

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
January 24, 2023**

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:

Denis Troy, Deputy Supervisor
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 DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob Urban, Human Resource Coordinator
Brendon Carton, IT Department

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- **Orangetown's Community Solar Opt-in Program / January 2023 / For more information, visit our website at www.orangetown.com**
- **Proposed Farmers Market in Pearl River / Please take our community interest survey found on our website at www.orangetown.com.**
- **The Town of Orangetown Highway Department was the recipient of the 2023 American Public Works Association Excellence in Snow and Ice Control Award. The award was established to promote excellence in the management and administration of public works snow and ice operations, while minimizing environmental impacts.**

DISCUSSION:

Workshop of Agenda Items

RESOLUTION NO. 30

**CONTINUATION OF PUBLIC HEARING FROM DECEMBER 13, 2022 / 7:05 P.M.
ACCEPT DRAFT COMPREHENSIVE PLAN / CONSIDER ADOPTING THE
ORANGETOWN COMPREHENSIVE PLAN**

RESOLVED, that the Public Hearing regarding accepting the Draft Comprehensive Plan and consider adopting the Orangetown Comprehensive Plan, is hereby resumed.

RESOLUTION NO. 30 - Continued

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

Summary of Public Comments:

Wayne Gavioli, Pearl River, is opposed to the Draft Comprehensive Plan. It is not the vision for Orangetown. The entire process is illegal and State law should be adhered to.

Barbara Delo, Blauvelt, is against this plan. Most of the plan is pushing for multi-family housing.

Eileen Larkin, Palisades, believes the Governor will challenge our Comprehensive Plan. She wants to see affordable senior housing and she believes we need to repurpose empty buildings.

Mike Mandel, Pearl River, is concerned about the Governor's plans regarding Transit Development Housing, High Density Housing and EV batteries.

James Castagna, Sparkill, early in the day submitted a letter with his comments (Exhibit 01-24-A).

RESOLUTION NO. 31**CLOSE OR CONTINUE PUBLIC HEARING / ACCEPT DRAFT COMPREHENSIVE PLAN / CONSIDER ADOPTING THE ORANGETOWN COMPREHENSIVE PLAN**

RESOLVED, that the deadline to submit written comments regarding the Draft Comprehensive is February 3, 2023 and the Public Hearing will resume on March 7, 2023 at 7:10 pm.

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. 32**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:

Jeff McCall, Nyack, presented and read his letter regarding the Senior Citizens' Clubs (Exhibit 01-24-B).

Kevin McCormack, Orangeburg, said RCW is not a good neighbor and is concerned about their unsafe activities in a residential neighborhood. He asked about the zone change.

Eileen Larkin, Palisades, is concerned that the public hearing regarding the increase of the income level will be too late. Senior Citizens need tax relief.

Gerry Goggins, Orangeburg, informed the Town Board of some of the rulings regarding RCW. Barbara Delo, Blauvelt, gave her thoughts on development in Orangetown, such as, affordable housing for younger people and senior citizens.

Susan McWhinny, Orangeburg, requested the Town Board to hold-off on Referring the RCW petition to the LaBerge Group for review.

Summary of Public Comments - Continued

Joyce Taub, W. Nyack, said RCW has broken Town laws, operating illegality and she is against the LaBerge Group reviewing their petition.

Alex Shah, attorney representing RCW's neighbors, is against the LaBerge Group reviewing RCW's petition and said Town Board members with a conflict must recuse themselves.

Darin Van Houten, owner of RCW, spoke about the gross mischaracterizations, and said the rulings are blizzard and there is nothing stopping from the Town & RCW working together.

Robert Zitl, attorney for the RCW's neighbors, said it's a simple decision for the Town Board.

The Town and NYS court have determined, RCW is not operating within its description.

Stuart & Carolynn Rasch, Pearl River, submitted a letter regarding RCW (Exhibit 01-24-B).

Eric Hofia, Piermont, complained about a lot of trash along the roads and that the recyclable bins are too small. He suggested strong worded signs and cameras for littering.

RESOLUTION NO. 33**CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

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. 34**ENTER EXECUTIVE SESSION**

RESOLVED, at 8:21 pm, the Town Board entered Executive Session to receive advise from legal counsel.

Supervisor Teresa M. Kenny offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 35**RE-ENTER RTBM**

RESOLVED, at 8:35 pm, the Town Board re-entered the Regular Town Board Meeting.

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. 36**GRANT PERMISSION / 2023 TRAINING SCHOOL AND ANNUAL MEETING OF ASSOCIATION OF TOWNS / FEBRUARY 19-22, 2023**

RESOLVED, that permission is granted to Elected Officials and Department Heads or their representatives to attend the 2023 Training School and Annual Meeting of the Association of Towns in New York City, February 19-22, 2023, with the Town paying the cost of courses and travels to be charged to appropriate departmental accounts.

RESOLUTION NO. 36 - Continued

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 37
COMBINE / APPROVE AGENDA ITEMS #7 TO 37**

RESOLVED, the Town Board hereby combines and approves agenda items #7 to 37.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 38
APPOINT / REAPPOINT LIAISONS / 2023 / LAND USE BOARDS / COMMITTEES**

RESOLVED, that the following Town Officials are hereby appointed / reappointed liaisons to the following Land Use Boards and Committees for 2023:

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

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 39
REAPPOINT / BLUE HILL GOLF ADVISORY COMMITTEE / 2023 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Blue Hill Golf Advisory Committee for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

RESOLUTION NO. 39 - Continued

Patrick J. Shields (Chairman)	Sean Burke	Joseph Green
Michael Hussey	Martin Fogarty	Matt Willock
Kevin Fagan	Nick Gajovich	Joseph O'Loughlin

Liaison: Councilman Paul Valentine

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 40

REAPPOINT / ORANGETOWN COMPREHENSIVE PLANNING COMMITTEE / 2023 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Comprehensive Planning Committee for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

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

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 41

APPOINT / REAPPOINT / ORANGETOWN OFFICE OF EMERGENCY MANAGEMENT COMMITTEE / 2023 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Office of Emergency Management Committee for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

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

RESOLUTION NO. 41 - Continued

Liaison: Councilman Thomas Diviny

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 42
REAPPOINT/ORANGETOWN PROJECT REVIEW COMMITTEE/2023/1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Project Review Committee, for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

- Jane Slavin (Chairwoman)
- Bruce Peters, DEMA
- David Majewski, Bureau of Fire Protection
- James J. Dean, Superintendent of Highways
- Aric Gorton, Superintendent of Parks and Recreation
- Rick Pakola, Deputy Town Attorney, Legal Advisor

Liaison: Supervisor Teresa M. Kenny

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 43
APPOINT / REAPPOINT SUBSTANCE ABUSE COMMITTEE / 2023 / 1-YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Substance Abuse Committee, for a 1-year term, commencing on January 01, 2023 and expires on December 31, 2023:

- | | |
|--|------------------------------------|
| J. Robert Coleman | Rudy Arietta, Principal of TZHS |
| Norma Canals, Social Worker PRHS | Jean Robert Zephir |
| Lara Benz | Despina Vougioukas |
| Douglas Chizmadia | Alicia Shannon |
| Michael Murphy, Principal OF PRHS | Chief Donald Butterworth, OPD |
| Captain Michael Shannon, OPD | Det. Brandon Myers, OPD |
| Wayne Roimisher, Chief of SOAC | Allison Haugh, Rockland County DEA |
| Jacqueline Sellin, Executive Director CANDLE | |

Stephanie Finucane (Secretary)
Liaison – Supervisor Teresa M. Kenny

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 44

REAPPOINT ORANGETOWN TRAFFIC ADVISORY BOARD / 2023 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Orangetown Traffic Advisory Board, for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

Michael Yannazzone (Co-Chairman)
Paul Raso
Robert Morrison

Margaret Warren (Co-Chairwoman)
Robert Simon
James Castagna

P. O. Michael Yannazzone, Jr. OPD, Advisor
Anthony Limandri, Highway, Advisor
Thomas Edattel, DEME, Advisor

Allison Kardon, Clerk

Liaison: Councilman Paul Valentine

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 45

REAPPOINT THOMAS WARREN / CHAIRMAN / ORANGETOWN PLANNING BOARD / 2023 / 1-YEAR TERM

RESOLVED, that THOMAS WARREN is hereby reappointed CHAIRMAN to the Orangetown Planning Board for a 1-year term, commencing January 1, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 46

REAPPOINT MICHAEL MANDEL / MEMBER / ORANGETOWN PLANNING BOARD 7- YEAR TERM

RESOLVED, that MICHAEL MANDEL is hereby reappointed as MEMBER to the Orangetown Planning Board for a 7-year term, commencing January 1, 2023 and expiring on December 31, 2029.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 47
REAPPOINT TARA HEIDGER / ALTERNATE MEMBER / ORANGETOWN
PLANNING BOARD / 1-YEAR TERM**

