

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING MINUTES  
May 23, 2023**

This meeting was opened at 7:00 pm. Denis Troy, Deputy Supervisor, presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

Denis Troy, Deputy Supervisor  
Councilperson Thomas Diviny  
Councilperson Paul Valentine  
Councilperson Jerry Bottari  
Councilperson Brian Donohue

Absent:

Supervisor Teresa M. Kenny

Also Present:

Allison Kardon, Supervisor's Confidential Assistant  
Carmel Reilly, Director of Economic Development & Tourism  
Rosanna Sfraga, Town Clerk  
Joseph Thomassen, Deputy Clerk  
Robert Magrino, Town Attorney  
Jeff Bencik, Finance Director  
James Dean, Superintendent of Highways  
Jane Slavin, Director of OBZPAE  
Eamon Reilly, Commissioner of 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  
P O Michael Yannazzone, Jr.

**Pledge of Allegiance to the Flag**

**ANNOUNCEMENTS:**

**The Camp Shanks Museum will be open from 11 am - 3 pm, most Saturdays and Sundays during the months of June, July and August.**

**The following Public Hearings have been scheduled:**

- 1. June 13, 2023: Adding a new chapter to the town code entitled "PUBLIC MEETINGS" to permit certain public bodies of town government to conduct public meetings via videoconferencing under extraordinary circumstances.**
- 2. June 27, 2023: To amend the town code to permit restaurants, including fast food restaurants, as a permitted use in mixed-use developments.**

**PRESENTATIONS:**

- 1. Building Safety Month "Building Safety Starts with You!"- May 2023 - Presented to: Jane Slavin, OBZPAE Director**

**PRESENTATIONS - Continued:**

- 2. **National Public Works Week "Connecting the World Through Public Works" - Sunday, May 21 - Saturday, May 27, 2023 - Presented to:**  
**Superintendent of Highways James J. Dean**  
**Parks and Recreation Superintendent Aric Gorton**  
**DEME Commissioner Eamon Reilly**
  
- 3. **Mental Health Awareness Month - May 2023 - Presented to:**  
**Sandra Wolf, President of NAMI Rockland Board of Directors**  
**Rena Finkelstein, Board Member of NAMI and Past President**

**Office of Emergency Management:** Police Chief Butterworth and P O Michael Yannazzone, Jr.

- 4. **2023 Memorial Day Poem by Rose Marie Raccioppi, Poet Laureate, Orangetown, NY to be read by Deputy Supervisor Denis Troy**

**We gather, we pray, we join hearts, this MEMORIAL Day 2023**

Skyward be our eyes...  
 A feeling, a thought, and skyward be our eyes  
 The solace of light within supernal skies  
 Blessings of ALL we do feel  
 The touch of GOD ever real  
 And in this moment as Below as Above  
 Beheld we be by the embrace of Love  
 From the light a resounding WORD  
 The message of GOD, the ALL be heard  
 Our Sons and Daughters in blessed memories they be  
 For the valor and sacrifices made to defend land, sky, and sea  
 Held within our hearts be memories of sweet times shared  
 We in PRAISE Salute those who are in GOD's heavenly care  
 And so this moment, this hour, this day, a blessed salute we give  
 To those who with sacrifice of life defended the freedoms we live.

Rose Marie Raccioppi  
Orangetown's Poet Laureate

**DISCUSSION:**

Workshop of Agenda Items

**RESOLUTION NO. 280**

**OPEN PUBLIC HEARING / PROPOSED ZONE CHANGE FOR 175 EAST WASHINGTON AVENUE, PEARL RIVER, NY**

**RESOLVED**, that the Public Hearing regarding the Proposed Zone Change for 175 East Washington Avenue, Pearl River, New York. is hereby opened.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication, Mailing and Postings; which are labeled Exhibit 05-23-A and made a part of these minutes.

Summary of Public Comments: None

**RESOLUTION NO. 281  
CLOSE PUBLIC HEARING / RE: PROPOSED ZONE CHANGE FOR 175 EAST  
WASHINGTON AVENUE, PEARL RIVER, NY**

**RESOLVED**, that the Public Hearing regarding the Proposed Zone Change for 175 East Washington Avenue, Pearl River, NY is hereby closed.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 282  
ADOPT A NEGATIVE DECLARATION / LOCAL LAW NO. 4 OF 2023,  
AMENDING THE TOWN ZONING LAW TO CHANGE THE ZONING DISTRICT,  
175 EAST WASHINGTON AVENUE, PEARL RIVER TAX LOT 68.16/5/56 FROM “CC”  
TO “RG”**

**WHEREAS**, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the parcel known as 175 East Washington Avenue in the hamlet of Pearl River, tax lot Section 68.16 Block 5 Lot 56 from “CC” to “RG”, and

**WHEREAS**, on or about, pursuant to Town Board Resolution 2023-211 the Town Board circulated amongst various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

**WHEREAS**, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

**WHEREAS**, acting in its capacity as Lead Agency for environmental review, and after taking a “hard look” at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the zoning classification of the subject parcel affected by the proposed Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or her designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 283  
ADOPT LOCAL LAW 4, 2023 / PROPOSED ZONE CHANGE FOR 175 EAST  
WASHINGTON AVENUE, PEARL RIVER, NY.**

