



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday April 12, 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:

- ◆ **The deadline to order or renew your Military Tribute Banner will be Friday, April 15, 2022. Please email supervisor@orangetown.com for details.**
- ◆ **April 30, 2022 (Saturday) from 8 am – 11:30 am / Free Paper Shredding Event at the Orangetown Town Hall held by the Town Clerk's Office / Please bring a non-perishable food item for donation to local food pantries**

PRESENTATIONS:

- ◆ **Sparkill Commuter Parking Facility Project**
- ◆ **Superintendent of Highways, Jim Dean and Commissioner of the Department of Environmental Management and Engineering, Eamon Reilly - Flooding Mitigation (Villa Road and Renie Lane)**

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. **CONTINUE PUBLIC HEARING / RTBM OF APRIL 12, 2022 AT 7:05 P.M. / PROPOSED CHANGE TO TOWN CODE AMENDING CHAPTER 31C OF THE TOWN CODE TO AUTHORIZE ELECTRIC VEHICLE CHARGING/DISPLAY KIOSKS IN CERTAIN ZONES**

RESOLVED, that the public hearing is hereby continued.

4. **CLOSE PUBLIC HEARING / PROPOSED AMENDMENT TO TOWN CODE / AMENDING CHAPTER 31C OF THE TOWN CODE TO AUTHORIZE ELECTRIC VEHICLE CHARGING/DISPLAY KIOSKS AND GAS STATION PUMP DISPLAY MONITORS IN CERTAIN ZONES**

RESOLVED, that the public hearing is hereby closed.

5. **DESIGNATION OF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL LAW NO. ___ OF 2022, AMENDING CHAPTER 31C OF THE TOWN CODE TO AUTHORIZE ELECTRIC VEHICLE CHARGING/DISPLAY KIOSKS AND GAS STATION PUMP DISPLAY MONITORS IN CERTAIN ZONES**

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to a proposed Local Law No. ___ of 2022, amending Chapter 31C of the Town Code to authorize electric vehicle charging/display kiosks in certain zones; and further determines that such action is an unlisted action pursuant to SEQRA and that the action will not have a significant adverse environmental impact.

6. **ADOPT LOCAL LAW NO. ____ OF 2022, AMENDING CHAPTER 31C OF THE TOWN CODE TO AUTHORIZE ELECTRIC VEHICLE CHARGING/DISPLAY KIOSKS AND GAS STATION PUMP DISPLAY MONITORS IN CERTAIN ZONES**

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby adopts proposed Local Law No. ___ of 2022, by amending Chapter 31C of the Town Code to authorize electric vehicle charging/display kiosks in certain zones.

**LOCAL LAW NO. ____ OF 2022 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
AMENDMENT OF CHAPTER 31C OF THE TOWN CODE TO AUTHORIZE ELECTRIC
VEHICLE CHARGING/DISPLAY KIOSKS AND GAS STATION PUMP DISPLAY
MONITORS IN CERTAIN ZONES.**

Be it enacted by the Town Board of the Town of Orangetown as follows:

BOLD TYPE = PROPOSED ADDITIONS
STRIKEOUTS = PROPOSED DELETIONS

Section 1. The Town Board hereby amends § 31C-4 (Definitions) as follows:

BILLBOARD

A permanent off-premises outdoor advertising sign erected, maintained or used for the purpose of commercial or noncommercial messages. **EV Charging/Display Kiosks in compliance with Section 31C-8 below and Gas Station Pump Display Monitors in compliance with Section 31C-9 below shall not be considered billboards.**

....

ELECTRIC VEHICLE (“EV”) CHARGING/DISPLAY KIOSK

A combined electric vehicle charging kiosk with internally illuminated LED or other digital display.

....

GAS STATION PUMP DISPLAY MONITOR

A monitor, video screen or other digital display panel that is a part of or attached to a gasoline service station pump.

....