RESOLVED, that TARA HEIDGER is hereby reappointed as an ALTERNATE MEMBER to the Orangetown Planning Board for a 1-year term, commencing January 1, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 48
REAPPOINT MARGARET RASO / CHAIRWOMAN / HISTORIC AREAS BOARD OF
REVIEW / 2023 / 1-YEAR TERM**

RESOLVED, that MARGARET RASO is hereby reappointed Chairwoman to the Historic Areas Board of Review for a 1-year term, commencing January 1, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 49
REAPPOINT WILLIAM WALTHER / MEMBER / ORANGETOWN HISTORIC
AREAS BOARD OF REVIEW / 5-YEAR TERM**

RESOLVED, that WILLIAM WALTHER is hereby reappointed as MEMBER to the Orangetown Historic Areas Board of Review for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 50
REAPPOINT WALTER SCOTT WHEATLEY / MEMBER / ORANGETOWN
HISTORIC AREAS BOARD OF REVIEW / 5-YEAR TERM**

RESOLVED, that WALTER SCOTT WHEATLEY is hereby reappointed as MEMBER to the Orangetown Historic Areas Board of Review for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

RESOLUTION NO. 50 - Continued

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 51

REAPPOINT LOREN PLOTKIN / MEMBER / ORANGETOWN HISTORIC AREAS BOARD OF REVIEW / 5-YEAR TERM

RESOLVED, that LOREN PLOTKIN is hereby reappointed as MEMBER to the Orangetown Historic Areas Board of Review for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 52

REAPPOINT DANIEL SULLIVAN / CHAIRMAN / ORANGETOWN ZONING BOARD OF APPEALS / 2023 / 1-YEAR TERM

RESOLVED, that DANIEL SULLIVAN is hereby reappointed CHAIRMAN to the Orangetown Zoning Board of Appeals for a 1-year term, commencing January 01, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 53

REAPPOINT BILLY VALENTINE / ALTERNATE MEMBER / ORANGETOWN ZONING BOARD OF APPEALS / 2023 / 1-YEAR TERM

RESOLVED, that BILLY VALENTINE is hereby reappointed as an ALTERNATE MEMBER to the Orangetown Zoning Board of Appeals for a 1-year term, commencing January 1, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 54
REAPPOINT PATRICIA CASTELLI / MEMBER / ORANGETOWN ZONING BOARD
OF APPEALS / 5-YEAR TERM**

RESOLVED, that PATRICIA CASTELLI is hereby reappointed as MEMBER to the Orangetown Zoning Board of Appeals for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 55
REAPPOINT CHRIS DUNNIGAN / CHAIRMAN / ORANGETOWN ARCHITECTURE
AND COMMUNITY APPEARANCE BOARD OF REVIEW / 2023 / 1-YEAR TERM**

RESOLVED, that CHRIS DUNNIGAN is hereby reappointed as CHAIRMAN to the Orangetown Architecture and Community Appearance Board of Review for a 1-year term, commencing January 1, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 56
REAPPOINT JOSEPH MILILLO / MEMBER / ORANGETOWN ARCHITECTURE
AND COMMUNITY APPEARANCE BOARD OF REVIEW / 3-YEAR TERM**

RESOLVED, that JOSEPH MILILLO is hereby reappointed as Member to the Orangetown Architecture and Community Appearance Board of Review for a 3-year term, commencing January 1, 2023 and expiring on December 31, 2025.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 57
REAPPOINT DEBORAH STUHLWEISSENBERG / MEMBER / ORANGETOWN
ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW / 3-YEAR
TERM**

RESOLVED, that DEBORAH STUHLWEISSENBERG is hereby reappointed as Member to the Orangetown Architecture and Community Appearance Board of Review for a 3-year term, commencing January 1, 2023 and expiring on December 31, 2025.

RESOLUTION NO. 57 - Continued

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 58

APPOINT MATTHEW MILLER / MEMBER / ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW / 3-YEAR TERM

RESOLVED, that MATTHEW MILLER is hereby appointed as Member to the Orangetown Architecture and Community Appearance Board of Review for a 3-year term, commencing January 1, 2023 and expiring on December 31, 2025.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 59

REAPPOINT DOMENIC ZAGAROLI / MEMBER / ORANGETOWN BOARD OF ASSESSMENT REVIEW / 5-YEAR TERM

RESOLVED, that DOMENIC ZAGAROLI is hereby reappointed as Member to the Orangetown Board of Assessment Review for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 60

REAPPOINT MARGARET KIRWAN / MEMBER / ORANGETOWN BOARD OF ASSESSMENT REVIEW / 5-YEAR TERM

RESOLVED, that MARGARET KIRWAN is hereby reappointed as Member to the Orangetown Board of Assessment Review for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 61
REAPPOINT MICHAEL MANDEL / CHAIRMAN / ORANGETOWN BOARD OF
ETHICS / 1-YEAR TERM**

RESOLVED, that MICHAEL MANDEL is hereby reappointed as CHAIRMAN to the Orangetown Board of Ethics for a 1-year term, commencing January 01, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 62
REAPPOINT KRISTY BAUMANN / MEMBER / ORANGETOWN BOARD OF ETHICS
5-YEAR TERM**

RESOLVED, that KRISTY BAUMANN is hereby reappointed as Member to the Orangetown Board of Ethics for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 63
REAPPOINT CHARLES (SKIP) VEZZETTI / CHAIRMAN / ORANGETOWN
SANITATION COMMISSION / 1-YEAR TERM**

RESOLVED, that CHARLES (SKIP) VEZZETTI is hereby reappointed as CHAIRMAN to the Orangetown Sanitation Commission for a 1-year term, commencing January 1, 2023 and expiring on December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 64
REAPPOINT CHARLES (SKIP) VEZZETTI / MEMBER / ORANGETOWN
SANITATION COMMISSION / 5-YEAR TERM**

RESOLVED, that CHARLES (SKIP) VEZZETTI is hereby reappointed as MEMBER to the Orangetown Sanitation Commission for a 5-year term, commencing January 1, 2023 and expiring on December 31, 2027.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 65
REAPPOINT ORANGETOWN SHADE TREE COMMISSION / 2023 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Shade Tree Commission, for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

- | | |
|------------------------|--------------------------|
| Mary Vail (Chairwoman) | Laurie Peek |
| Mary Ellen Le Warn | Joy Macy |
| Brian Burns | Katja Alberino-Rappaport |
| T. Paul Bailey | |

Liaison: Councilman Jerry Bottari

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 66
APPOINT / REAPPOINT ORANGETOWN SENIOR CITIZEN COMMITTEE / 2023
1-YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Senior Citizen Committee, for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

- Phyllis Moehrle, Member (Blauvelt/Orangeburg Group)
- Evelyn D'Angelo, Member (Pearl River B Group)
- Dean Hoffman, Member (Nyack Group)
- Rosemary Doherty, Member (Pearl River A Group)
- Marge Olson, Member (Piermont Group)
- Margaret (Peggy) Raso, Member (Tappan Group)
- Roxanne Memmolo, Member (Sparkill Group)

Carmel Reilly, Clerk

Liaison: Deputy Supervisor Denis Troy

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 67
REAPPOINT / ORANGETOWN PARKS AND RECREATION DEVELOPMENT
ADVISORY COMMITTEE / 2023 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Parks and Recreation Development Advisory Committee, for a 1-year term, commencing January 1, 2023 and expires on December 31, 2023:

- | | |
|----------------|----------------|
| Anne Byrne | Tara Heidger |
| Michael Andrea | T. Paul Bailey |
| Orli Eshkar | |

RESOLUTION NO. 67 - Continued

Aric Gorton, Superintendent of Parks & Recreation

Liaison: Councilman Brian Donohue

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 68

APPOINT / REAPPOINT / ORANGETOWN ENVIRONMENTAL COMMITTEE / 2023 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Environmental Committee for a 1-year term, commencing on January 1, 2023 and expires on December 31, 2023:

Michael Andrea (Chairman)
Heather Hurley
Andrew Goodwillie
Susan O'Reilly Turner
June Starke
Lawrence Vail
Vicki Schwaid
Fran Oldenburger
Eve Millard

Alexis Starke
Don Steinmetz
Katherine Copp-Brown
Kerry Gorczynski
Allan Ryff
Maria Gagliardi
Maria Vanessa Cipolla
Tom O'Reilly

Liaison: Supervisor Teresa M. Kenny

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny 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. 69

AUTHORIZE EXTENSION OF GRANT WRITING AGREEMENT/ LABERGE GROUP/ APPROVED RESOLUTIONS 2021-186 & 2022-26

WHEREAS, the Town is aware of grant opportunities which would assist the Town in obtaining funding from Federal and State programs in various disciplines (e.g. recreation, planning, infrastructure programs and the like) which would be in the best interests of the Town to provide for funding of projects the Town has or intends to undertake, and

WHEREAS, the Town has authorized, in Resolutions 2021-186 and 2022-26, Laberge Group, Albany, New York, to provide grants strategy, surveillance and development services to assist the Town in completing projects in an efficient, cost-effective and timely manner,

WHEREAS, due to the need to apply for additional grant opportunities, the Town Board finds it in the best interest of the Town to extend the agreement with Laberge Group to increase the contract amount by \$36,000 plus reimbursable expenses for provision of additional services related to Professional Grant Writing Services for 2023.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes an amendment to the agreement as approved in Resolutions 2021-186 and 2022-26 with the

RESOLUTION NO. 69 - Continued

Laberge Group for purposes of providing professional grant writing services commencing January 1, 2023 through December 31, 2023 at the cost of \$36,000.00, to be billed on a monthly basis, 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.

