

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
April 25, 2023**

This meeting was opened at 7:00 pm. Supervisor Teresa M. Kenny presided and Joseph Thomassen, Deputy 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
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
Matthew Lenihan, Computer Network Specialist
Brendon Carton, IT Department
Donald Butterworth, Police Chief

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- I. Hunger's 5K Heroes Run / Net Proceeds Donated to Local Food Pantries / Saturday, May 13, 2023 @10 am / Depot Square, Sparkill
- II. The following Public Hearings are scheduled for May 23, 2023:
 - a. Proposed Zone Change for 175 E. Washington Avenue, Pearl River
 - b. Consider Adopting the Orangetown Comprehensive Plan

PRESENTATIONS:

- I. **Tappan Zee Gymnastics New York State Champion**
- II. **Tappan Zee Boys Basketball New York State Champions**

The Town Board took a brief recess.

DISCUSSIONS:

- a. **Petition of RCW for Zone Text Amendment**
- b. **Local Law authorizing Videoconferencing Public Meetings in certain circumstances**
- c. **Applications for Zoning Amendment and Amended Special Permit Approval for Orangeburg Commons and The Shops**

Workshop of Agenda Items

RESOLUTION NO. 229

OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

RESOLUTION NO. 229 - Continued

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:

Rick Tannenbaum, Executive Director of Hi-Tor Animal Shelter, spoke about all the material changes and improvements made at the shelter. He also invited the Town Board to visit and solicited the Town's business back to the shelter.

Gerry Goggin, Orangeburg, believes the report/proposal from Laberge Group is inaccurate. He gave his opinion of the first page of the report.

Joyce Taub, Orangeburg, is against RCW. This residential area is the wrong place for RCW. RCW should work within existing municipal zoning laws.

Sharon Van Houten, Orangeburg, clarified that RCW is not located on 7.1 acres; they only have 6.1 acres. She does not support any re-zoning or special permits. This property should not be re-zone, changed or used until the existing court case is settled, which is not going to be anytime soon.

Susan McWhinney, Orangeburg, explained that RCW is not a working farm. She pointed out errors in RCW's public campaign and gave a history of Van Houten Farm and RCW.

RESOLUTION NO. 230**CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

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. 231**RESUME PUBLIC HEARING FROM MARCH 21, 2023 / 7:05 P.M. / PROPOSED ACQUISITION OF A PERMANENT PROPERTY INTEREST / HNA TRAINING CENTER / 334 ROUTE 9W, PALISADES, NY**

RESOLVED, that the Public Hearing regarding the PROPOSED ACQUISITION OF A PERMANENT PROPERTY INTEREST / HNA TRAINING CENTER / 334 ROUTE 9W, PALISADES, New York. is hereby resumed.

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

Summary of Public Comments:

David Cooper, Zarin & Steinmitz, Town's Special Counsel, informed the Town Board that no Purchase & Sale Agreement (PSA) has been signed and litigation between HNA and creditors still continues, which is holding up the signing of the PSA. The parties remain hopeful that there will be a resolution. Since there is no progress and we cannot keep the public hearing open indefinitely, he suggested closing the public hearing tonight, which will continue the procedure to move forward, starting the 90-day clock to adopt any findings.

**RESOLUTION NO. 232
CLOSE PH / PROPOSED ACQUISITION OF A PERMANENT PROPERTY INTEREST
HNA TRAINING CENTER / 334 ROUTE 9W, PALISADES, NY**

RESOLVED, that the Public Hearing regarding the PROPOSED ACQUISITION OF A PERMANENT PROPERTY INTEREST / HNA TRAINING CENTER / 334 ROUTE 9W, PALISADES, NY is hereby closed.

Councilperson Brian Donohue 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. 233
APPOINT / ROBERTO URBAN / PERSONNEL ADMINISTRATOR/ PROVISIONAL
EFFECTIVE APRIL 26, 2023**

RESOLVED, the Town Board hereby appoints ROBERTO URBAN, currently in the position of Human Resources Coordinator (Towns), to the position of Personnel Administrator - Provisional, effective April 26, 2023, at his current salary of \$103,000.00.

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. 234
AWARD BID / INDUSTRIAL SERVICE UNIFORMS / AMERICAN WEAR INC.**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Industrial Service Uniforms, which were received and publicly opened on March 30, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 04-25-A, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby awards this bid to American Wear Uniforms, East Orange, N.J., the only bidder, at a price of \$1.96 per employee, per week for a two (2) year contract period.