SIGN, ADVERTISING

A sign that directs attention to a business, commodity, service, entertainment or attraction conducted, sold, offered or existing elsewhere than upon the same lot where such sign is displayed or only incidentally upon such lot. **EV Charging/Display Kiosks in compliance with Section 31C-8 below and Gas Station Pump Display Monitors in compliance with Section 31C-9 below shall not be considered Advertising Signs.**

Section 2. The Town Board hereby amends § 31C-5 (General guidance) as follows:

C. The signs, devices and installations listed below are prohibited anywhere in the Town of Orangetown.

- (1) Flashing, moving, animated, digital (except time, date or temperature or, for gas stations, price), or fluttering signs. (Fire departments, school districts, governmental entities, religious institutions, and civic organizations such as the Rotary Club, Lions Club or Chambers of Commerce are exempt from this prohibition). **EV Charging/Display Kiosks in compliance with Section 31C-8 below and Gas Station Pump Display Monitors in compliance with Section 31C-9 below are also exempt from this prohibition.**

Section 3. The Town Board hereby amends Chapter 31C by adding § 31C-8 (EV Charging/Display Kiosks), as follows:

§ 31C-8 EV Charging/Display Kiosks

EV Charging/Display Kiosks are authorized in CC, CO, CS, LI, LIO, LO and OP zones, subject to the following conditions:

- A. There shall be a maximum of two (2) EV Charging/Display Kiosks per property.**
- B. EV Charging/Display Kiosks shall not exceed 22.5 square feet in size and 7.5 feet in height.**
- C. EV Charging/Display Kiosks display screen shall not exceed nine square feet in size.**
- D. EV Charging/Display Kiosks shall be equipped with an auto-dimming feature.**
- E. EV Charging/Display Kiosks shall limit content refresh rates to no more than every eight seconds.**
- F. EV Charging/Display Kiosks shall be located within 100 feet of the front façade of the business building on the site.**
- G. EV Charging/Display Kiosks shall be setback a minimum of 70 feet from a public right of way or property line.**

Section 4. The Town Board hereby amends Chapter 31C by adding § 31C-9 (Gas Station Pump Display Monitors), as follows:

§ 31C-9 Gas Station Pump Display Monitors

Gasoline service stations in compliance with the conditional use standards contained in Section 8.6 of the Orangetown Zoning Code may install and utilize one Gas Station Pump Display Monitor per pump. Such Gas Pump Display Monitors shall not exceed four square feet in size.

Section 5. Effective date.

The provisions of this local law shall take effect immediately upon filing with the Secretary of State.

- 7. OPEN PUBLIC HEARING / RTBM OF APRIL 12, 2022 AT 7:10 P.M. / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, VEHICLES AND TRAFFIC, ARTICLE 1, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-6, PROHIBITION OF PARKING ON DESIGNATED HIGHWAYS**

RESOLVED, that the public hearing is hereby opened.

PRESENTATION: Notice of Posting and Affidavit of Publication

SUMMARY OF COMMENTS

8. **CLOSE / CONTINUE PUBLIC HEARING / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-6 PROHIBITION OF PARKING ON DESIGNATED HIGHWAYS**

RESOLVED, that the Public Hearing to on a proposed local law, amending Chapter 39 of the Town Code entitled Vehicles and Traffic, relating to restricting parking on either side of North Middletown Road between East Central Avenue and Brightwood Avenue in Pearl River, is hereby closed or continued to _____.

9. **LEAD AGENCY AND DETERMINATION OF SEQRA / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-6 PROHIBITION OF PARKING ON DESIGNATED HIGHWAYS**

RESOLVED, that the Town Board declares itself Lead Agency in this matter, and further determines that such action is a Type II action pursuant to SEQRA, that the action will not have a significant adverse environmental impact, and, therefore, no further action is necessary with respect thereto under the State Environmental Quality Review Act.

10. **ADOPT LOCAL LAW ____ - 2022 / AMENDING TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-6 PROHIBITION OF PARKING ON DESIGNATED HIGHWAYS**

RESOLVED , that the Town Board hereby adopts Local Law ____ - 2022 to amend the Town Code, Chapter 39, Vehicles & Traffic, Article I, Vehicle and Traffic Regulations, Section 39-6 Prohibition of Parking on Designated Highways.