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. 70

ACCEPT PETITION / REQUEST FOR DEMAPPING SECOND STREET / SET PUBLIC HEARING / RTBM OF MARCH 7, 2023 AT 7:05 PM

WHEREAS, the owners of the premises which are adjacent to "Second Street" in Pearl River, New York, more fully identified as Mary and Robert Gabalski, 54 West Crooked Hill Road (Tax Lot 68.12/1/27); Kenny and Lisa Smellegar, 44 West Crooked Hill Road (68.12/1/28); Caitlin and William Lennox, 47 West Carroll Street (68.12/1/38); Sarah and Charles McGillick, 53 West Carroll Street (68.12/1/39), have petitioned the Town Board to de-map Second Street pursuant to NY Town Law §273; and

WHEREAS, upon preliminary review, the Town Board hereby accepts the petition for consideration,

NOW THEREFORE BE IT RESOLVED that the Town Board will commence a public hearing on **March 7, 2023 at 7:05 pm**, on a petition by the owners of the properties adjacent to Second Street, Pearl River, New York, for consideration by the Board to de-map and/or close Second Street, Pearl River, New York, pursuant to NY Town Law §273, and

BE IT FURTHER RESOLVED, that the Town Board hereby refers the matter to the Town Planning Board for report thereon, within thirty days of this referral.

Councilperson Thomas Diviny 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. 71

SET PUBLIC HEARING / RTBM OF FEBRUARY 21, 2023 AT 7:05 P.M. / AMEND TOWN CODE CHAPTER 34, TAXATION / SENIOR CITIZENS REAL PROPERTY TAX EXEMPTION

RESOLVED that the Town Board will hold a public hearing on February 21, 2023, at 7:05 p.m., on a proposed Local Law, pursuant to New York Real Property Tax Law Section 467, Amending Chapter 34, Article I, Section 34-3 of the Town Code entitled "Senior Citizens Real Property Tax Exemption".

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. 72
 SET PUBLIC HEARING / RTBM OF FEBRUARY 21, 2023 AT 7:10 PM PROPOSED
 ACQUISITION OF A PERMANENT PROPERTY INTEREST / 334 ROUTE 9W,
 ORANGETOWN / HNA TRAINING CENTER**

WHEREAS, the property located at 334 Route 9W, Orangetown, New York (Tax Lot 78.13-1-1) ("Property") is currently owned by HNA Training Center NY LLC ("HNA" or "Owner"), which was primarily used and operated as a hotel/conference center; and

WHEREAS, the Property has been vacant and/or not in use as a hotel/conference center for approximately five (5) years; and

WHEREAS, the Town of Orangetown ("Town") has a vision for maximizing, revitalizing, and redeveloping the currently underutilized and vacant Property for the benefit of the community, with a use or uses that will enhance the sound growth of the Town, increasing its tax base, preserving key environmental on-site features, providing public amenities and uses, and encouraging good design standards; and

WHEREAS, the use or mix of uses contemplated for the Property by the Town include, but are not limited to, commercial, recreational, hotel or conference center, spa or wellness center, corporate headquarters, medical office campus, movie studio, residential, live/work community, and/or senior/assisted living; and

WHEREAS, in order to realize this vision, the Town, in cooperation with HNA, issued a Request for Expressions of Interest ("RFEI"), identified Reveil LLC ("Reveil") as its Preferred Developer and entered into a Memorandum of Understanding ("MOU") with Reveil for the development of the Property; and

WHEREAS, in addition to the numerous violations and blighted condition of the Property, HNA is currently in tax arrears of over \$4,000,000.00; and

WHEREAS, with the assistance of the Town, on or about April 28, 2022, HNA entered into a Letter of Intent ("LOI") with Reveil, which set forth the terms pursuant to which, among other things, Reveil would hopefully enter into a consensual Purchase and Sale Agreement with HNA ("PSA") to sell the Property to Reveil; and

WHEREAS, in connection with the execution of the LOI, Reveil made a \$200,000.00 deposit;

WHEREAS, since entering into the LOI, Reveil has proceeded in good faith to negotiate and consummate the PSA with HNA; and

WHEREAS, On October 7, 2022, Reveil executed the PSA and delivered signature pages to its counsel to hold pending execution by HNA, and posted an additional \$400,000.00 deposit with the Escrow Agent, bringing Reveil's total deposit amount to \$600,000.00; and

WHEREAS, despite Reveil's signing of the PSA and depositing \$600,000.00 with the Escrow Agent, HNA has failed to execute the PSA; and

WHEREAS, the Property remains vacant, and the owner has not maintained, cleaned or safeguarded the buildings on the Property for an extended period of time, including, inter alia, allowing diesel fuel to spill into an illegal sump pump which caused a direct discharge into the Town's Waste Water Treatment Plant, failing to maintain the emergency access road in a passable condition for fire apparatus, and failing to repair a large sink hole on the secondary access road; and

WHEREAS, due to the aforementioned conditions, numerous violations have been issued to HNA due to the failure of the owner to upkeep the Property, causing the Property to exhibit a deteriorating and unsafe condition, including, but not limited to, several environmental incidents that have occurred recently on the Property; and

RESOLUTION NO. 72 - Continued

WHEREAS, the Property is currently underutilized and in an unsafe and increasingly unsafe deteriorating condition; and

WHEREAS, based upon HNA’s failure to sign the PSA with Reveil, the continuing and worsening blighted nature of the Property, the various open violations, and the significant amount of taxes in arrears, on October 25, 2022, the Town Board adopted Resolution No. 505, which authorized Zarin & Steinmetz to take all necessary steps pursuant to the MOU to commence and prosecute eminent domain proceedings against the Property and HNA; and

WHEREAS, HNA has effectively abandoned the Property, including, among other conditions, the utilities to the Property have been cut-off; there has been a significant amount of vandalism, standing water is accumulating in the basement of the existing buildings; and under HNA’s continued ownership, the already blighted Property continues to deteriorate and fall further into an unsafe condition; and

WHEREAS, the unoccupied blighted condition of the Property warrants immediate action by the Town; and

WHEREAS, due to the blighted condition of the Property, the Town now desires to commence the eminent domain proceedings,

NOW, THEREFORE, IT IS HEREBY RESOLVED that based upon the foregoing, the Town Board of the Town of Orangetown will hold a public hearing on February 21, 2023 at 7:10 pm, pursuant to Article 2 of the Eminent Domain Procedure Law (“EDPL”), regarding the proposed acquisition of a permanent property interest in the property located at 334 Route 9W, Orangetown, NY.

Councilperson Jerry Bottari 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. 73

**EXTEND AUTHORIZATION FOR OUTDOOR DINING / SIDEWALK CAFES
EXTEND RESOLUTION 2020-249; 2020-539; 2021-243; 2021-505**

WHEREAS, on June 2, 2020 pursuant to Town Board Resolution 2020-249, the Town Board, in response to the economic recovery as a result of the COVID-19 crisis and pursuant to the authority prescribed in Chapter 6-5(F) of the Orangetown Code, authorized the Director of OBZPAE to waive, modify, and adjust certain requirements of Chapter 31B regarding Sidewalk Cafes and Vending, and to suspend enforcement of the zoning regulations and requirements or land use restrictions to obtain an Outdoor Dining Permit, and to maintain required off-street parking for outdoor dining, at a lawful restaurant and food service establishment, and to issue a Temporary Outdoor Dining Permit and

WHEREAS, pursuant to Town Board Resolutions 2020-539, 2021-243 and 2021-505 the Town Board extended the temporary suspension of Section 31B of the Town Code and authorized the Director of OBZPAE to issue Temporary Outdoor Dining permits for various time periods as set forth more fully therein and most recently through and including December 31, 2022, subject to the same terms and conditions of Town Board Resolution 2020-249, and

WHEREAS, the COVID-19 crisis and the economic recovery therefrom continues to impact the residents and businesses of the Town of Orangetown and the authorization for outdoor dining and sidewalk cafes have provided relief to the businesses in the Town of Orangetown will providing patrons an opportunity to socialize in a safe setting in accordance with the Governor’s guidelines for operations of dining facilities during the COVID-19 crisis,

RESOLUTION NO. 73 - Continued

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby extends the temporary suspension of Section 31B as set forth in Town Board Resolution 2020-249, 2020-539, 2021-243 and 2021-505 and authorization to the Director of OBZPAE to issue Temporary Outdoor Dining Permits through and including December 31, 2023, subject to all of the terms and conditions as set forth in Resolution 2020-249, 2020-539, 2021-243 and 2021-505 regardless of previous or future capacity restrictions imposed by the State of New York..

