



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday November 15, 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 Town of Orangetown, in partnership with Veterans Angels of Hope, is providing free Thanksgiving dinner bags to all veterans in Orangetown on Saturday, November 19, 2022. Please call the Supervisor's office to reserve your dinner at 845-359-5100 x2293 or email at veteran@orangetown.com.
- ◆ 31st Annual Santa Claus 5K Run on Sunday, December 11, 2022. Please visit orangetown.com to sign up.

MOMENT OF SILENCE:

- ◆ University of Virginia Football Players:
 - Devin Chandler
 - Lavel Davis, Jr.
 - D'Sean Perry

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. **CONTINUATION OF PUBLIC HEARING FROM RTBM OF OCTOBER 25, 2022 / 7:05 P.M. / 2023 PRELIMINARY BUDGET**

RESOLVED, that the Public Hearing regarding the 2023 Preliminary Budget from October 25, 2022 is hereby continued.

SUMMARY OF COMMENTS:

4. **CLOSE PUBLIC HEARING / 2023 PRELIMINARY BUDGET**

RESOLVED, that the Public Hearing regarding the 2023 Preliminary Budget is hereby closed.

5. **APPROVE AMENDMENTS / 2023 PRELIMINARY BUDGET**

Note: Vote on amendments to the 2023 Preliminary Budget.

Changes to 2023 Preliminary Budget			
<u>ACCOUNT NO</u>	<u>ACCOUNT DESCRIPTION</u>	<u>2023 Supervisor</u>	<u>2023 Adopted</u>
A.1410.015	TOWN CLERK.APPOINTED OFFICIALS	\$ 90,400	\$ 88,400
A.5010.015	SUPT. OF HIGHWAYS.APPOINTED OFFICIALS	\$ -	\$ 1,300
A.1410.013	TOWN CLERK.SEASONAL & PART TIME	\$ -	\$ 15,000
B.3120.011.16	POLICE.PERMANENT STAFF.POLICE	\$ 12,590,793	\$ 12,701,407
B.9015.800.16	POLICE RETIREMENT.FRINGE BENEFITS.POLICE	\$ 4,420,345	\$ 4,440,345
B.9030.800.16	SS / MEDICARE.FRINGE BENEFITS.POLICE	\$ 1,055,969	\$ 1,069,868
B.9040.800.16	WORKERS COMPENSATION.FRINGE BENEFITS.POLICE	\$ 1,002,615	\$ 1,016,514
B.9060.800.16	HOSPITALIZATION.FRINGE BENEFITS.POLICE	\$ 5,085,370	\$ 5,132,888
B.3599.000.16	APPROPRIATED FUND BALANCE.POLICE	\$ 800,000	\$ 1,000,000
Taxes collected in respective funds will be adjusted to reflect approved changes			

6. **APPROVE 2023 PRELIMINARY BUDGET AS AMENDED**

RESOLVED, that the Town Board hereby approves the 2023 Preliminary Budget, as amended, as the 2023 Adopted Budget.

BE IT FURTHER RESOLVED, the Director of Finance is authorized to adjust the fund balance to accommodate these changes, all the while, staying under the levy tax cap.

BE IT FURTHER RESOLVED, the Director of Finance is authorized to make the 2023 Adopted Budget available on the Town's website and file it in the Office of the Town Clerk.

7. **APPROVE ONE YEAR CONTRACT / FIRE PROTECTION SERVICES / BLAUVELT FIRE PROTECTION DISTRICT / BLAUVELT VOLUNTEER FIRE COMPANY, INC.**

RESOLVED, that the Town Board hereby approves a ONE (1) year contract with the Blauvelt Volunteer Fire Company, Inc. for fire protection services in and throughout the Blauvelt Fire Protection District for calendar year 2023, in the sum of SIX HUNDRED FIFTY-ONE THOUSAND, FOUR HUNDRED AND 00/100 **(\$651,400.00)** DOLLARS, including Workers Compensation insurance and otherwise in accordance with the terms of the Contract incorporated herein by reference.