LOCAL LAW NO. ____ - 2022 OF THE TOWN OF ORANGETOWN, AMENDING CHAPTER 39 (VEHICLES AND TRAFFIC), ARTICLE I (VEHICLE AND TRAFFIC REGULATIONS) OF THE CODE OF THE TOWN OF ORANGETOWN

As amended, additions are underlined. Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1 – Legislative Findings, Objectives and Purpose of this Local Law No. ____ of 2022: The Town of Orangetown Traffic Advisory Board, upon the recommendation of the Superintendent of Highways and having investigated issues related to congestion and safety in the hamlet of Pearl River in and around North Middletown Road between East Central Avenue and Brightwood Avenue, recommends the Town Board adopt this local law amending the Town Code, to prohibit parking on either side of North Middletown Road between East Central Avenue and Brightwood Avenue. Having held a public hearing on the matter, the Town Board finds a prohibition on parking along this portion of North Middletown Road is necessary for traffic and pedestrian safety.

Section 2 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-6, of the Code of the Town of Orangetown (“Orangetown Code”), shall be amended so as to add the

following new subsection “69” to paragraph “A” of Section 39-6, and, as amended, shall read as follows:

39-6. Prohibition of parking on designated highways.

The parking or standing of vehicles in any of the following locations is hereby prohibited:

A. In the Hamlet of Pearl River:

(69) On either side of North Middletown Road from its intersection with East Central Avenue to Brightwood Avenue.

Section 3 – This Local Law shall become effective immediately upon filing with the New York State Secretary of State.

11. AUTHORIZE BUILDING PERMIT FEES AS SET BY TOWN BOARD / APPLICABLE TO FORMER VILLAGE OF SOUTH NYACK CODE

WHEREAS, the former village of South Nyack dissolved as of March 31, 2022 pursuant to New York General Municipal Law Article 17-A, and

WHEREAS, New York GML §789 dictates that all former rules, regulations and laws of the former village remain in effect for two years after dissolution, as if the Town Board had adopted same, and

WHEREAS, the Town has started the process of addressing changes to the code of the former village so as to incorporate certain provisions into the Town Code by way of a partial repeal and amendments to the code of the former village, and

WHEREAS, it is in the best interests of the Town and its residents to have consistency in fees and charges for services provided by the Town,

NOW THEREFORE BE IT RESOLVED, that any building permit and related fees that are authorized to be set by the governing body in the Code of the former village of South Nyack, particularly as authorized in Chapter 153 (Fees) and Chapter 96 (Building Department), are hereby amended to, and replaced with, the appropriate building permit and related fees that have been previously set by the Town Board and applied for applications in the unincorporated areas of the Town.

12. SET PUBLIC HEARING ON PROPOSED CHANGE TO TOWN CODE, CHAPTER 43, ADDING ARTICLE XVIII TO ADDRESS ZONING IN THE HAMLET OF SOUTH NYACK

WHEREAS, pursuant to New York General Municipal Law (GML) Article 17-A, the former Village of South Nyack dissolved as of March 31, 2022 and

WHEREAS, NY GML §789 indicates that the laws of the former village remain in effect for a period of two years following dissolution as if same had been adopted by the Town Board and the Town Board shall have the authority to amend or repeal such laws in the same manner as other local laws,

NOW THEREFORE BE IT RESOLVED that the Town Board will hold a public hearing on **Tuesday May 24, 2022, at 7:05 p.m.** on a proposed Local Law, amending Chapter 43 of the Town Code entitled “Zoning” and other relevant provisions of the Town Code, and to repeal certain provisions of the former Village of South Nyack Code, and otherwise adopt zoning regulations in the hamlet of South Nyack, and make such regulations part of the Orangetown Town Code.