BE IT FURTHER RESOLVED, that notwithstanding the foregoing, the combined occupancy of the indoor and outdoor dining for businesses operating under the Temporary Dining Permit, shall not exceed the occupancy limits for the premises related to life safety issues such as fire safety matters and sanitary facilities. Any violation of the terms of the Temporary Outdoor Dining permit as set forth herein shall subject the holder of such Permit to revocation as provided in Resolution 2020-249 and Section 6-5(F) of the Town Code.

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. 74**REFERRAL OF PROPOSED TOWN CODE AMENDMENT / REVIEW BY LABERGE GROUP / AGRICULTURAL ACTIVITIES**

WHEREAS, the owner of premises located at 68 Sickletown Road, Orangeburg, New York, (Tax lot 69.19/1/6) being located in the R-40 zoning district, has petitioned the Town Board to amend the Town Code to permit "agricultural and agri-tourism" in an R-80 and R-40 zoning district by way of a Special Permit, and provide for definitions thereof; and

WHEREAS, the petitioner has provided the Town with an updated, more detailed, proposal, and upon preliminary review of such updated proposed code change, the Town Board believes it would be appropriate, before considering any such change to the Town Code, to refer the matter to the LaBerge Planning Group for review and recommendations, which cost and expense shall be borne by the petitioner by way of reimbursement to the Town for any such costs,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby refers the above referenced proposed change to the Town Code to permit certain agricultural activities in an R-80 and R-40 zone by Special Permit, to the LaBerge Group, with the understanding that any cost or expense incurred by the Town for this purpose shall be reimbursed by the petitioner. No such referral shall take place until the petitioner submits the sum \$3,500.00 to the Town Clerk, to be held in escrow by the Town, for purposes of reimbursing the Town for any cost and expense incurred by the Town with respect to this referral.

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

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: Supervisor Teresa M. Kenny

RESOLUTION NO. 75**AUTHORIZE TOWN ATTORNEY TO SETTLE LIABILITY CLAIMS / \$7,500**

RESOLVED, that the Town Attorney is hereby authorized to settle liability claims for amounts up to \$7,500.00, and be it

RESOLUTION NO. 75 - Continued

FURTHER RESOLVED, that such settlement shall be subject to ratification by the Town Board upon approval of payment pursuant to its regular audit.

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. 76

SETTLE LAWSUIT MARC SAURIOL V. TOWN OF ORANGETOWN

WHEREAS, on or about September 21, 2021 and June 2, 2022, property damage occurred whereby Plaintiff Marc Sauriol claimed that certain municipal storm water and/or municipal sewer systems alleged to be owned and maintained by the Town of Orangetown ("Town"), broke and redirected water and sewage to Plaintiff's property and caused other damages; and

WHEREAS, the Town investigated this claim concerning the condition of the damaged property and the repairs needed, and without any admission of fault and in an effort to resolve this matter without further litigation costs, the Town has agreed to pay the amount of \$40,000.00 as full and final settlement of the damages asserted in the Complaint,

NOW THEREFORE BE IT RESOLVED, that the above lawsuit shall be settled and paid by the Town in the full and final amount of \$40,000.00 subject to applicable releases, and the Supervisor or her designee is authorized to execute any and all legal documents in order to effectuate the enforcement of this resolution.

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. 77

APPROVAL OF 2023 CERTIFICATE OF SEWER REGISTRATIONS

RESOLVED, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2023 Sewer Work is approved to:

- Belleville Landscaping, Inc., 84 North Route 9W, Congers, NY 10920
- Environmental Construction, Inc., 21 Holt Drive, Stony Point, NY 10980
- Michael Sasso Plumbing, Inc., PO Box 507, New City, NY 10956
- Kevin Stokes Excavating, Inc. 52 Grotke Rd, Chestnut Ridge, NY 10977

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. 78
ACCEPT WITH REGRET THE RESIGNATION OF ELIZABETH BRANCATI /
DEPUTY TOWN ATTORNEY / EFFECTIVE JANUARY 27, 2023**

RESOLVED, that the Town Attorney and the Town Board accept, with regret, the resignation of Deputy Town Attorney Elizabeth Brancati effective January 27, 2023.

Councilperson Jerry Bottari 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. 79
APPROVE/ GRANT PERMISSION/ 2023 GRASSROOTS ADVOCACY CAMPAIGN**

RESOLVED, that permission is granted for the Superintendent of Highways to attend the 2023 Grassroots Advocacy Campaign for Local Roads, Bridges and Culverts, Albany, NY, March 7-8,2023, at a cost of \$250.00 which includes travel and conference costs to be charged to the proper departmental accounts.

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. 80
APPROVE / AGREEMENT EXPENDITURE OF HIGHWAY MONIES / ROCKLAND
COUNTY 2023 PAVEMENT PRESERVATION REPAIR / IMPROVEMENT PROGRAM**

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

GENERAL REPAIRS, the sum of \$ 1,266,000.00 shall be set aside to be expended for primary work and general repairs upon 17 miles of town highways.

PERMANENT IMPROVEMENTS, below contains a list of roads which will be treated in the 2023 Pavement Preservation Program:

PEARL RIVER

- | | |
|---|-----------------|
| Haven Terr | Lt Ferris Ct |
| Alexa Ct | Briarwood Ln |
| Guterl Terr | Champ Ave |
| Hillside Terr | Summit Pl |
| Venter Ln | Crescent Ln |
| Hillaire Pl | Orchard Ln |
| Thomsen Cir | Cleveland St |
| Ablondi Rd | Reld Dr South |
| Pinto Rd | Retz Rd |
| Casazza Pl | Staubitz Ave |
| Villa Rd | Mckinley St |
| Duhaime Rd | Cara Dr |
| Meadows St | Center St South |
| Crooked Hill Road (Railroad Ave to N. Middletown) | |
| Bridge Rd | |

RESOLUTION NO. 80 - Continued**ORANGEBURG**

Chapel Ct
Heather Ln

Isabel Rd
Betsy Ross Dr

BLAUVELT

Ashwood Dr
Birchwood Ct
Moehring Rd
East Rd
Klee Ln

Hoffman Ln
Birchwood Rd
Goehring Curve
Beechwood Rd

PALISADES

Lauren Rd

Horne Tooke Rd

SPARKILL

Edward St
Union St

Valentine Ave
Ferdon Ave

TAPPAN

Mallory Ln
Drewery Ln
Howard Ave
Lafayette Rd
Jeannes Pl
Eimer St
Polhemus St
Julia Ct

Skyview Oval
Hancock Pl
Brianbeth Pl
Bogart Pl
Piermont St
Bauer St
Bell Ln
Sparkill Ave

SOUTH NYACK

Cornelison Ave
Washington Ave
Spring St
Maple St
S. Highland Ave (9W to S. Blvd)

Mansfield Ave
Prall Pl
Brookside Ave
Terrace Dr

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

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

Councilperson Jerry Bottari 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. 81
APPOINT KATHERINE FAIRCLOUGH / ADMINISTRATIVE SECRETARY / GRADE
12, STEP 1 / EFFECTIVE JANUARY 25, 2023**

RESOLVED, that upon the recommendation of the Superintendent of Highways, appoint Katherine Fairclough to the position of Administrative Secretary, Probationary, from List#67-350/21005 Grade 12, Step 1 at a salary of \$66,438, effective January 25, 2023.

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. 82
APPOINT ELIZABETH MCCONEGHY / SENIOR CLERK-STENOGRAPHER
GRADE 8, STEP 3 / EFFECTIVE JANUARY 25, 2023**

RESOLVED, that upon the recommendation of the Superintendent of Highways, appoint Elizabeth McConeghy to the position of Senior Clerk-Stenographer, Probationary, from list#22064 Grade 8, Step 3 at a salary of \$60,340, effective January 25, 2023.