8. **APPROVE / ONE YEAR CONTRACT FOR LIBRARY SERVICES / ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY, AND THE TAPPAN FREE LIBRARY**

RESOLVED, that the Town Board hereby approves a ONE (1) Year Contract with the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district as set forth within the Orangetown Library District (and including the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012) in the Town for calendar year 2023, as follows:

(A) BLAUVELT: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for SEVEN HUNDRED FOURTEEN THOUSAND FOUR HUNDRED AND 00/100 **(\$714,400.00)** DOLLARS, with the Blauvelt Free Library to provide library services to residents of Blauvelt, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

(B) ORANGEBURG: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for FIVE HUNDRED SEVENTY-ONE THOUSAND TWO HUNDRED AND 00/100 **(\$571,200.00)** DOLLARS, with the Orangeburg Library to provide library services to residents of Orangeburg, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference

(C) PALISADES: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for THREE HUNDRED EIGHT-NINE THOUSAND FOUR HUNDRED THREE AND 00/100 (**\$389,403.00**) DOLLARS, with the Palisades Free Library to provide library services to residents of Palisades, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

(D) TAPPAN: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for SEVEN HUNDRED THIRTY THOUSAND SEVEN HUNDRED FIFTEEN AND 00/100 (**\$730,715.00**) DOLLARS, with the Tappan Free Library to provide library services to residents of Tappan, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

9. **RECOGNIZE THE ORANGETOWN HOUSING AUTHORITY'S APPOINTMENT OF SHARON OGDEN / TENANT REPRESENTATIVE / EFFECTIVE JUNE 23, 2022 THROUGH JUNE 30, 2024**

RESOLVED, that the Town Board recognizes the Orangetown Housing Authority's appointment of SHARON OGDEN as a Tenant Representative, effective June 23, 2022 through June 30, 2024, for a two-year term.

10. **AUTHORIZE/ SELL PARK LAND AND GRANT TEMPORARY EASEMENT TO COUNTY OF ROCKLAND / VICINITY OF THE WEST WASHINGTON AVENUE BRIDGE IN PEARL RIVER**

WHEREAS, the County of Rockland is proceeding with plans for a project to replace the West Washington Avenue Bridge over the Pascack Brook and realign West Washington Avenue in Pearl River, Town of Orangetown; and

WHEREAS, the Town of Orangetown is the owner of certain property located in the vicinity of the West Washington Avenue Bridge and which property is currently used by the Town of Orangetown as park land; and

WHEREAS, the County of Rockland is seeking to acquire such Town owned park land for purposes of completing roadway safety improvements including replacement of the bridge at that; and

WHEREAS, pursuant to Town Board Resolution 2021-235 which is incorporated by reference herein, the Town Board approved the submission of a Home Rule Request for the enactment of special state legislation, Bill S5953A in the senate, and Bill A 6745A in the Assembly, authorizing the Town to discontinue the use of the Town parkland in the vicinity of the West Washington Avenue Bridge; and

WHEREAS, the State of New York approved and authorized the alienation of this parkland pursuant to New York Session Law Chapter 576 of 2021, under the terms and conditions set forth more fully therein; and

WHEREAS, pursuant to an appraisal obtained by the County of Rockland, and reviewed by the Town, the appraised value of the property that is to be permanently transferred by the Town to the County is \$114,620.00, and the value of the property that is subject to a temporary easement grant by the Town to the County is \$27,080.00, for a total price of \$141,700.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orangetown hereby approves the transfer and sale of the Town owned park land property in the vicinity of the West Washington Avenue Bridge, Pearl River, that being a 39,525.00± Square Foot parcel located along the northern side of West Washington Avenue, and authorizes the grant of a temporary easement over a 31,129.00± Square Foot parcel for three (3) years, as more fully described and set forth in the attached agreement with the County of Rockland, upon receipt of a total payment of \$141,700.00 (One Hundred Forty One Thousand Seven Hundred Dollars) from the County of Rockland, which funds shall be used towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities that are owned and operated by the Town; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to sign the Agreement with the County and any and all documents necessary to effectuate the transfer of the property and grant of easement that may be necessary to effectuate the purposes of this resolution, upon review and approval of the Town Attorney; and

BE IT FURTHER RESOLVED, that as this resolution authorizes the conveyance and temporary encumbrance of real property owned by the Town, that this resolution is subject to permissive referendum pursuant to §64(2) and §90 of the New York Town Law.