13. **DECLARATION OF INTENTION OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA / LOCAL LAW TO AMEND CHAPTER 43 / HAMLET OF SOUTH NYACK / GML REVIEW**

WHEREAS, pursuant to New York General Municipal Law (GML) Article 17-A, the former Village of South Nyack dissolved as of March 31, 2022 and the Town Board seeks to amend the Chapter 43 of the Town Code and related provisions to adopt zoning regulations applicable to the hamlet of South Nyack, based upon portions of the former Village of South Nyack Code, and

WHEREAS, the Town finds it is in the best interests of the Town to make appropriate changes to the Town Code so that rules, regulations and procedures for properties located within the former Village of South Nyack are set forth in the Orangetown Town Code, and appropriate changes are made to the former Village of South Nyack Code to the extent same remain applicable in accordance with NY GML Article 17-A, and

WHEREAS, upon review of the proposed Local Law, Short Environmental Assessment Form, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act (“SEQRA”);
2. The proposed action as a “Type I” action; and
3. The following are involved or interested or involved agencies in the review process:
 - Orangetown Planning Board;
 - Rockland County Department of Planning;
 - Rockland County Highway Department;
 - Town of Clarkstown
 - Town of Ramapo
 - Village of Nyack
 - Village of Piermont
 - Village of Grandview

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- l & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the

Town Code, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

(SEE PROPOSED LOCAL LAW ATTACHED)

14. **SET PUBLIC HEARING REGARDING CONSIDERATION OF ADOPTION OF LOCAL LAW AMENDING CHAPTER 43 (ZONING) OF THE ORANGETOWN CODE, AND REPEALING CHAPTER 330 (ZONING LAW) OF THE FORMER VILLAGE OF SOUTH NYACK, RELATING TO THE NEW HAMLET OF SOUTH NYACK; REFER THE PROPOSED LOCAL LAW TO THE ORANGETOWN PLANNING BOARD FOR A RECOMMENDATION/ADVISORY REPORT; AND SEND THE PROPOSED LOCAL LAW TO THE ROCKLAND COUNTY PLANNING DEPARTMENT, AND TO THE CLERKS OF THE TOWN OF CLARKSTOWN, VILLAGE OF NYACK, AND VILLAGE OF GRAND VIEW-ON-HUDSON.**

RESOLVED that:

(1). A Public Hearing is scheduled by the Town Board for May 24, 2022, 7:15 PM, to consider the adoption of a Local Law to amend the following sections of Chapter 43 (Zoning) of the Code of the Town of Orangetown, summarized as follows:

- (a). §2.1 (Establishment of Districts) to add a new §2.2.2 to be entitled “South Nyack (SN) Hamlet District;”
- (b). §2.2 (Zoning Map) to add new Zoning Districts (SN____) within the new South Nyack Hamlet District;
- (c). §3.13 (Tables of General Regulations) to add a new Use and Bulk Table to be entitled “Table of Hamlet of South Nyack General Use, Bulk & Parking Regulations;”
- (d). repeal §10.2 (Enforcement), §10.22 (Permits), and §10.223(g) (Applications for a permit within designated critical environmental area) and replace §10.223(g) in its entirety with new Critical Environmental Areas provisions;
- (e). add a new Article XVIII, to be entitled “Hamlet of South Nyack Supplemental Regulations,” to Chapter 43 (Zoning);
- (f). repeal the former Village of South Nyack’s Zoning Law (Chapter 330 of the former Village Code); and
- (g). repeal selected former Village of South Nyack Code sections that are applicable to buildings and properties.

(2). **FURTHER RESOLVED** that the Town Board shall (a) refer this proposed Local Law to the Orangetown Planning Board for a recommendation/advisory report as per Orangetown Zoning Code §10.51; (b) send this proposed Local Law to the Rockland County Planning Department as per NYS General Municipal Law §239-m; and (c) send this proposed Local Law to the Town Clerk of the Town of Clarkstown, to the Village Clerk of the Village of Nyack, and to the Village Clerk of the Village of Grand View-On-Hudson, as per NYS Town Law §264.