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

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. 235
AWARD CONTRACT/ GILBERT AVENUE PEDESTRIAN REFUGE ISLAND
MORANO BROTHERS CORP**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for construction of the Gilbert Avenue Pedestrian Refuge Island, which were received and publicly

RESOLUTION NO. 235 - Continued

opened on April 13, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 04-25-B, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby awards this bid to Morano Brothers Corp., Croton on Hudson, N.Y., the low bidder, in the amount of \$47,911.50. \$26,000.00 to be charged to A. 5410.457.00, \$11,256.05 to be charged to A.3310.457.00 and \$10,655.45 to be charged to H.3310.200.03.

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to enter into an agreement with Morano Brothers Corp., 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. 236

APPOINT LISA PORCO / RECEPTIONIST / PERMANENT/ GRADE 3, STEP 2 / EFFECTIVE APRIL 26, 2023

RESOLVED, upon the recommendation of the Superintendent of Highway and Rockland County Personnel, Lisa Porco is hereby appointed to the position of Receptionist, Grade 3, Step 2, permanent, from list #64-295/22158, effective April 26, 2023, no change in salary.

Councilperson Paul Valentine 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. 237

AMEND RESOLUTION NO. 182-2023/ RENAME PRIVATE RIGHT OF WAY/ FROM PATHWAY OF HEROES TO PATHWAY OF HEROES DRIVE

RESOLVED, Resolution No. 182-2023 is hereby amended to revise the renaming of a private right of way from Pathway of Heroes to Pathway of Heroes Drive.

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. 238

RENAME PRIVATE RIGHT OF WAY / PATH OF HEROES WAY, TAPPAN

RESOLVED, that upon the recommendation of Superintendent of Highways and with review and approval by Rockland County Office of Fire & Emergency Services and the Town Attorney's Office, request by residents of Western Highway, Tappan, to rename private right of way- Path of Heroes Way, private road – is hereby approved, and be it

RESOLUTION NO. 238 - Continued

RESOLVED FURTHER, that the Orangetown Highway Department is hereby authorized to install the road signs.

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. 239

APPROVE / INSTALLATION OF STREET LIGHT / INTERSECTION OF NORTH HENRY STREET AND EAST WASHINGTON AVENUE / PEARL RIVER

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of a street light at the intersection of North Henry Street and East Washington Avenue in Pearl River (Utility Pole# 58794/38670) is hereby approved to be paid from the following budget line item B.5182.452.17.

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. 240

COMBINE / APPROVE AGENDA ITEMS #13 TO 17

RESOLVED, the Town Board hereby combines and approves agenda items #13 to 17.

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. 241

APPROVE/ LEND ASSISTANCE/ TAPPAN ZEE BOYS BASKETBALL CHAMPION PARADE

RESOLVED, upon the recommendation of the Superintendent of Highways and Chief of Police the Town Board hereby approves these departments to lend assistance which includes the use of barricades from the Highway Department and police assistance from the Police department for the Tappan Zee Boys Basketball Champion Parade on Tuesday, April 25, 2023 from 6pm-7pm, nunc pro tunc.

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. 242
APPROVE / LEND ASSISTANCE / 2023 TAPPAN MEMORIAL DAY PARADE**

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades and message boards from the Highway Department, and auxiliary police detail from the Police Department, for the Tappan Memorial Day Parade to be held on Monday, May 29, 2023, from 10:00am am - 1:00 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. 243
APPROVE / LEND ASSISTANCE / TAPPAN REFORMED CHURCH SPRING FLING**

RESOLVED, upon the recommendation from the Superintendent of Parks, Recreation & Building Maintenance and the completion of the necessary paperwork, the Town Board hereby approves the request for three porto jons (2 regular, 1 handicapped) for use at the Tappan Reformed Church Spring Fling on May 13, 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. 244
APPROVE / LEND ASSISTANCE / AMERICAN CANCER SOCIETY**

RESOLVED, upon the recommendation from the Superintendent of Parks, Recreation & Building Maintenance and the completion of the necessary paperwork, the Town Board hereby approves the request for the use of the Town Showmobile at a rental cost of \$500.00 and four porto-jons (3 regular and 1 handicapped) for the Relay for Life Event to be held on May 20, 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. 245
APPROVE / LEND ASSISTANCE / ST. THOMAS AQUINAS COLLEGE EARTH DAY**

RESOLVED, upon the recommendation from the Superintendent of Parks, Recreation & Building Maintenance and the completion of the necessary paperwork, the Town Board hereby approves the request for the use of the showmobile for the St. Thomas Aquinas College Earth Celebration on Saturday, April 22, 2023 with a rain date of Sunday, April 23, 2023 at a cost of \$500.00, nunc pro tunc.

