the hours of 1 pm to 9 pm at the Pearl River Day Festival to be held on Saturday, October 16, 2021.

TOWN ATTORNEY

8. **APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING BLAU ROCK LLC V. THE ASSESSOR, ET AL. (70.14-2-46)**

RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Blau Rock LLC v. The Assessor, et al., tax map designation 70.14-2-46 (11 N Troop Road, Blauvelt), for the tax assessment years 2017 – 2021 for a total refund by the County of \$381, a total refund by the Town of \$1,217, and a total refund by the School District of \$3,634. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Rockland County Finance Department.

9. **APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING MIDDLEFOREST LLC V. ORANGETOWN, ET AL. (68.12-5-26)**

RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Middleforest LLC v. Orangetown, et al., tax map designation 68.12-5-26 (169 N Middletown Road, Pearl River), for the tax assessment years 2017 – 2021 for a total refund by the County of \$1,865, a total refund by the Town of \$5,520, and a total refund by the School District of \$24,504. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Rockland County Finance Department.

10. APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING MADELINE HAYDEN/MELISSA HAYDEN AND GARY BENINATI V. THE ASSESSOR, ET AL. (70.06-1-1.8)

RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Madeline Hayden/Melissa Hayden and Gary Beninati v. the Assessor, et al. tax map designation 70.06-1-1.8 (8 Sgt. Demeola Road, Blauvelt), for the tax assessment year 2020 for a total refund by the County of \$819, a total refund by the Town of \$1,926, and a total refund by the School District of \$ 4,552. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Rockland County Finance Department.

PARKS AND RECREATION

11. APPROVE / LEND AID / 2021 PEARL RIVER DAY / SATURDAY, OCTOBER 16, 2021

RESOLVED, that 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 Pearl River Chamber of Commerce for their Pearl River Day, Saturday, October 16, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

RESOLVED, that upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of Portable Toilets (4 regular units 2 ADA units) for the Pearl River Chamber of Commerce Pearl River Day, Saturday, October 16, 2021.

12. APPROVE / LEND AID / 2021 PIERMONT CHAMBER OF COMMERCE / SATURDAY, OCTOBER 23, 2021

RESOLVED, that 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 Piermont Chamber of Commerce for their Octoberfest, Saturday, October 23, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

RESOLVED, that upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of Portable Toilets (4 regular units & 4 ADA units) for the Piermont Chamber of Commerce Octoberfest, Saturday, October 23, 2021.

HIGHWAY / POLICE

13. APPROVE/ LEND ASSISTANCE / 2021 PRHS PEP RALLY & BONFIRE

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades, barrels and sand from the Highway Department & the presence of Auxiliary Police from the Police Department, for the PRHS Pep Rally & Bonfire to be held on Friday, October 15, 2021 from 7pm to 10pm.

HIGHWAY / PARKS / POLICE

14. APPROVE / LEND ASSISTANCE / 2021 TAPPAN FIRE DEPARTMENT 5K RUN / SUNDAY, NOVEMBER 14, 2021

RESOLVED, upon the recommendation from the Superintendent of Highways, Chief of Police and Superintendent of Parks & Recreation, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades, cones and a message board from the Highway Department, the presence of Auxiliary Police from the Police Department and upon the completion of all necessary paperwork, the rental of Portable Toilets (6 regular units) from Parks & Recreation for the Tappan Fire Department 5K Run on Sunday, November 14, 2021 from 9am-1pm.

DEME

15. APPROVE SEQRA DETERMINATION / TYPE II ACTION / TIER IV PUMPING STATION IMPROVEMENTS

WHEREAS, the Town of Orangetown Department of Environmental Management and Engineering has determined the need to improve and upgrade several existing sanitary pumping stations that have met their current service life and necessitate improvements; and,

WHEREAS, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water infrastructure through the New York State Water Infrastructure Improvement Act, Clean Water program for which the Town of Orangetown intends to submit an application for funding; and,

WHEREAS, the Town Board, with the assistance of the Department of Environmental Management and Engineering and Environmental Design & Research (EDR) of whom is the Town's engineering consultant for this project, has considered the proposed action in the light of the State Environmental Quality Control Act (SEQRA), and the implementing regulations adopted thereunder, and has concluded that the action consisting of the upgrading of said pumping stations as part of the Tier IV improvements, constitutes a Type II action under SEQRA in that the action involves "the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. . . ."

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that the said action, as described, constitutes a Type II action under SEQRA meaning the proposed action will not have a significant impact on the environment, and no further action or review under SEQRA is required.

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 two (2) warrants (attached) for a total of **\$848,720.62**.

EXECUTIVE SESSION

17. ENTER EXECUTIVE SESSION

RESOLVED, at _____ pm, the Town Board entered Executive Session to discuss _____.

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:

- ❖ **Dolores Altomare**, *Resident of Blauvelt and Retired Orangetown Building Department Employee*