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. 83
AWARD BID / CART PATH REPAIRS / BLUE HILL GOLF COURSE / GENTILE
CONSTRUCTION**

WHEREAS, the Superintendent of Parks, Recreation & Building Maint. duly advertised for sealed bids for *cart path repairs at Blue Hill Golf Course*, which were received and publicly opened on November 17, 2022; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 01-24-C, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance, the Town Board hereby awards the bid for cart path repairs at Blue Hill Golf Course to Gentile Construction of Yonkers, NY in the amount of \$40,152.00, the lowest qualified bidder.

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to enter into an agreement with Gentile Construction, in accordance with the bid award and terms of this resolution, subject to review and approval of the Town Attorney's Office.

Councilperson Thomas Diviny 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. 84
APPOINT DAVID TORRES / SENIOR RECREATION SUPERVISOR / GRADE 16,
STEP 1 / EFFECTIVE JANUARY 25, 2023**

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, appoint David Torres to the position of Senior Recreation Supervisor, Provisional, Grade 16, Step 1 at a salary of \$72,634, effective January 25, 2023.

Councilperson Jerry Bottari 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. 85
AUTHORIZE DEME / EXECUTE FEDERAL AID-LOCAL UTILITY WORK
AGREEMENT / WEST WASHINGTON AVENUE BRIDGE REPLACEMENT**

WHEREAS, as part of the County of Rockland's project to replace the West Washington Avenue Bridge over the Pascack Brook and realign West Washington Avenue in Pearl River at that location, it will necessitate the replacement and realignment of an 8" Town owned sewer line, and

WHEREAS, the Town Department of Environmental Management and Engineering (DEME) has requested that Rockland County, which is sponsoring the project as part of a Federal Aid Local Project, have its contractor perform such work, under contract with the County, which work will be paid as part of Rockland County's payment share in the County construction contract,

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Commissioner of DEME to execute a Federal Aid-Local Projects Utility Work Agreement in the form annexed hereto, authorizing Rockland County, through its contractor on the West Washington Avenue Bridge Replacement Project, furnish and install a new 8" sewer line and appurtenances, as set forth more fully in the agreement.

Councilperson Jerry Bottari 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. 86
ACCEPT WITH REGRET THE RESIGNATION / RETIREMENT OF KAREN
SERAFIN / ASSESSOR'S OFFICE / EFFECTIVE JANUARY 31, 2023**

RESOLVED, that the Assessor and the Town Board, accept with regret, the resignation / retirement of KAREN SERAFIN, Assessing Clerk II, from the Assessor's Office, with 35 years of service, effective January 31, 2023.

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. 87
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 four (4) warrants (attached) for a total of **\$1,938,722.59**.

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. 88
ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session were Supervisor Kenny, Councilpersons Tom Diviny, Paul Valentine, Jerry Bottari and Brian Donohue, Denis Troy, Deputy Supervisor, Rob Magrino, and Jeff Bencik.

RESOLVED, at 8:50 pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value and matters relating to employment.

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. 89
RE-ENTER RTBM / ADJOURNED / MEMORY**

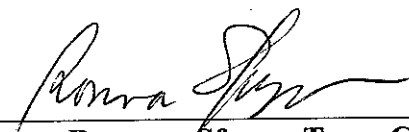
RESOLVED, at 9:30 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Sharon Gorzka, Resident of Pearl River; Cornelius K Smith, Resident of Pearl River; and Patrick Tully, Resident of Namuet.**

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



Rosanna Sfraga, Town Clerk

Town of Orangetown

DATE: January 24, 2023

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	122922	\$ 49,681.69
	123022	\$ 621,338.95
	011323	\$ 169,658.36
	012423	\$ 1,098,043.59
		\$ 1,938,722.59

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

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Boffari

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 BENCIAK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 1/19/2023
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 1/24/2023 consists of 4 warrants for a total of \$1,938,722.59.

The first warrant had 9 vouchers for \$49,681 and was for utilities (2022 items).

The second warrant had 98 vouchers for \$621,338 and had the following items of interest (2022 items).

1. Beckmann Appraisals (p3) - \$5,000 for tax certiorari defense.
2. Bolkema Fuel Co. (p5) - \$6,988 for generator fuel.
3. BPAS (p7) - \$8,250 for actuarial analysis.
4. Capasso & Sons (p7) - \$80,017 for recycling.
5. Eurofins Lancaster Laboratories (p10) - \$5,970 for sewer chemical testing.
6. Fanshawe (p11) - \$16,976 for new town hall electrical (bonded).
7. Fred Devens Construction (p12) - \$23,039 for pump station repairs.
8. Global Montello (p13) - \$14,735 for fuel.
9. Goosetown Enterprises (p14) - \$26,350 for Police leases.
10. Koester Associates (p15) - \$144,298 for Sewer Gate replacement (Grant).
11. Nielsen Ford (p17) - \$60,376 for Building Dept. Vehicles.
12. Pettinelli Recreation Inc. (p21) - \$63,502 for exercise equipment at Veterans Memorial Park (Grant).
13. SOS Fuels (p23) - \$5,330 for heating oil.
14. State Comptroller (p25) - \$31,019 for Justice fines.
15. Tappan Senior Citizens Club (p29) - \$6,688 for trip reimbursement.

The third warrant had 30 vouchers for \$169,658 and was for utilities (2023 items).

The fourth warrant had 58 vouchers for \$1,098,043 and had the following items of interest (2023 items).

16. Capture Point (p2) - \$5,300 for Parks & Rec programming.
17. Creighton Manning Engineering (p6) - \$11,814 for drainage review.
18. Goosetown Enterprises (p8) - \$11,050 for Police leases.
19. NYPA (p10) - \$23,192 for streetlight project.
20. NYS Dept. of Civil Service (p11) - \$947,494 for healthcare insurance benefits.
21. Ron's Quality Automotive (p12) - \$24,295 for Highway repairs.
22. Springbrook Holding Co. (p17) - \$16,713 for Finance software.
23. Visual Computer Solutions (p19) - \$5,711 for police consulting.

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

Jeffrey W. Bencik, CFA

845-359-5100 x2204

EXHIBIT

01-24-A

James Castagna
P.O. Box 267
Sparkill, NY 10976

January 24, 2023

% Ms. Rosanna Sfraga, Town Clerk
Supervisor Theresa Kenny & the Town Council
Town of Orangetown New York
Orangetown Town Hall
26 W Orangeburg Rd,
Orangeburg, NY 10962

TOWN OF ORANGETOWN
2023 JAN 24 A 9:01
TOWN CLERK'S OFFICE

RE: COMPREHENSIVE PLAN PUBLIC COMMENT INPUT

Dear Supervisor Kenny & the Town Council -

Below are comments to certain information currently shown in the December 2022 draft Comprehensive Plan. Two significant comments further described below include:

- There are some important steps the Town Council may take within the Comprehensive Plan to protect Parkland and the residential community from Heavy Trucking that is prohibited on Oak Tree Road, Kings Highway, Campbell Ave and William St. The Town of Orangetown should closely monitor and protest any NYSDOT redesign/repaving of NY Route 340 that is not consistent with residential use, including dense neighborhoods.
- The Parkland Inventory is very impressive, we are very fortunate and all efforts to protect and preserve open space and parkland is of interest to all. Sparkill Memorial Park consists of three separate parcels of parkland that warrant individual listings instead of one listing shown in the draft plan table item #35 labeled "Sparkill Memorial Park."

Finally, an architect prepared new Sparkill Memorial Park conceptual designs and numerous public meetings were held to narrow the design alternative down to five. We now have seen firsthand the importance of having recreational and social access points during the COVID pandemic, and residents flocked to the Joseph Clarke Rail Trail and Sparkill Memorial Park.

Please consider including these designs in the Comprehensive Plan. To further protect parkland, please consider changing the name "Depot Square" to "Depot Park." These two changes are relatively easy to include in the plan and represent Orangetown's interest to preserve and protect cultural and recreational assets that directly impact our quality of life everyday.