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. 246
APPROVE FLEXIBLE WORK SCHEDULE / SUMMER HOURS / JUNE – AUGUST
TOWN CLERK’S OFFICE**

RESOLVED, upon the recommendation of the Town Clerk, the Town Board hereby approves a Summer Flexible Work Schedule for the staff of the Town Clerk’s Office. The Summer Flexible Work Schedule allows the Clerk’s office to have extended hours (8:00 am – 5:00 pm) with half the staff working 8:00 am – 4:00 pm and the other half working 9:00 am – 5:00 pm. This flexible work schedule shall be in place from June through August. In accordance with Section 5.1.2 of the Collective Bargaining Agreement, the Town Board has the sole responsibility for establishing flexible work hour schedules.

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. 247
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 **\$739,372.45**.

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

NEW BUSINESS

**RESOLUTION NO. 248
ADD TWO AGENDA ITEMS / MAY 9, 2023 RTBM / APPOINTING ASHLEY
SCHUTTER – ACCOUNT CLERK TYPIST IN DEME / CHRIS SHEEHAN’S SALARY
CONFIDENTIAL ASSISTANT TO THE COMMISSIONER OF DEME**

RESOLVED, that two agenda items be added to May 9, 2023 Regular Town Board Meeting agenda, re: Appointing Ashley Schutter as Account Clerk Typist in DEME and Chris Sheehan, who is the Confidential Assistant to the Commissioner of DEME, salary.

Under new Business, Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and on a roll call was Adopted:

Motion: 5 - 1

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

Noes: Supervisor Teresa M. Kenny

**RESOLUTION NO. 249
ENTER EXECUTIVE SESSION**

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

RESOLVED, at 7:51 pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value and legal matters.

RESOLUTION NO. 249 - 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

RESOLUTION NO. 250

RE-ENTER RTBM / ADJOURNED / MEMORY

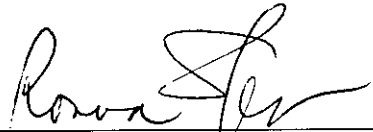
RESOLVED, at 8:45 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Mary Kay Joyce**, *Resident of Pearl River* and **Catherine Linehan**, *Resident of Orangeburg*.

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



Rosanna Sfraga, Town Clerk

Town of Orangetown

DATE: April 25, 2023

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	041223	\$ 267,901.19
	041323	\$ 15,942.15
	042323	\$ 873.30
	042523	\$ 454,655.81
		\$ 739,372.45

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

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 4/21/2023
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 4/25/2023 consists of 4 warrants for a total of \$739,372.45.

The first warrant had 29 vouchers for \$267,901 and was for utilities.

The second warrant had 5 vouchers for \$15,942 and was for 207c payments.

The third warrant had 1 vouchers for \$873 and was for 207c medical.

The fourth warrant had 146 vouchers for \$454,655 and had the following items of interest.

1. Candle (p8) - \$15,000 for 1st payment of contract.
 2. Commission of Taxation and Finance (p9) - \$16,412 for 1Q worker's comp board payment.
 3. Custom conveyor (p11) - \$9,663 for Sewer plant parts.
 4. Eagle Point Gun (p12) - \$9,419 for Police ammunition.
 5. East Coast Emergency Lighting (p12) - \$8,570 for outfitting Building and Fire vehicles.
 6. Gall's (p17) - \$8,522 for retainage return.
 7. Global Montello (p19) - \$15,996 for fuel.
 8. Goosetown Enterprises (p19) - \$8,050 for police equipment leases.
 9. Hisco Pump (p20) - \$5,639 for replacement pump – Sewer.
 10. NYS Unemployment Insurance (p23) - \$9,427 for unemployment insurance.
 11. Office of Mental Health (p25) - \$16,927 for utilities.
 12. Pace analytical services (p35) - \$13,395 for sewer testing.
 13. Precision Electrical Motor Works (p39) - \$12,150 for replacement parts sewer.
 14. Sealcoat USA (p45) - \$113,065 for crack seal various locations.
-

15. State Comptroller (p47) - \$37,597 for Justice Fines.
16. Swift Electrical Supply Co. (p48) - \$5,461 for splashpad electrical.
17. Van Bortel Chevrolet (p50) - \$45,033 for Police vehicle (bonded).

