



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday November 29, 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:

- ◆ **Public Hearing on the Orangetown Comprehensive Plan / December 13, 2022**

PRESENTATIONS:

- ◆ **Proposed Senior Citizen Exemption - Brian Kenney, Town Assessor**
- ◆ **Recognizing Eagle Scout Nick Burns - William O. Schaefer Nature Trail Project -**
He rerouted a portion of the trail that was eroding due to storm water runoff and added a bridge and walkway decking through the rerouted area to make the trail more resistant to future erosion and more easily accessible +for users.

DISCUSSION:

- ◆ **WORKSHOP OF AGENDA ITEMS**
- ◆ **FOOD TRUCK REGULATIONS**

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. 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.

4. **APPROVE / AGREEMENT / EVCONNECT / DEPOT SQUARE, SPARKILL CHARGING STATIONS / 5 YEARS**

WHEREAS, in 2018, the New York Power Authority ("NYPA") contracted on the Town of Orangetown's behalf with EVConnect to purchase a software subscription for the electric vehicle charging stations in Depot Square, Sparkill for 4 years; and,

WHEREAS, the contract with NYPA and EVConnect will end on November 30, 2022 for the Depot Square, Sparkill charging stations; and,

WHEREAS, EVConnect has a contract with Sourcewell for electric vehicle charging station software and the Town may, pursuant to Chapter 1A of the Town Code and New York General Municipal Law §103(16), enter into a contract with EVConnect as part of the Sourcewell Contract #042221-EVC; and,

NOW, THEREFORE BE IT RESOLVED, upon the recommendation of the Supervisor's Office, the Town Board hereby approves to enter into a 5-year contract with EVConnect for the Operate software subscription, not to exceed \$3,500, to be paid from the following budget line item SP 3320.457; and,

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to sign the agreement with EVConnect, subject to review and approval of the Town Attorney.

HIGHWAY

5. **APPROVE / DESIGNATE SNOW EMERGENCY ROUTES / SOUTH NYACK**

WHEREAS; Chapter 39, Article III; Section 39-25 of the Town Code finds that the leaving of vehicles on designated Town highways during periods of heavy snowfall has hindered and obstructed the Department of Highways in snow removal operations, and that the leaving of vehicles on designated Town highways during snowfalls causes hazards to persons using such highways, and that the purpose of this local law is to protect the health, safety and well-being of persons and property by imposing restrictions on the leaving of vehicles on designated Town highways during periods of heavy snowfall, and

WHEREAS, upon the dissolution of the former Village of South Nyack, certain roads that were not part of the Town roads to which that section was applicable are now the responsibility of the Town,

NOW THEREFORE, BE IT RESOLVED; the following roads in the hamlet of South Nyack shall be designated Emergency Routes as per section 39 -27, "Emergency Routes," and the Town board hereby authorizes the Superintendent of Highways to place Emergency Route Signs at these road locations:

- Piermont Avenue
- South Broadway
- South Boulevard

- South Highland
- Clinton Avenue
- Franklin Street
- Cedar Hill

PARKS AND RECREATION

6. **APPOINT JOHN ROBINSON / SENIOR GROUNDSWORKER / PROBATIONARY / EFFECTIVE DECEMBER 05, 2022 / PARKS AND RECREATION**

RESOLVED, upon the recommendation of the Superintendent of Parks and Recreation, appoint John Robinson to the position of Senior Groundswoker, probationary, Grade 13, Step 8/13, at a salary of \$89,934, effective December 5, 2022.

LEND ASSISTANCE

7. **COMBINE / APPROVE AGENDA ITEMS #8 TO 11**

RESOLVED, the Town Board hereby combines and approves agenda items #8 to 11.

8. **APPROVE/ LEND ASSISTANCE/ PEARL RIVER ROTARY SHARE CHRISTMAS AND THE HOLIDAYS / DECEMBER 9, 2022**

RESOLVED, upon the completion of all necessary paperwork and upon the recommendation of the Superintendent of Highways and Chief of Police the Town Board hereby approves the Pearl River Rotary Club's request for assistance, which includes police detail from the Police Department and an enhanced security perimeter, barricades, trash barrels and a message board from the Highway Department for their Share Christmas and the Holidays Event to be held on Friday, December 9, 2022 from 6pm to 10pm with a rain date of December 16, 2022.

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$500.00 by the Pearl River Rotary for their Share Christmas & The Holidays, Friday, December 9, 2022, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

9. **APPROVE/ LEND ASSISTANCE/ TAPPAN REFORMED CHURCH CAROLING AND TREE LIGHTING / DECEMBER 3, 2022**

RESOLVED, the Superintendent of Highways and the Chief of Police have forwarded for approval by the Town Board the use of barricades, trash barrels and a message board from the Highway Department and Auxiliary Police detail from OPD for the Tappan Reformed Church Caroling and Tree Lighting on Saturday, December 3, 2022

10. **APPROVE / LEND ASSISTANCE / 2022 WINTER WONDERLAND FAMILY FESTIVAL / SATURDAY, DECEMBER 3, 2022**

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile by St. Thomas Aquinas College for their Winter Wonderland Family Festival, Saturday, December 3, 2022, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

11. **APPROVE / LEND ASSISTANCE / 2022 ORANGEBURG FIRE DEPT. HOLIDAY PARADE / SATURDAY, DECEMBER 10, 2022**

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$500.00 by the Orangeburg Volunteer Fire Department for their Holiday Parade, Saturday, December 10 2022, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

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, 1ADA unit) for the Orangeburg Fire Department's Holiday Parade, Saturday, December 10, 2022.

TOWN CLERK

12. **APPROVE / 2023 TOWN BOARD MEETING CALENDAR**

RESOLVED, that the following 2023 Town Board Meeting Calendar is hereby approved:

01/10/23 Re-Organizational Meeting

01/24/23 Police Commission / Regular Town Board Meeting

02/07/23 Police Commission / Regular Town Board Meeting

02/21/23 Regular Town Board Meeting

03/07/23 Police Commission / Regular Town Board Meeting

03/21/23 Regular Town Board Meeting

04/11/23 Police Commission / Regular Town Board Meeting

04/25/23 Regular Town Board Meeting

05/09/23 Police Commission / Regular Town Board Meeting

05/23/23 Regular Town Board Meeting

06/13/23 Police Commission / Regular Town Board Meeting

06/27/23 Regular Town Board Meeting

07/11/23 Police Commission / Regular Town Board Meeting

07/25/23 Regular Town Board Meeting

08/08/23 Police Commission / Regular Town Board Meeting
08/22/23 Regular Town Board Meeting
09/12/23 Police Commission / Regular Town Board Meeting
09/26/23 Regular Town Board Meeting
10/10/23 Police Commission / Regular Town Board Meeting
10/24/23 Regular Town Board Meeting
11/14/23 Police Commission / Regular Town Board Meeting
11/28/23 Regular Town Board Meeting
12/12/23 Police Commission / Regular Town Board Meeting

Police Commission Meetings start at 6:30 pm; Town Board Meetings begin at 7:00 pm.

AUDIT

13. PAY VOUCHERS

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of **two (2)** warrants for a total of **\$1,834,652.18**.

EXECUTIVE SESSION

14. 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

15. RE-ENTER RTBM / ADJOURNED / MEMORY

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

❖ **Linda Ofeldt**, *Mother-in-Law of Retired Orangetown Employee Frank Luciano*