Sincerely,



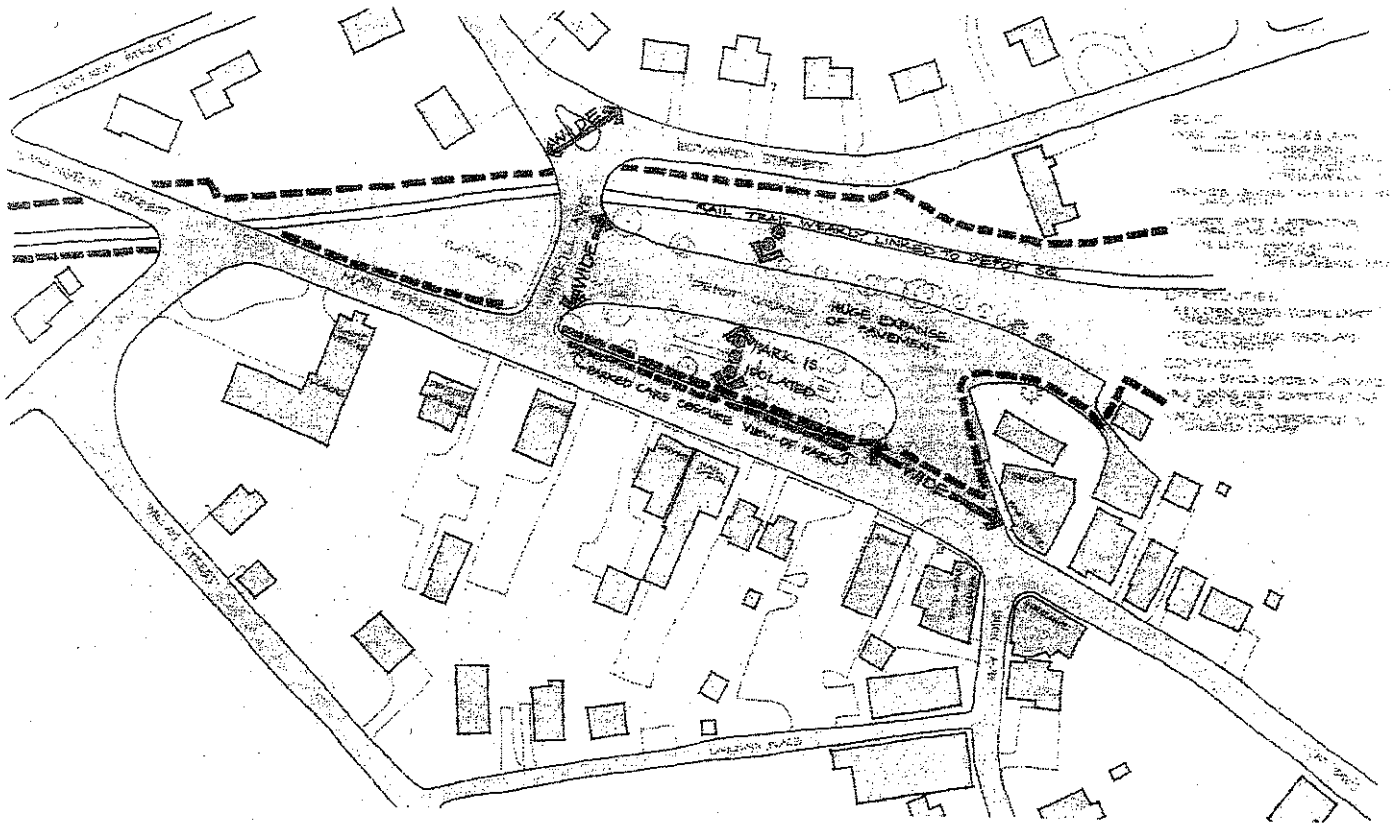
Attachment - Comprehensive Plan Comments January 24, 2024

1. The paragraph titled "US Route 9W and New York State Route 340 Repaving" states Route 340 is in the NYSDOT planning stages of being "repaved" from the New Jersey State Line all the way to NY State Route 303. Recognizing the risk of the NYSDOT applying a design that provides for heavy trucking in industrial centers (instead of a design which serves residential neighborhoods having complementing characteristics consistent with a residential single lane roadway) the Comprehensive Plan as next steps should state *Orangetown needs to be involved with the NYSDOT on this project to ensure it is not engineered and designed as a HEAVILY TRAVELED TRUCK ROUTE, but appropriately as a residential single lane roadway one would expect in a residential neighborhood.*
2. The transportation highway map incorrectly displays a red-square in the downtown hamlet of Sparkill signifying a "park & ride." At this location is Sparkill Memorial Park, a 1.2 acre parcel (77.08-4-28) consisting of asphalt pavement and the "sparkill green" on which several historical markers reside. At either end are two separate parks, namely, the DiFrancesca Memorial Park (77.08-04-29) and a Unnamed Park (77.08-04-28), that until 2007 was unlined/unmarked asphalt.
3. The Parkland Inventory Table item # 35 titled "Sparkill Memorial Park " should list three separate parks, namely: Sparkill Memorial Park (77.08-4-28); DeFrancesca Memorial Park (77.08-04-29) and; Unnamed Parkland (77.08-04-28).
4. The map displaying spheres indicating the 10-minute walking radius to town centers needs a sphere centered at the intersection of Main St and Union St Sparkill. It currently is malpositioned and bisected by the Palisades Parkway.
5. The Legend shown in the zoning map has at least one incorrect Label. *The Legend displaying the Orange area should be titled "Sparkill Hamlet Center Overlay."*
6. The draft comprehensive plan mentions the NYSDEC Flood Mitigation and Resiliency Report (SD115) but falls short of identifying two important solutions "to guide the implementation of mitigation projects" in Orangetown. The DEC recommends (Sections 4.1 - 4.2) the Replacement of the Williams Street Bridge with a Span of 60 feet and; the removal of the Boss Pond Dam. *It would be very beneficial if the above specific DEC recommended mitigation projects were included in the Plan, especially since these two projects would protect the Sparkill Fire Department, a critical first responder facility abutting the Sparkill Creek.*

Nothing follows

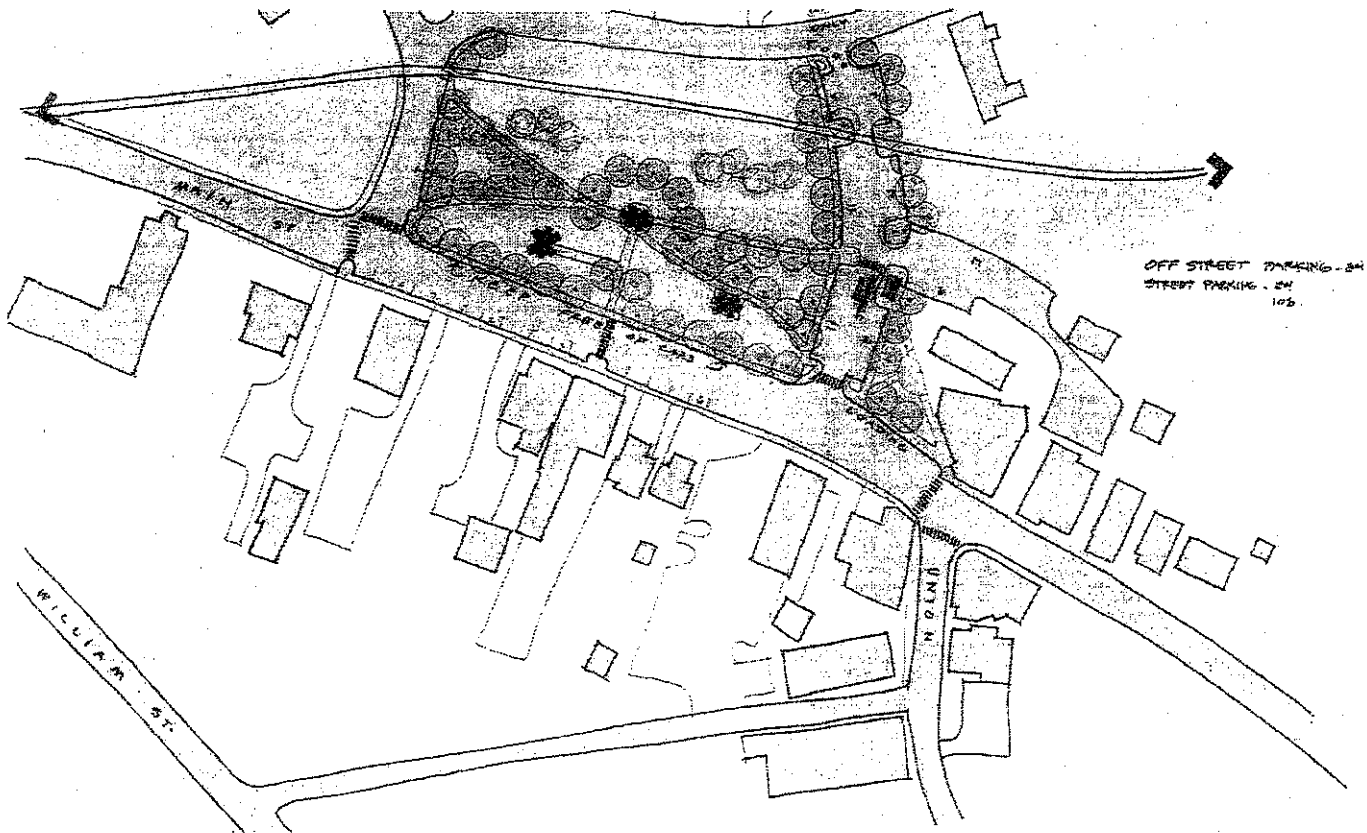
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Nothing follows