15. **ACCEPT PROPOSAL / _____ / HALL ADDITION / CONSTRUCTION
MANAGER SERVICES / NEW TOWN**

WHEREAS, on February 28, 2022, via Town Board Resolution 2022-99, the Town Board authorized the construction of a new Town Hall to be added as adjacent to the newer portion of the existing Town Hall and provided for bonding to pay for the costs of construction, and

WHEREAS, on March 22, 2022, via Town Board Resolution 2022-136, the Town Board authorized the acceptance of bids for the construction of the new Town Hall as set forth more fully therein, and

WHEREAS, the Commissioner of the Department of Environmental Management and Engineering (DEME), Director of the Office of Building, Planning, Zoning, Administration, and Enforcement (OBZPAE), the Director of Finance, the Superintendent of Buildings and Parks, the Town Attorney, and Lothrop Associates, architects for the project, recommend that the Town employ the services of a Construction Manager to oversee the project on behalf of the Town, which services were previously accounted for in the bonding of the project, and

WHEREAS, such services are for professional services and not subject to the competitive bidding requirements of NY General Municipal Law §103, and

WHEREAS, in accordance with the Town's procurement policy, a Request for Proposals (RFP) has been prepared and distributed by Lothrop Associates on behalf of the Town seeking proposals from qualified entities to serve as Construction Manager, and

WHEREAS, the Town Department Heads referenced above and Lothrop Associates have reviewed the proposals and made recommendations to the Town Board,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the proposal from _____ to provide Construction Manager services to the Town as part of the new Town Hall project, in the amount of \$_____ subject to the execution of an Agreement satisfactory to the Town Attorney's Office with respect to same, and

BE IT FURTHER RESOLVED, that the Supervisor and/or her designee is authorized to execute the agreement as necessary to effectuate this resolution, upon approval by the Town Attorney's Office.

16. **ACCEPT PETITION / REQUEST FOR ZONE CHANGE AND DIRECT CIRCULATION
OF PROPOSED LOCAL LAW, GATTO LANE / TOLL BROTHERS, INC. / AMENDING
TOWN ZONING MAP FROM R-40 TO R-15 AND TO PAC ZONE REGARDING
PROPERTY LOCATED ON GATTO LANE, PEARL RIVER, TAX LOT 68.07-2-1**

WHEREAS, the owner of premises located on Gatto Lane, in the hamlet of Pearl River, Tax Lot 68.01-2-1 being located in the "R40" zoning district, has petitioned the Town Board to change the zoning classification of the property to R15 and simultaneously to the overlay district of "PAC" (Planned Adult Community), zoning district; and

WHEREAS, upon preliminary review, the Town Board is willing to consider the change to such R15 and PAC zone as the property is located in a residential area; and

WHEREAS, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as review by other interested agencies; and

WHEREAS, upon review of the Petition, and a Full Environmental Assessment Form prepared at the Town Board's request by the Office of Building, Zoning, Planning and Administration and Enforcement, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:
 - Orangetown Planning Board;
 - Rockland County Department of Planning;
 - Rockland County Drainage Agency;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- l & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 4.612(E), the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Zoning Map, to the Town Planning Board inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

17. **SET PUBLIC HEARING ON PROPOSED ZONE CHANGE FOR GATTO LANE ZONE CHANGE / TOLL BROTHERS, INC. / LOCATED ON GATTO LANE PEARL RIVER TAX LOT 68.07-2-1**

RESOLVED that the Town Board will hold a public hearing on Tuesday May 24, 2022 at 7:10 p.m., on a proposed Local Law, on application of Toll Brothers, Inc., project known as Gatto Lane Zone Change, as follows, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the vacant parcel of land located on the southeast side of Gatto Lane, tax lot 68.07-2-1 in the hamlet of Pearl River from "R40" to "R15" and "PAC".

18. **AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$586,000 BONDS OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE REPLACEMENT OF TRAFFIC SIGNALS IN AND FOR SAID TOWN**

WHEREAS, the Town Board of the Town of Orangetown, Rockland County, New York (the "Town"), on March 13, 2018, duly adopted a bond resolution authorizing the issuance of \$1,110,000 bonds of said Town to pay the cost of the replacement of traffic signals in and for the Town of Orangetown, Rockland County, New York; and

WHEREAS, it has now been determined that the maximum estimated cost of such objects or purposes is \$1,696,000, an increase of \$586,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$586,000 bonds of said Town for such specific objects or purposes to pay a portion of the cost thereof;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The revised plan of financing for the replacement of traffic signals is set forth below:

a) By the issuance of the \$1,110,000 bonds of said Town authorized to be issued pursuant to a bond resolution dated March 13, 2018; and

b) By the issuance of an additional \$586,000 bonds of said Town hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 3. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