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

Jeffrey W. Bencik, CFA

845-359-5100 x2204

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on Thursday, March 30, 2023 and will be publicly opened and read aloud at 11:00 A.M. for furnishing INDUSTRIAL SERVICE UNIFORMS, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The Superintendent of Highways will submit a report to the Town Board of all bids received and his recommendation concerning the awarding of a contract at a meeting of the Town Board of the Town of Orangetown.

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

Performance of the Contract as set forth in these contract documents.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 103d of the General Municipal Law.

No contract is deemed to have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

By order of the Town Board of the Town of Orangetown.

DATED: March 15, 2023

JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

ROSANNA SFRAGA
TOWN CLERK



**AFFIDAVIT OF PUBLICATION
FROM**

**State of Wisconsin
County of Brown, ss.:**

On the 15 day of March, in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Feltt, 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 Feltt 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 :

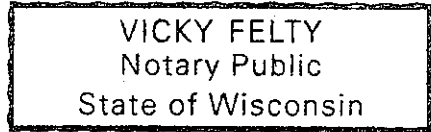
Zone:
Rockland

Run Dates:
03/15/2023

Linda Feltt
Signature

Sworn to before me, this 15 day of March, 2023

Vicky Felty
Notary Public, State of Wisconsin, County of Brown



91925
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, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, 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, Palisades, Pearl River, Piermont, Pomona, Staatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005627042

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on Thursday, March 30, 2023 and will be publicly opened and read aloud at 11:00 A.M. for furnishing INDUSTRIAL SERVICE UNIFORMS, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The Superintendent of Highways will submit a report to the Town Board of all bids received and his recommendation concerning the awarding of a contract at a meeting of the Town Board of the Town of Orangetown.

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

Performance of the Contract as set forth in these contract documents.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 103d of the General Municipal Law.

No contract is deemed to have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

By order of the Town Board of the Town of Orangetown.

DATED: March 15, 2023

JAMES J. DEAN	ROSANNA SFRAGA
SUPERINTENDENT	TOWN CLERK
OF HIGHWAYS	5627042

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 a.m. on April 13, 2023 and will be publicly opened and read aloud at 11:00 A.M. for the construction of the GILBERT AVENUE PEDESTRIAN REFUGE ISLAND, TOWN OF ORANGETOWN, NEW YORK. The Pedestrian Refuge Island is located at the intersection of Gilbert Avenue and Old Middletown Road, Pearl River, in the Town of Orangetown, and construction is to be in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office:

The Town Clerk and the Superintendent of Highways will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a meeting of the Town Board.

The Town Board of the Town of Orangetown reserves the right to waive any informalities in the bidding and to reject any and all bids.

The Town Board of the Town of Orangetown reserves the right to select the most advantageous offer to the Town through "best value" procurement. "Best value" selection will be based on the evaluation and comparison of factors in addition to cost or price.

The Town Board requires each bid to be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, or a bond with sufficient sureties to be approved by the Town Attorney, in a sum equal to five percent (5%) of the amount bid, conditioned that if his/her proposal is accepted, he/she will execute such further security as may be required for the faithful performance of the Contract as set forth in these contract documents.

The successful bidder will be required to post a Performance Bond in the amount of one hundred percent (100%) of the contract price.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 103d of the General Municipal Law.

Contractor warrants and represents that all employees and independent contractors affiliated with or employed by such contractors or any subcontractors shall be compensated at the prevailing wage, including, where applicable wage rates mandated by the New York State Department of Labor for the work performed in connection with any project.

It is understood that there must be a written contract executed by the Supervisor of the Town of Orangetown, pursuant to Town Board Resolution. This is subject to appropriations approved by the Town Board.

By order of the Town Board of the Town of Orangetown.

DATED: April 5, 2023

ROSANNA SFRAGA, TOWN CLERK

JAMES J. DEAN, SUPERINTENDENT OF HIGHWAYS



**AFFIDAVIT OF PUBLICATION
FROM**

**State of Wisconsin
County of Brown, ss.:**

On the 5 day of April in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Feltt, 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 Feltt 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 :

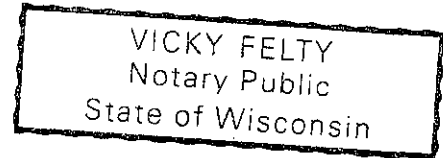
**Zone:
Rockland**

**Run Dates:
04/05/2023**

Linda Feltt
Signature

Sworn to before me, this 5 day of April, 2023

Vicky Felty
Notary Public, State of Wisconsin, County of Brown



9/19/25
My commission expires

Legend:

