

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
November 29, 2022**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

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

Also Present:

Allison Kardon, Supervisor's Confidential Assistant
Carmel Reilly, Director of Economic Development & Tourism
Rosanna Sfraga, Town Clerk
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEMA
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob Urban, Human Resource Coordinator
Matthew Lenihan, Computer Network Specialist
Brendon Carton, IT Department
Donald Butterworth, Police Chief

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

RESOLUTION NO. 541

OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Summary of Public Comments:

Kevin Clancy & Sandra Eubanks, Orangeburg, complained that the single-family residence at 19 Carlton Rd, is a boarding house. They requested the Regulations / Town Code as to what the owners are allowed to do and they requested the Town to look into this matter.

Jamie Failing, Cathy Cawley, Robert Beers, & Greg Winsko, Pearl River; John Sherry, W. Nyack; and Patricia DeGraw, Blauvelt, are in favor of Rockland Cider Works (RCWS). They hope all parties will make a fair agreement and concessions. Something needs to be worked out. Patricia DeGraw suggested: all violations should be made public and "No Parking" signs be installed on Sickletown Road.

Darin Van Houten, Owner of Rockland Cider Works, spoke about agriculture and tourism. He wants to work with the Town to save the farm and RCWS. He would like to set a date for a meeting with the Town Supervisor.

Loretta Tito & Jerry Goggins, Orangeburg; and Kevin Mc Cormack, Pearl River; likes the farm but not RCWS. They complained about the parking and dangerous possible fire conditions. Barbara Delo, Blauvelt, is opposed to the draft Comprehensive Plan. The plan needs to have substantial changes.

Eileen Larkin, Palisades, encourage the Town Board to approve a senior citizen tax exemption income increase.

RESOLUTION NO. 542**CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 543

**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

RESOLUTION NO. 543 - Continued

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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 544**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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 545**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:

Route 9W	Piermont Avenue
South Broadway	South Boulevard
South Highland	Clinton Avenue
Franklin Street	Cedar Hill

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 546**APPOINT JOHN ROBINSON / SENIOR GROUNDWORKER / 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 Groundworker, probationary, Grade 13, Step 8/13, at a salary of \$89,934, effective December 5, 2022.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 547**COMBINE / APPROVE AGENDA ITEMS #8 TO 11**

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

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 548**APPROVE/ LEND ASSISTANCE/ PEARL RIVER ROTARY SHARE CHRISTMAS AND THE HOLIDAYS / DECEMBER 9, 2022**

RESOLVED, 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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 549**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

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 550**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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 551**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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 552**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.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 553
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**.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

RESOLUTION NO. 554
ADJOURNED / MEMORY

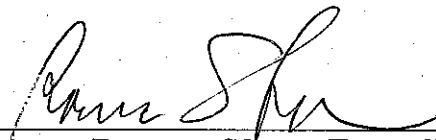
RESOLVED, at 8:12 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Catherine Dodge**, *Resident of Orangeburg and Former Orangetown Deputy Town Supervisor*; **Robert Gallagher**, *Pearl River Football Coach*; **Anna Hickey**, *Resident of Piermont and Retired Rockland Commissioner of Jurors*; and **Linda Ofeldt**, *Mother-in-Law of Retired Orangetown Employee Frank Luciano*.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None



Rosanna Sfraga, Town Clerk

Town of Orangetown

DATE: November 29, 2022

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	111822	\$ 878,748.27
	112922	\$ 955,903.91

\$ 1,834,652.18

The above listed claims are approved and ordered paid from the appropriations indicated.

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

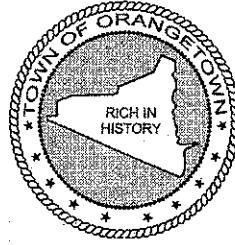
Councilman Thomas Diviny

Councilman Brian Donohue

Supervisor Teresa M. Kenny

TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 11/22/2022
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 11/29/2022 consists of 2 warrants for a total of \$1,734,652.18.

The first warrant had 18 vouchers for \$878,748 and had the following items of interest.

1. NYPA (p1) - \$22,190 for streetlight project.
2. NYS Dept. of Civil Service (p2) - \$827,915 for healthcare benefits.

The second warrant had 156 vouchers for \$955,903 and had the following items of interest.

1. A+ Technology (p2) - \$66,978 for security cameras at various pump stations.
2. Capasso & Sons (p10) - \$80,017 for recycling.
3. Collier's Engineering & Design (p11) - \$14,093 for Rt. 303 culvert inspection services.
4. Cotter, Michael (p13) - \$8,800 for CTR inspections.
5. Crown Castle Fiber (p14) - \$23,526 for connectivity.
6. CSEA Employee Benefit Fund (p14) - \$34,707 for dental benefits.
7. Global Montello (p19) - \$24,415 for fuel.
8. Goosetown Enterprises (p20) - \$11,050 for police equipment leases.
9. GP Jager Inc. (p20) - \$14,450 for sewer equipment repairs.
10. Hush Maintenance (p22) - \$12,500 for repair of generator.
11. Joe Lombardo Plumbing & Heating (p25) - \$8,100 for new town hall plumbing (bonded).
12. Johnson Controls (p25) - \$8,214 for HVAC service agreement.
13. Journal News Media Group (p27) - \$12,272 for town clerk publications.
14. Met Life (p31) - \$14,377 for Police dental benefits.

15. Morano Brothers Corp. (p31) - \$341,368 for N. Middletown Rd. Project (bonded).
16. Ron's Quality Automotive (p40) - \$6,343 for vehicle repairs sewer.
17. State Comptroller (p47) - \$33,163 for Justice Fines.
18. Tilcon NY (p49) - \$43,682 for Highway materials.
19. Verde Electric (p53) - \$88,742 for new traffic signals (bonded).
20. Zarin & Steinmetz (p55) - \$6,457 for HNA project (reimbursed).

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA

845-359-5100 x2204