19. AUTHORIZING THE CONSTRUCTION OF A PICKLEBALL COURT AT VETERANS PARK IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$250,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$250,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The construction of a pickleball court at Veterans Park, in and for the Town of Orangetown, Rockland County, New York, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$250,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$250,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis,

or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

20. AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF ROADS IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,338,460 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$2,338,460 BONDS OF SAID TOWN TO PAY THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The reconstruction and resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements, in and for the Town of Orangetown, Rockland County, New York, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$2,338,460.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,338,460 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates,

within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long- term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

21. AUTHORIZING THE NORTH MIDDLETOWN ROAD PEDESTRIAN IMPROVEMENT PROJECT IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,446,547 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$699,541 BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The North Middletown Road Pedestrian Improvement Project, in and for the Town of Orangetown, Rockland County, New York, including road reconfiguration, sidewalks, curbs, gutters, signals and incidental improvements and costs, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$2,446,547.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

(a) by the issuance of \$699,541 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law; and

(b) by the expenditure of \$1,747,006 grants.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no

monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

22. AUTHORIZING TRAFFIC SIGNAL REPLACEMENT AT THE INTERSECTION OF WILLIAM STREET AND CENTRAL AVENUE IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$275,200 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$63,200 BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Traffic signal replacement at the intersection of William Street and Central Avenue, in and for the Town of Orangetown, Rockland County, New York, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$275,200.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

(a) by the issuance of \$63,200 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law; and

(b) by the expenditure of \$212,000 grants.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the

Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

23. **AUTHORIZING REPLACEMENT OF CULVERTS AT 400 ROUTE 303 IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$648,597 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$336,678 BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The replacement of culverts at 400 Route 303, including incidental improvements and costs, in and for the Town of Orangetown, Rockland County, New York, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$648,597.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- (a) by the issuance of \$336,678 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law; and
- (b) by the expenditure of \$311,919 grants.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long- term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

24. AUTHORIZING A BIO-RETENTION BASIN AND STORMWATER WETLANDS PROJECT IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,017,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$392,155 BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. A Bio-retention basin and stormwater wetlands project, in and for the Town of Orangetown, Rockland County, New York, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$2,017,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

(a) by the issuance of \$392,155 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law; and

(b) by the expenditure of \$1,624,845 grants.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

25. **ACCEPT, AND AUTHORIZE SUPERVISOR TO EXECUTE, THE NYS DEPARTMENT OF STATE'S LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT (CREG) RE. SOUTH NYACK DISSOLUTION IMPLEMENTATION**

WHEREAS, the Town of Orangetown has been approved by the NYS Department of State (DOS) to receive a Local Government Citizens Re-Organization Empowerment Grant (CREG), with a Contract Period/Term of 04/01/2021 through 03/31/2026 (Contract #T1002180), in the Funding amount of \$25,000.00 to be remitted to the Town, subject to the review and approval by the DOS and the submission of further documentation by the Town to the DOS;

THEREFORE, BE IT RESOLVED that the Town Board hereby agrees to accept the \$25,000.00 CREG Grant from the DOS, for the purposes of providing the Town financial assistance toward the costs and expenses associated with the expansion of Town services resulting from the dissolution of the Village of South Nyack; and

BE IT FURTHER RESOLVED that the Town Supervisor, or her designee, is authorized to execute the Master Grant Contract, and any and all other documents necessary to accept and administer the CREG Grant, related to the South Nyack Dissolution Implementation, in accordance with the DOS requirements, and subject to review and approval of the Town Attorney.

