



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday February 01, 2022

This Town Board Meeting was opened at 7:00 PM.

Councilperson Thomas Diviny	_____
Councilperson Paul Valentine	_____
Councilperson Jerry Bottari	_____
Councilperson Brian Donohue	_____
Supervisor Teresa M. Kenny	_____

🗳 Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ Moment of silence to honor slain police officers Jason Rivera and Wilbert Mora of the NYPD.

PRESENTATIONS:

- ◆ Black History Month / February 2022 / Honoring Dr. Arlene Clinkscale
- ◆ Rockland Community Power Program (CCA) / Peggy Kurtz, Community Coordinator
- ◆ Verizon Franchise Agreement Presentation

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.

3. **APPOINT / REAPPOINT LIAISONS / 2022 / LAND USE BOARDS / COMMITTEES**

RESOLVED, that the following Town Officials are hereby appointed / reappointed liaisons to the following Land Use Boards and Committees for 2022:

- ◆ ACABOR - *Councilman Jerry Bottari, Liaison*
- ◆ Orangetown Blue Hill Golf Advisory – *Councilman Paul Valentine, Liaison*
- ◆ Board of Assessment Review – *Councilman Tom Diviny, Liaison*
- ◆ Board of Ethics - *Councilman Brian Donohue, Liaison*
- ◆ Orangetown Environmental Committee – *Supervisor Teresa M. Kenny, Liaison*
- ◆ Historic Areas Board of Review – *Councilman Jerry Bottari, Liaison*
- ◆ Orangetown Housing Authority Board – *Deputy Supervisor Denis Troy, Liaison*
- ◆ Office of Emergency Management Committee – *Councilman Tom Diviny, Liaison*
- ◆ Orangetown Parks & Recreation Development Advisory Committee–*Councilman Brian Donohue, Liaison*
- ◆ Orangetown Planning Board – *Supervisor Teresa M. Kenny, Liaison*
- ◆ Orangetown Project Review Board – *Supervisor Teresa M. Kenny, Liaison*
- ◆ Orangetown Sanitation Commission – *Councilman Paul Valentine, Liaison*
- ◆ Orangetown Shade Tree Commission – *Councilman Jerry Bottari, Liaison*
- ◆ Orangetown Senior Citizen Advisory Committee – *Deputy Supervisor Denis Troy, Liaison*
- ◆ Orangetown Substance Abuse Committee – *Supervisor Teresa M. Kenny, Liaison*
- ◆ Orangetown Traffic Advisory Board – *Councilman Paul Valentine, Liaison*
- ◆ Zoning Board of Appeals – *Councilman Tom Diviny, Liaison*

4. **REAPPOINT / BLUE HILL GOLF ADVISORY COMMITTEE / 2022 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Blue Hill Golf Advisory Committee for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ Patrick J. Shields (Chairman)
 - ◆ Sean Burke
 - ◆ Joseph Green
 - ◆ Michael Hussey
 - ◆ Martin Fogarty
 - ◆ Matt Willock
 - ◆ Kevin Fagan
 - ◆ Robert Wells
 - ◆ Nick Gajovich
 - ◆ Joseph O'Loughlin
- Liaison: Councilman Paul Valentine

5. REAPPOINT / ORANGETOWN COMPREHENSIVE PLANNING COMMITTEE / 2022 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Comprehensive Planning Committee for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ Supervisor Teresa M. Kenny (Chairwoman)
- ◆ Allison Kardon, Confidential Assistant to Supervisor
- ◆ Jane Slavin, Director of OBZPAE
- ◆ James J. Dean, Superintendent of Highways
- ◆ Eamon Reilly, Director DEME
- ◆ Aric Gorton, Director of Parks and Recreation / Building Maintenance
- ◆ Rick Pakola, Deputy Town Attorney, Legal Advisor

6. APPOINT / REAPPOINT / ORANGETOWN OFFICE OF EMERGENCY MANAGEMENT COMMITTEE / 2022 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Office of Emergency Management Committee for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ P. O. Michael Yannazzone, Jr. (Chairman)
- ◆ Captain Michael Shannon, OPD
- ◆ David Majewski, Bureau of Fire Prevention
- ◆ Jane Slavin, Director of OBZPAE
- ◆ James J. Dean, Superintendent of Highways
- ◆ Mark Albert, Parks and Recreation
- ◆ Fred Simms, Orangetown Fire Chiefs Council
- ◆ Steve Harris, Chief of South Orangetown Ambulance Corps
- ◆ Maryanne Portoro, Operations Administrator of PR Ambulance
- ◆ Robert Daly, Orangetown Fire Chiefs Council
- ◆ Stephen Munno, Highway Department
- ◆ Eamon Reilly, Director DEME
- ◆ Christopher Sheehan, DEME
- ◆ Matt Lenihan, IT
- ◆ Liaison: Councilman Thomas Diviny