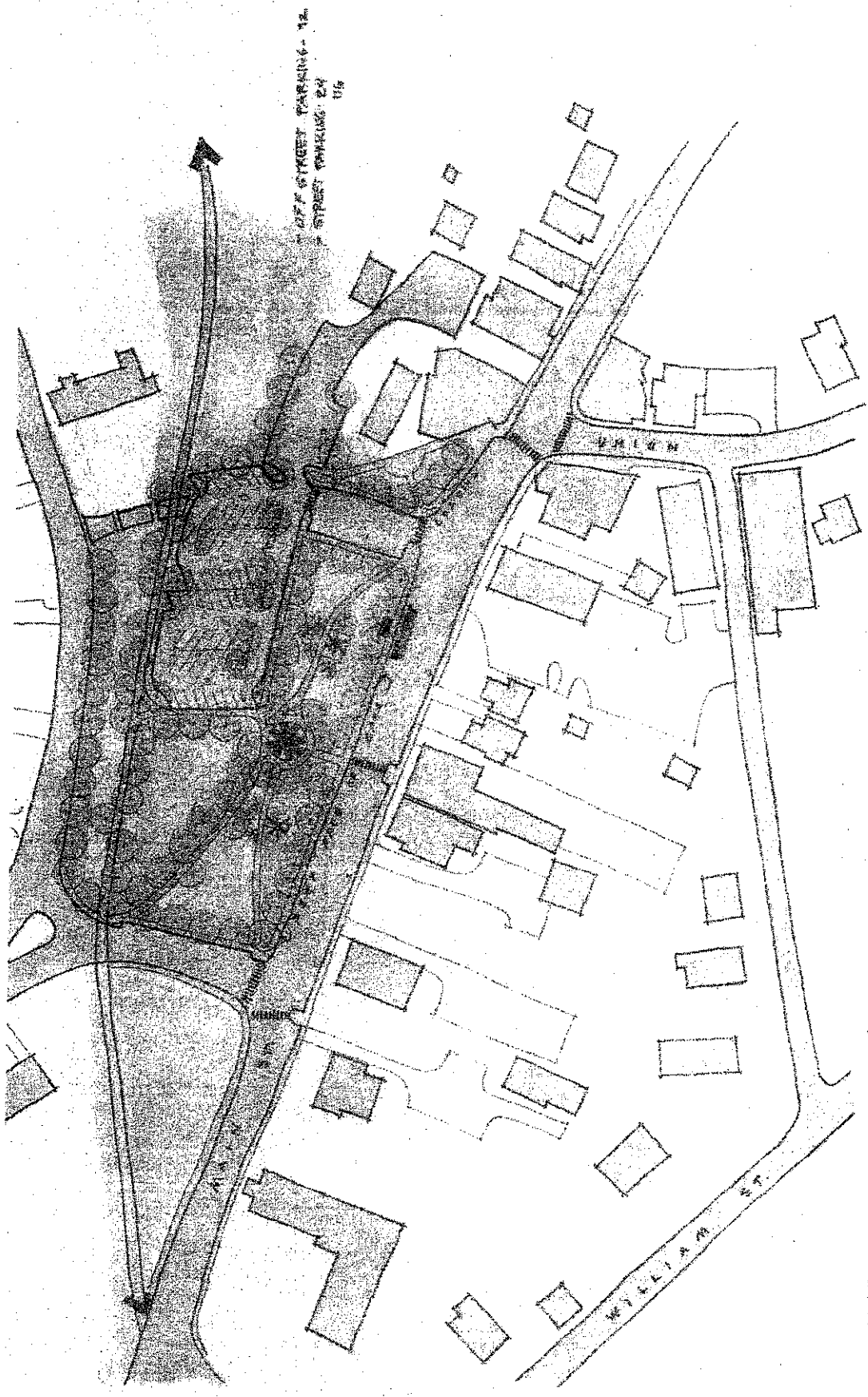
Site Analysis

SPARKILL PARK ALTERNATIVES



Alternative 4

SPARKILL PARK HOTEL



Alternative 5

Jeffrey L. McCall
159 North Franklin St
Nyack, New York 10960

January 24th, 2023

The Honorable Town Board of the Town of Orangetown
26 W. Orangeburg Road
Orangeburg, N.Y. 10962

Re: Item 6772 Programs for the Aging in the 2023 Town Budget
A.6772.015 Appointed Officials - Adopted Funds \$6,500.00

Members of the Town Board,

I am appearing tonight to object to the funding of the \$6,500.00 hereinabove referred to. The "Appointed Officials" are members of the Orangetown Senior Citizen Clubs, one from each club is to be appointed and to serve on the Senior Citizens Advisory Committee. A Senior Leader is also an appointed Official.

The members of the Committee, the Senior Leader and officers from the seven (7) senior citizen clubs meet monthly except for July and August, 10 meetings. The topic most discussed at the meetings are the trips the clubs went on or are to go on. Meetings last from 1 to 1.5 hours.

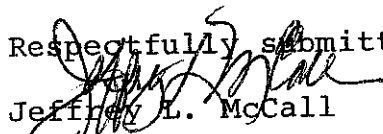
I believe, but have not been able to verify, that the \$6,500.00 in the past has only been paid to the Senior Leader. The budget sets forth "Appointed Officials", plural which in my opinion would include the other appointed officials which are the seven (7) members of the Committee.

In my opinion the \$6,500.00 should be added to the \$185,000.00 also set forth in Item 6772 which is allocated to the seven (7) senior citizen clubs for trips and activities for ALL the senior citizen members in the clubs.

There are seven (7) clubs; there are four (4) officers per club; there are trip coordinators in each club usually and other senior members that volunteer for duties in their clubs which is a total of approximately 40 to 45 seniors who VOLUNTEER their time and efforts to their clubs WITHOUT COMPENSATION.

If the \$6,500.00 is restricted by the 2023 budget to the "Appointed Officials" so be it. However, same should be paid to the Seven (7) members of the Committee and the Senior Leader, 1/8th to each not all to one. I hope that the 2024 budget removes the \$6,500.00 for Appointed Officials and adds same to the Club monies for a total of \$191,500. The senior citizens who work as uncompensated volunteers do not look upon their efforts as a job but as a calling to help their fellow seniors.

Respectfully submitted,


Jeffrey L. McCall
JLM/z

Re: Item 41 Referral of Proposed Town Code Amendment
Lot 69.19/1/6

I am writing this letter en leu of speaking at the town board meeting 24 January 2023, as I will be out of the country.

I am concerned with the current proposal of deferring the judgement of the town board to the Laberge Group regarding changes and amendment to the zoning for the above captioned property.

The Petitioner, Rockland Cider Works (RCW) has had a history of supplying incomplete and inaccurate information regarding its applications for permits under its current zoning. They have pre-ported to be a farm, however they do not grow or produce any products at this location. They have used this claim in the application to the State Liquor Board in order to obtain the permits to sell spirits. They have failed to comply with fire code, and building code in the past, yet act as if they are above the law.

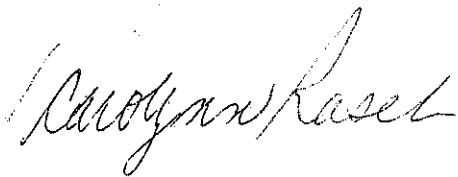
As a resident and as a neighbor of the property my main concern is for safety and security of the environment. The property abuts a watershed, and a reservoir, which supplies drinking water to Rockland and Northern New Jersey, and SCS Engineers, New York, in Suffern seems much more capable of providing an Environmental Impact statement for the proposed zoning change.

This change should not allow an open bar/restaurant/entertainment venue to operate in a residential area, without noise abatement, sewer and drainage and capacity limitations being firmly addressed and adhered to by the applicant. These issues should be addressed prior to any site visit or engineering plan or proposal for change in the zoning regulations. Additionally it is my concern that once any change in the zoning regulation is made, subsequent owners of the property may expand the venue as the contracts with current users expire.

It is my understanding that two current members of the board, Mr. Diviny and Mr. Valentine have done work for the property owners, and this appears to be a prima facia conflict of interest. I am interested in what guideline are in place to prevent these confects.

Sincerely yours,


Stuart & Carolynn Rasch
40 Sickletown Road



EXHIBIT

01-24-C

STATE OF NEW YORK }
COUNTY OF ROCKLAND }
TOWN OF ORANGETOWN }

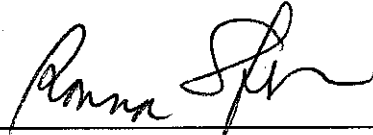
SS.