TOWN ATTORNEY

26. **APPROVE AND SETTLE CLAIM OF CARIDAD FERNANDEZ and LIEN OF CONDUENT AS SUBROGOR OF CIGNA WITH REGARD TO CARIDAD FERNANDEZ**

WHEREAS, on or about March 1, 2021, the Town of Orangetown ("Town") has received a Notice of Claim from Caridad Fernandez, as a result of an automobile accident, for the cost of eyeglass replacement in the amount of FIVE HUNDRED EIGHTY-NINE AND 00/100 (\$589.00) DOLLARS as damages; and

WHEREAS, on or about August 4, 2021, the Town received a Notice of Lien to Attorney from Conduent Payment Integrity Solutions (hereinafter "Conduent"), on behalf of Cigna, and with regard to Claimant Caridad Fernandez; and

WHEREAS, the Town has agreed to satisfy the Lien of Conduent as subrogor for Cigna, the healthcare provider for Claimant Caridad Fernandez, subject to Town Board approval, the amount of THREE THOUSAND SEVEN HUNDRED TWENTY-SIX AND 24/100 (\$3,726.24) DOLLARS as full and final payment of its claim for medical expenses advanced on behalf of Caridad Fernandez;

NOW THEREFORE BE IT RESOLVED, that the claim by Caridad Fernandez in the amount of FIVE HUNDRED EIGHTY-NINE AND 00/100 (\$589.00) shall be settled and paid by the Town in the full and final amount of FIVE HUNDRED EIGHTY-NINE AND 00/100 (\$589.00) DOLLARS, and the lien of Conduent on behalf of Cigna in the amount of THREE THOUSAND SEVEN HUNDRED TWENTY-SIX AND 24/100 (\$3,726.24) DOLLARS shall be settled and paid by the Town in the full and final amount of THREE THOUSAND SEVEN HUNDRED TWENTY-SIX AND 24/100 (\$3,726.24) DOLLARS; 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.

27. APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING NYACK MEDICAL CENTER LLC V. ORANGETOWN, ET AL. (66.21-1-74./1)

RESOLVED, upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Nyack Medical Center LLC v. Orangetown, et al., tax map designation 66.21 -1-74./1 (111 N Highland Ave, Nyack), for the tax assessment years 2018 – 2021 for a total refund by the County of \$3,328, a total refund by the Town of \$58,433, and a total refund by the School District of \$31,421. 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

28. AWARD BID / ATHLETIC COURT CRACK REPAIR / SPORT-TECH ACRYLICS CORP., BREWSTER, NY

RESOLVED, that upon the recommendation of Superintendent of Parks and Recreation, award the bid for athletic court crack repair for various Town athletic courts to Sport-Tech Acrylics Corp. of Brewster, NY in an amount not to exceed \$60,000.00.

HIGHWAY / POLICE

29. APPROVE/ LEND ASSISTANCE / 2022 GREEK FESTIVAL / ST. CONSTANTINE'S CHURCH

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of cones, barricades, trash cans, recycling kiosks & bins, directional & no parking signs from the Highway Dept., and Auxiliary police from OPD, for the Greek Festival to be held from Thursday, June 2 – through Sunday, June 5, from 12pm – 12 am.

30. APPROVE / LEND ASSISTANCE/ PEARL RIVER CHAMBER OF COMMERCE 5K

RESOLVED, that upon the recommendation from the Superintendent of Highways and the Chief of Police, that the Town Board hereby authorizes that these two departments to lend assistance which includes the use of barricades from the Highway Department, and auxiliary police detail from OPD, for the Pearl River 5K to be held on Saturday, April 23, 2022 from 8:00am- 1:00 pm.

TOWN CLERK

31. 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: March 8, 2022 Police Commission; March 8 & 22, 2022 Regular Town Board and March 29, 2022 Special Town Board Meeting.
Agreement / Contracts:
2. Town of Ramapo, Police Firing Range
3. Village of South Nyack, (Assignment & Assumption) Community Choice Aggregation
4. Keane & Beane, Village of S Nyack vs Yeshiva Viznitz Dkhal Torath Chaim Inc Sup Ct Rockland Co. Index No. 031081-2021
5. Nelson & Pope (Engineers-Architects-Surveyors) Splash Pad, water supply & drainage

AUDIT

32. 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 **\$1,079,013.64**.

EXECUTIVE SESSION

33. ENTER EXECUTIVE SESSION

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

ADJOURNMENTS

34. RE-ENTER RTBM / ADJOURNED / MEMORY

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