WESTCHESTER:

Arrawalk, 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, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnville, 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, Palisades, Pearl River, Piermont, Pomona, Staatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thieils, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005652667

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 a.m. on April 13, 2023 and will be publicly opened and read aloud at 11:00 A.M. for the construction of the GILBERT AVENUE PEDESTRIAN REFUGE ISLAND, TOWN OF ORANGETOWN, NEW YORK. The Pedestrian Refuge Island is located at the intersection of Gilbert Avenue and Old Middletown Road, Pearl River, in the Town of Orangetown, and construction is to be in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office:

The Town Clerk and the Superintendent of Highways will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a meeting of the Town Board.

The Town Board of the Town of Orangetown reserves the right to waive any informalities in the bidding and to reject any and all bids.

The Town Board of the Town of Orangetown reserves the right to select the most advantageous offer to the Town through "best value" procurement. "Best value" selection will be based on the evaluation and comparison of factors in addition to cost or price.

The Town Board requires each bid to be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, or a bond with sufficient sureties to be approved by the Town Attorney, in a sum equal to five percent (5%) of the amount bid, conditioned that if his/her proposal is accepted, he/she will execute such further security as may be required for the faithful performance of the Contract as set forth in these contract documents.

The successful bidder will be required to post a Performance Bond in the amount of one hundred percent (100%) of the contract price.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 103d of the General Municipal Law.

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By order of the Town Board of the Town of Orangetown.

DATED: April 5, 2023

ROSANNA SFRAGA, TOWN CLERK

JAMES J. DEAN, SUPERINTENDENT OF HIGHWAYS

5652667

BID OPENING TIME

11:00AM

DATE

April 13, 2023

**CONTRACTOR
NAME
&
ADDRESS**

*A-Tech Concrete
Elizabethtown, NY*

*MULTI-TRAC PILES
Circleville, OH*

*Excavation
Hudson, NY*

DATE RECEIVED

4/13/23

4/13/23

TIME RECEIVED

9:00 AM

10:13 AM

**NON COLLUSION
STATEMENT**

✓

✓

**BID BOND or
CERTIFIED CHECK**

✓

✓

ITEM No. 203.02 - Unclassified Excavation & Disposal / Unit CY/ Quantity 4.5

UNIT PRICE	\$ 2500.00	\$ 750.00	\$	\$	\$	X
PRICE	\$ 11,250.00	\$ 3375.00	\$	\$	\$	

ITEM No. 304.1100008 - Crushed Stone Aggregate Subbase Course / Unit CY/ Quantity 2.6

UNIT PRICE	\$ 2000.00	\$ 900.00	\$	\$	\$	X
PRICE	\$ 5200.00	\$ 2340.00	\$	\$	\$	

ITEM No. 608.0101 - Concrete Sidewalks / Unit CY/ Quantity 1.9

UNIT PRICE	\$ 3000.00	\$ 3500.00	\$	\$	\$	X
PRICE	\$ 5700.00	\$ 6650.00	\$	\$	\$	

ITEM No. 608.01050115 - Curb Ramp Type 1 / Unit EA/ Quantity 2

UNIT PRICE	\$ 3500.00	\$ 6000.00	\$	\$	\$	X
PRICE	\$ 7000.00	\$ 12000.00	\$	\$	\$	

ITEM No. 609.0405 - Cast-In-Place Concrete Curb Type M100 / Unit LF/ Quantity 44.0

UNIT PRICE	\$ 275.00	\$ 150.00	\$	\$	\$	X
PRICE	\$ 12100.00	\$ 6600.00	\$	\$	\$	

ITEM No. 627.50140008 - Cutting Pavement / Unit LF/ Quantity 53

UNIT PRICE	\$ 25.00	\$ 6.00	\$	\$	\$	X
PRICE	\$ 1325.00	\$ 318.00	\$	\$	\$	

ITEM No. 619.01 - Basic Work Zone Traffic Control / Unit LS / Quantity 1

UNIT PRICE	\$ 25000.00	\$ 15000.00	\$	\$	\$	X
PRICE	\$ 25000.00	\$ 15000.00	\$	\$	\$	

ITEM No. 699.040001 - Mobilization / Unit LS/ Quantity 1

UNIT PRICE	\$ 2000.00	\$ 1625.50	\$	\$	\$	X
PRICE	\$ 2000.00	\$ 1625.50	\$	\$	\$	

Grand Total \$ 69,575.00 \$ 47911.50 \$ \$ \$