Rosanna Sfraga being duly sworn upon her oath deposes and says;

That, she is, at all times, hereinafter mentioned was, duly elected, Qualified and acting Town Clerk of the **TOWN Of ORANGETOWN**, in the County of Rockland, State of New York.

That, on the 1st day, November, 2022, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the **TOWN Of ORANGETOWN**, New York.

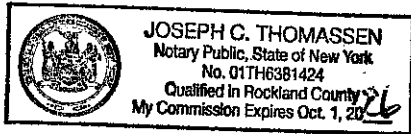
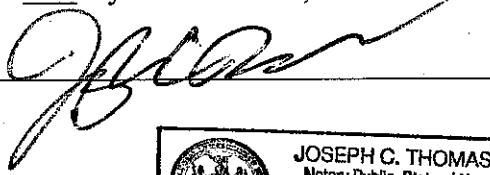
1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 1st day of November, 2022



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town of Orangetown, at the office of the Town Clerk, Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, until 10:30AM on Thursday, November 17, 2022, and then be publicly opened and read aloud at 11:00AM.

Copies of the Specifications, Bid Blanks and all necessary information may be obtained at the Office of the Town Clerk, between the hours of 9:00AM and 5:00PM, Monday through Friday. Bids must be submitted on official forms and in sealed envelopes at the above address and shall bear on the face thereof the name and address of the bidder, and the words "**2022 Blue Hill Golf Course Cart Path Repair**".

All proposals must be accompanied by a Statement of Non-Collusion in conformity with the requirements of Section 103-d of the General Municipal Law, as amended, and security in a sum equal to the five percent (5%) of the amount proposed.

Simultaneously with its delivery of the executed Agreement, the Contractor shall furnish to the Owner two (2) executed bonds in an amount at least equal to one hundred percent (100%) of the Contract Price, as security for faithful performance (Performance Bond) of this Contract and the for payment of all persons performing labor on the project under this Contract and for the payment of all persons performing labor and furnishing materials (Payment Bond) in connection with this Contract, in such form as acceptable to the Town Attorney and by a surety company authorized to transact business in the State of New York.

The Contractor shall furnish to the Owner a Maintenance Bond in the amount of one percent (1%) of the amount of the Contract, prior to final payment and executed by the Contractor as principle and having surety thereon a surety company acceptable to the Owner guaranteeing that the Contractor will either repair any work found to be defective or if it has been rejected by the Owner, remove it from the site and replace it at no additional cost to the Owner. The bond shall remain in effect for a period of one (1) year from the date of substantial completion.

The wages and supplements to be paid to laborer, workman or mechanic performing work under this Contract shall be not less than the prevailing rate of wages and supplements as defined and determined by the New York State Labor Law or the Davis-Bacon Act (40 USC276a to a-7) as supplemented by Department of Labor regulations (29 CFR Part 5), as applicable, a copy of which, as applicable, is attached hereto or to the associated Documents.

For interested bidders, you may attend a pre-bid walkthrough on Thursday, November 10, 2022 at 10:00am at the Blue Hill Golf Course, 285 Blue Hill Road, Pearl River, NY.

Proposals are requested from any and all parties including but not limited to minority businesses and enterprises operated and conducted by women.

The Town reserves the right to reject any and/or all proposals.

Dated: November 3, 2022

ARIC T. GORTON

Director

Office of Parks and Recreation

81 Hunt Rd.

Orangeburg, NY 10962

(845) 359-6503

agorton@orangetown.com

ROSANNA SFRAGA

Town Clerk



AFFIDAVIT OF PUBLICATION FROM

State of Wisconsin
County of Brown, ss.:

On the 3 day of November in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tutt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

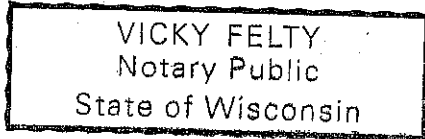
Linda Tutt being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone: Rockland Run Dates: 11/03/2022

Linda Tutt Signature

Sworn to before me, this 3 day of November, 2022

Vicky Felty Notary Public, State of Wisconsin, County of Brown 9/19/25



My commission expires

Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincoln Dale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palsades, Pearl River, Piemont, Pomona, Slootsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005472099

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All proposals must be accompanied by a Statement of Non-Collusion in conformity with the requirements of Section 103-d of the General Municipal Law, as amended, and security in a sum equal to the five percent (5%) of the amount proposed.

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The wages and supplements to be paid to laborer, workman or mechanic performing work under this Contract shall be not less than the prevailing rate of wages and supplements as defined and determined by the New York State Labor Law or the Davis-Bacon Act (40 USC 276a to a-7) as supplemented by Department of Labor regulations (29 CFR Part 5), as applicable, a copy of which, as applicable, is attached hereto or to the associated Documents.

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The Town reserves the right to reject any and/or all proposals.

Dated: November 3, 2022

ARIC T. GORTON**Director**

Office of Parks and Recreation

81 Hunt Rd.

Orangeburg, NY 10962

(845) 359-6503

agorton@orangetown.com

ROSANNA SFRAGA**Town Clerk**

0005472099

BID OPENING TIME 11:00AM **DATE** November 17, 2022

CONTRACTOR NAME & ADDRESS	<i>Coyw Construction Brewster, NY</i>	<i>Gentle Construction Yonkers, NY</i>	<i>Turco Golf Pompton Lakes NJ</i>	<i>JR/IKO Construction Katonah, NY</i>	<i>Chiappero & Santus All County Asphalt</i>
DATE RECEIVED	11/17/22	11/17/22	11/17/22	11/17/22	11/17/22
TIME RECEIVED	8:52A	9:40A	10:07A	10:18A	10:28A
NON COLLUSION STATEMENT	✓	✓	✓	✓	✓
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓	✓

Blue Hill Golf Course Cart Path Repair Project:

8" full depth repair of various cart path locations (see list below)
 All cart paths are (8') feet wide
 Excavate bad areas to a depth of 6" and compact sub base
 Clean areas manually and with power blowers
 Install 6" of recycled crushed concrete or stone base and compact
 Install asphalt flush with existing

Location:	Length to be Repaired (in feet)
Pines	30'
Pines Tee	10'
4 Pines	27'
4 Pines Green 5 Pines Tee	450'
7 Pines Tee	15'
7 Pines Green	10'
2 Woods Approach	55'
3 Lakes Tee	55'
TOTAL	652'

8" full depth repair of various cart path locations (see list below)
 All cart paths are (8') feet wide

Excavate to cause of sinking and install clean 3/4 inch stone and compact in 6" lifts
 Clean areas manually and with power blowers
 Install 6" of recycled crushed concrete or stone base and compact
 Install asphalt flush with existing

Location:	Length to be Repaired (in feet)
1 Woods	35'
3 Lakes Fairway	30'
TOTAL	65'

TOTAL PRICE	\$120,320.00	\$40,152.00	\$124,900.00	\$280,000.00	\$74,300.00
--------------------	--------------	-------------	--------------	--------------	-------------

BID OPENING TIME 11:00AM **DATE** November 17, 2022

CONTRACTOR NAME & ADDRESS
*Jerry Excavating
 Middletown NY*

DATE RECEIVED	<i>11/17/22</i>					X
TIME RECEIVED	<i>10:35 AM</i>					
NON COLLUSION STATEMENT	✓					
BID BOND or CERTIFIED CHECK	✓					

Blue Hill Golf Course Cart Path Repair Project:

8" full depth repair of various cart path locations (see list below)						X
All cart paths are (8') feet wide						
Excavate bad areas to a depth of 6" and compact sub base						X
Clean areas manually and with power blowers						
Install 6" of recycled crushed concrete or stone base and compact						X
Install asphalt flush with existing						
Location:			Length to be Repaired (in feet)			X
1 Pines			30'			
4 Pines Tee			10'			X
4 Pines			27'			
4 Pines Green 5 Pines Tee			450'			X
7 Pines Tee			15'			
7 Pines Green			10'			X
2 Woods Approach			55'			
3 Lakes Tee			55'			X
TOTAL			652'			

		X
--	--	---

8" full depth repair of various cart path locations (see list below)						X
All cart paths are (8') feet wide						
Excavate to cause of sinking and install clean 3/4 inch stone and compact in 6" lifts						X
Clean areas manually and with power blowers						
Install 6" of recycled crushed concrete or stone base and compact						X
Install asphalt flush with existing						
Location:			Length to be Repaired (in feet)			X
1 Woods			35'			
3 Lakes Fairway			30'			X
TOTAL			65'			

		X
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TOTAL PRICE	\$ <i>157,000.00</i>	\$	\$	\$	\$	X
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