7. APPOINT / REAPPOINT / ORANGETOWN ENVIRONMENTAL COMMITTEE / 2022 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Environmental Committee for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ Michael Andrea (Chairman)
- ◆ Alexis Starke
- ◆ Heather Hurley
- ◆ Don Steinmetz
- ◆ Michele Galle-Looram
- ◆ Andrew Goodwillie
- ◆ Nicole Palitti

- ◆ Katherine Copp-Brown
 - ◆ Susan O'Reilly Turner
 - ◆ Kerry Gorczynski
 - ◆ June Starke
 - ◆ Allan Ryff
 - ◆ Lawrence Vail
 - ◆ Maria Gagliardi
 - ◆ Vicki Schwaid
 - ◆ Maria Vanessa Cipolla
 - ◆ Lisa Defeciani
 - ◆ Fran Oldenburger
 - ◆ Tom O'Reilly
 - ◆ Eve Millard
- Liaison: Supervisor Teresa M. Kenny

8. REAPPOINT / ORANGETOWN PROJECT REVIEW COMMITTEE / 2022 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Project Review Committee, for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ Jane Slavin (Chairwoman)
 - ◆ Bruce Peters, DEME
 - ◆ David Majewski, Bureau of Fire Protection
 - ◆ James J. Dean, Superintendent of Highways
 - ◆ Michael Yannazzone, Traffic Advisory Board
 - ◆ Aric Gorton, Superintendent of Parks and Recreation
 - ◆ Rick Pakola, Deputy Town Attorney, Legal Advisor
- Liaison: Supervisor Teresa M. Kenny

9. APPOINT / REAPPOINT SUBSTANCE ABUSE COMMITTEE / 2022 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Substance Abuse Committee, for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ J. Robert Coleman
- ◆ Rudy Arietta, Principal of TZHS
- ◆ Norma Canals, Social Worker PRHS
- ◆ Jean Robert Zephir
- ◆ Lara Benz
- ◆ Despina Vougioukas
- ◆ Douglas Chizmadia
- ◆ Alicia Shannon
- ◆ Michael Murphy, Principal OF PRHS
- ◆ Chief Donald Butterworth, OPD
- ◆ Captain Michael Shannon, OPD
- ◆ Det. Brandon Myers, OPD
- ◆ Wayne Roimisher, Chief of SOAC

- ◆ Jean Horan, Rockland County DEA
- ◆ Laura Salmon, Executive Director CANDLE
- ◆ Ron Garzia, Program Director of CANDLE
- ◆ Stephanie Finucane (Secretary)
- Liaison – Supervisor Teresa M. Kenny

10. REAPPOINT ORANGETOWN TRAFFIC ADVISORY BOARD / 2022 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Orangetown Traffic Advisory Board, for a 1-year term, commencing on January 1, 2022 and expires on December 31, 2022:

- ◆ Michael Yannazzone (Co-Chairman)
- ◆ Margaret Warren (Co-Chairwoman)
- ◆ Paul Raso
- ◆ Robert Schelin
- ◆ Robert Simon
- ◆ Robert Morrison
- ◆ James Castagna
- ◆ P. O. Michael Yannazzone, Jr. OPD, Advisor
- ◆ Sgt. Kerri Schiller, OPD, Advisor
- ◆ Anthony Limandri, Highway, Advisor
- ◆ Thomas Edattel, DEME, Advisor
- ◆ Elizabeth Brancanti, Deputy Town Attorney, Legal Advisor
- ◆ Allison Kardon, Clerk
- Liaison: Councilman Paul Valentine

11. APPROVE / AMEND RESOLUTION 2022-4 / WEBSTER BANK FKA STERLING NATIONAL BANK / BANKING DEPOSITORY

RESOLVED, that the Town Board hereby amends Resolution 2022-4 to designate Webster Bank, formerly known as Sterling National Bank as one of the banking depositories for the Town of Orangetown.