11. **AUTHORIZE / ONE-TIME LUMP SUM PAYMENT / FULL TIME AND PART TIME / APPOINTED AND EXCLUDED OFFICIALS**

RESOLVED, that the Town Board authorizes a one-time lump sum payment of \$3,000 for full time appointed/excluded officials in lieu of raises in 2021 and 2022. These positions are listed below. For personnel not here for the full 2022, the payment will be pro-rated.

- ASSESSOR
- CONFIDENTIAL ASSISTANT TO SUPERVISOR
- DEPUTY COMMISSIONER
- DEPUTY TOWN CLERK
- DIRECTOR OF BUILDING, ZONING, PLANNING AND ENFORCEMENT
- DIRECTOR OF ECONOMIC DEVELOPMENT & TOURISM
- DIRECTOR OF FINANCE
- HUMAN RESOURCES COORDINATOR
- JUSTICE COURT CLERK
- SECRETARY, PLANNING AND ZONING BOARDS
- SUPERINTENDENT PARKS AND RECREATION
- TOWN ATTORNEY

RESOLVED, that the Town Board authorizes a one-time lump sum payment of \$1,500 for part time appointed/excluded officials in lieu of raises in 2021 and 2022. These positions are listed below. For personnel not here for the full 2022, the payment will be pro-rated.

- DEPUTY TOWN ATTORNEYS
- TOWN CURATOR
- TOWN HISTORIAN

12. **APPROVE / RETAINER AGREEMENT WITH WILSON ELSER / COLLECTION OF OVERDUE NON-RESIDENT FEES**

RESOLVED, approve the retainer of Wilson Elser, White Plains, New York to provide legal services for the Town in a contractual matter regarding collection of overdue non-resident fees, at the rate of no more than \$250.00 per hour and on the terms and conditions set forth more fully in a proposed Retainer Agreement, incorporated by reference herein, and authorize the Supervisor, or her designated representative, to execute a copy thereof.

TOWN BOARD / IT

13. **APPROVE ONE YEAR CONTRACT / MANAGED SERVICES PROVIDER SERVICES / VIRTUIT SYSTEMS**

WHEREAS, in accordance with the Town procurement policy, the Town sought and received quotes for professional Information Technology (IT) services from three Managed Service Providers (MSP), and

WHEREAS, the Town has received and reviewed the proposals and finds that the proposal from VirtulT Systems, Nanuet, New York, provides the level of services necessary to assist the Town with its IT needs at this time,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby authorizes the retention of the VirtulT Systems for purposes of providing Managed Services Provider services and IT assistance, with a term commencing November 15, 2022 through November 15, 2023 at the monthly cost of \$7055.00, 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.

PARKS AND RECREATION

14. **AWARD BID / ROOF & STRUCTURAL REPAIRS / BLUE HILL RESTAURANT**

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance award the bid for roofing and structural repairs for the Blue Hill restaurant to Hayden Building Maintenance of West Nyack, NY in the amount of: \$61,750.00, the only qualified bidder.

LEND ASSISTANCE

15. APPROVE / LEND ASSISTANCE/ TAPPAN VETERANS DAY SERVICE

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Highway Department to lend assistance which includes the use of message boards, for the Tappan Veterans Day Service to be held on Friday, November 11, 2022 from 11am to 12pm, nunc pro tunc.

16. APPROVE / LEND ASSISTANCE / 2022 TAPPAN FIRE DEPARTMENT 5K / SUNDAY, NOVEMBER 13

RESOLVED, 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, 1 ADA) for the Tappan Fire Department 5K Run, Sunday, November 13, 2022, nunc pro tunc.

TOWN CLERK

17. 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: October 11, 2022 Police Commission Meeting; October 11 & 25, 2022, Regular Town Board Meeting; and October 25, 2022 Special Town Board Meeting.

Agreement & Contracts:

2. Laberge, Contract/Addendum, S. Nyack Parking Study.
3. Rockland County, LEAD Project Connect (pre arraignment diversion program).

AUDIT

18. 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 **\$1,764,324.37**.

EXECUTIVE SESSION

19. ENTER EXECUTIVE SESSION

RESOLVED, at _____ pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value.

ADJOURNMENTS

20. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Robert Beckerle**, *Son of Former Orangetown Director of Environmental Management and Engineering, Bob Beckerle*

- ❖ **Tara Kenny**, *Resident of Pearl River*