12. APPROVE / ADDITIONAL SERVICES / AKRF, INC. / ORANGETOWN COMPREHENSIVE PLAN

WHEREAS, the Town Board authorized, in Resolution 2021-185, the retention AKRF, Inc., Environmental, Planning and Engineering Consultants, White Plains, New York, to take appropriate measures to assist the Town in preparation of a Comprehensive Plan in accordance with their written proposal dated December 20, 2020 for the estimated fixed fee schedule of \$135,000.00.

WHEREAS, on September 22, 2021, the Orangetown Comprehensive Plan Committee in conjunction with AKRF, Inc. recommended to add an additional remote Public Workshop on December 7, 2021 as an added service for the identical in-person workshop on December 6, 2021 for \$4,360.00.

WHEREAS, on December 15, 2021, the Orangetown Comprehensive Plan Committee in conjunction with AKRF, Inc. also recommended to add an additional in-person Public Workshop, date tbd, for \$13,520.00 to expand the public outreach component of the Orangetown Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes an amendment to the agreement as approved in Resolution 2021-185 at a cost of \$17,880.00 with AKRF, Inc. for the purposes of providing additional consultant services, and that the Supervisor or her designee is authorized to execute any documents necessary to effectuate the purposes of this Resolution, upon review and approval of the Town Attorney's Office.

13. **AUTHORIZE TOWN ATTORNEY TO DEFEND AND COUNTERCLAIM / ROCKLAND CIDER WORKS AND VAN HOUTEN FARM MARKET v. TOWN / ROCKLAND INDEX NO. 030197/2022**

BE IT RESOLVED that the Town Board authorizes the Town Attorney's Office to defend the action known as Rockland Cider Works LLC and Van Houten Farm Market Benefit Trust v. Town of Orangetown, et al, NYS Supreme Court, Rockland County, Index No. 030197/2022, and institute all appropriate counterclaims for a declaratory judgement and injunctive relief, upholding the interpretation of the Director of OBZPAE that the subject property is not being used in compliance with the Orangetown Code.

14. **AUTHORIZE Highbury Concrete to perform Demolition Services at no cost to the Town / Veterans Playground**

RESOLVED, the Town Board hereby authorizes Highbury Concrete, Inc. to perform certain demolition services at the playground at Veteran's Park, at no cost to the Town as offered by Highbury as a donation to the Town, and in accordance with applicable law and accept, receive and file a hold harmless and indemnification agreement from Highbury Concrete, Inc. in favor of the Town related to such services.

TOWN BOARD / IT

15. **APPOINT BRENDAN CARTON / DATA ENTRY OPERATOR / INFORMATION TECHNOLOGY DEPARTMENT / PROBATIONARY / EFFECTIVE FEBRUARY 2, 2022**

RESOLVED, that upon the recommendation of the Director of Automated Systems, appoint BRENDAN CARTON to the position of Data Entry Operator, Probationary, Grade 9, Step 1 at a salary of \$54,239.00, effective February 2, 2022.

TOWN ATTORNEY

16. APPROVAL OF 2022 CERTIFICATE OF SEWER REGISTRATIONS

RESOLVED, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2022 Sewer Work is approved to:

- ◆ Belleville Landscaping, Inc., 84 North Route 9W, Congers, NY 10920
- ◆ Cioffi 1, Inc., 27 Skyline Drive, Thiells, NY 10984
- ◆ Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ 07456
- ◆ Dutra Excavating & Sewer, 10 Stone Hollow Road, Montvale, NJ 07645
- ◆ Environmental Construction, Inc., 21 Holt Drive, Stony Point, NY 10980
- ◆ First Rate Landscaping & Construction, Inc., PO Box 1212, New City, NY 10956
- ◆ Innovative Excavating, Ltd., 15 Conklin Drive, Stony Point, NY 10980
- ◆ Kevin Stokes Excavating, Inc., 52 Grotke Road, Chestnut Ridge, NY 10977
- ◆ Treestone Builders Group, 110 West Crooked Hill Road, Pearl River, NY 10965

HIGHWAY

17. APPROVE / AGREEMENT EXPENDITURE OF HIGHWAY MONIES / ROCKLAND COUNTY 2022 PAVEMENT PRESERVATION REPAIR / IMPROVEMENT PROGRAM

WHEREAS, pursuant to the provisions of Section 284 of the Highway Law, we agree that monies bonded by the Town and received from the State for State aid for the repair & improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS, the sum of \$ 1,320,000.00 shall be set aside to be expended for primary work and general repairs upon 16 miles of town highways.
2. PERMANENT IMPROVEMENTS, below contains a list of roads which will be treated in the 2022 Pavement Preservation Program:

PEARL RIVER

Douglas Ct
Wright St
Pauline Terr
Lang Terr
Manor Blvd
Leveré Ct
Salmar Ave
Elmendorf Ln
White Ave
Pilgrim Ct
Orchid Dr
Standish Dr
North Pilgrim Ct
Brown Dr
Secor Blvd
Lombardi Rd

Van Wormer Rd
Robertson Dr
Strawberry Pl
Surrey Ct
Violet Dr
Rolfe Pl
Veterans Pkwy
Old Pascack Rd (S of W Washington)
Highview Ave

BLAUVELT

Quaspec Rd
Buttonwood Pl
Cobble Pl
Swannekin Rd
Riverside Terr
Coolidge St

Wilson St
Truman Cir
Hoover St
Harding St
Pvt Lovett Ct
Msgr Brady Ct
North Troop Rd
Bluefields Ln
Buttercup Dr
Giadeczka St
Regal St
Theodore Roosevelt Dr
Ashwood Dr
Hoffman Ln
Birchwood Rd
Moehring Dr
Goehring Curve
East Rd
Klee Ln
Beechwood Rd
Birchwood Ct

PALISADES

Swan St
Smith Ct
Iroquois Ave
Dakota St

Sioux Ct
Indian Hill Ln
Post Ln
Century Rd

SPARKILL

Swan St
Lake Dr
Orient St
New St
Van Terr

UPPER GRANDVIEW

Ferris Ln

ORANGEBURG

Chestnut Oval
Cypress Ln
Cypress Oval
Trenton Pl
Brandywine Dr
Independence Ave
Parkway Dr North

TAPPAN

Independence Ave
Kings Hwy (Rt 303 to Old Tappan Rd)

There will be money spent on other Town Highways as needed to maintain a safe driving surface. This agreement shall take effect when it is approved by the Town Board.

RESOLVED, approve Agreement for expenditure of Highway monies, between the Town Superintendent of Highways of the Town of Orangetown, Rockland County, New York and the undersigned members of the Town Board.

DEME

18. **ACCEPT WITH REGRET / RESIGNATION / RETIREMENT / FERNANDO SEMINELLI / DEME / EFFECTIVE JANUARY 28, 2022**

RESOLVED, that the Commissioner DEME and the Town Board accepts with regret, the resignation/retirement of Fernando Seminelli, Assistant Operator Grade 2 (Wastewater), from Department of Environmental Management and Engineering, effective, January 28, 2022.

19. **APPOINT JAMES DAVIE / ASSISTANT OPERATOR GRADE 2 (WASTEWATER) / GRADE 14, STEP 4 / EFFECTIVE FEBRUARY 2, 2022**

RESOLVED, that upon the recommendation of Rockland County Personnel and the Commissioner of DEME, James Davie is hereby appointed to Assistant Operator Grade 2 (Wastewater) Grade 14, Step 4, at an annual salary \$79,418 (probationary), effective February 2, 2022.

20. APPOINT BRUCE PETERS / ENGINEER IV / PERMANENT / DEME / EFFECTIVE FEBRUARY 2, 2022

RESOLVED, that upon recommendation of Rockland County Personnel, appoint Bruce Peters to the position of Engineer IV, permanent, in Department of Environmental Management and Engineering, from EL#21088(PROM), effective February 2, 2022, no change in salary.

21. RECLASSIFY POSITION / APPOINT JOSEPH MENDICINO / ENGINEER III / DEME / EFFECTIVE FEBRUARY 2, 2022

RESOLVED, that upon the recommendation of Rockland County Personnel through an approved PO 27, reclassify the position of Engineer II to the position of Engineer III an existing title in the Department of Environmental Management and Engineering and appoint Joseph Mendicino to the position, Grade 25, Step 4, at a salary of \$132,510 effective February 2, 2022.

AUDIT

22. 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 nine (9) warrants (attached) for a total of **\$693,754.76**.

EXECUTIVE SESSION

23. ENTER EXECUTIVE SESSION

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

ADJOURNMENTS

24. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Joseph McTernan**, *Former Resident of Blauvelt and Former Chief of the South Orangetown Ambulance Corp.*
- ❖ **Detective First-Grade Jason Rivera**, *NYPD*
- ❖ **Police Officer Wilbert Mora**, *NYPD*