**WHEREAS**, the Town Board of the Town of Orangetown (the “Town Board”) is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town’s Zoning Law; and

**RESOLUTION NO. 283 – Continued**

**WHEREAS**, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2 to change the zoning district of the parcel known as 175 East Washington Avenue in the hamlet of Pearl River, tax lot 68.16/5/56 being located in the “CC” (Retail-Commerce) zoning district, to change the zoning classification of the property to that of “RG” (General Residence), a zoning district that already directly abuts the property, and

**WHEREAS**, by Resolution No. 211 of 2023, after notice duly given, and there being no other involved agency, by resolution duly adopted this 23<sup>rd</sup> day of May, 2023, the Town Board assumed the role of Lead Agency under SEQRA for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town’s Zoning Law and determined the issuance of Negative Declaration is appropriate; and

**WHEREAS**, following due notice, a public hearing was conducted on the proposed zone change amendment; and

**WHEREAS**, the Board has concluded that the proposed zone change which changes the zoning classification of the subject parcel to a zoning district which already abuts the parcel due to a previous zone change, is consistent with the Town’s Comprehensive Plan wherein it indicates on page IV-2 that “encouraging additional residential uses along this roadway (Middletown Road) would also be beneficial, strengthening the roadway’s mixed-use character”, and the subject property is two parcels away from Middletown Road, and otherwise is in the best interests of the Town and the owner of the parcel, who has requested the change of zoning classification; and

**WHEREAS**, the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the County Planning Department, pursuant to General Municipal Law §§ 239 l & m, have each reviewed the proposed law; and

**WHEREAS**, the Town Planning Board, by Memorandum, dated May 11, 2023, following due consideration at a public meeting held on the same date, has indicated that it does not object to the Town Board serving as Lead Agency on the matter and otherwise had no comment on the proposed action by the Town Board, and

**WHEREAS**, the Town Board finds that amending the zoning classification of this property will not have a significant impact on traffic or emergency services in the area, . and

**WHEREAS**, the County Department of Planning, as part of the General Municipal Law 239 (l) and (m) review, by letter review dated May 2, 2023, has recommended the petition for the zone change be approved,

**NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED**, that the Town Board hereby adopts the within Local Law, amending the Town Zoning Law, and the Town Zoning Map made a part of the Town Code at Chapter 43, § 2.2., and changes the zoning classification of the referenced parcel known as 175 East Washington Avenue Pearl River, New York, tax lot 68.16/5/56 from “CC” to “RG”.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 284  
RESUME PUBLIC HEARING OF APRIL 11, 2023 AND ADJOURN TO JUNE 27, 2023  
AT 7:10 PM / ACCEPT DRAFT COMPREHENSIVE PLAN / CONSIDER ADOPTING  
THE ORANGETOWN COMPREHENSIVE PLAN**

**RESOLVED**, that the Public Hearing regarding the Draft Comprehensive Plan and to Consider Adopting the Orangetown Comprehensive Plan is hereby resumed and adjourned to June 27, 2023 at 7:10 pm.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 285  
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: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

Summary of Public Comments (RTBM):

Mike Mandel, Pearl River, commended Supervisor Kenny for going to Washington DC to defend our rights. He supports the resolution opposing the Discharge of Contaminated Water from Indian Point into the Hudson River.

Thom Kleiner, Sparkill, spoke of Esta Baitler’s passing, her ability to provide a voice for people with developmental disabilities and a voice for causes she believed in. She never let us forget what was important.

Susan McWhinney, Orangeburg, read a statement, from Chris & Sharon Van Houten, opposing RCW.

Gerry Goggin, Orangeburg, on May 13<sup>th</sup> there was an accident (cyclist hit by a car) outside Van Houten Farms and is concerned if RCW re-opens there will be more accidents.

**RESOLUTION NO. 286  
CLOSE PUBLIC COMMENT PORTION**

**RESOLVED**, that the public portion is hereby closed.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 287**  
**APPROVE / 2023 HIGH SCHOOL PROJECT GRADUATION FUNDING**

**RESOLVED**, that upon the recommendation of the Director of Finance, **PROJECT GRADUATION** funding for 2023 is hereby approved as follows and charged to Account No. A4211.457:

Pearl River High School	\$1,500.00
Tappan Zee High School	\$1,500.00
Nanuet High School	\$750.00
Nyack High School	\$750.00
Albertus Magnus High School	\$400.00

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 288**  
**OPPOSING THE DISCHARGE OF CONTAMINATED WATER FROM INDIAN POINT INTO THE HUDSON RIVER AND URGING THE NYS LEGISLATURE TO SUPPORT S.6893 AND A.7208 AMENDING THE ENVIRONMENTAL CONSERVATION LAW IN RELATION TO THE DISCHARGE OF ANY RADIOLOGICAL AGENT INTO THE HUDSON RIVER**

**WHEREAS**, the company decommissioning the Indian Point nuclear power plant has announced its intention to release water from onsite radioactive fuel waste pools into the Hudson River; and

**WHEREAS**, to date there has been no specific reporting of the radionuclide contents of this water which is heavily contaminated from the storage of the nuclear fuel waste; and

**WHEREAS**, pre-release filtration to remove these isotopes has been presented as a solution to reduce the content of these carcinogenic contaminants to a level "as low as reasonably achievable;" and

**WHEREAS**, the National Academy of Science has indicated that there is no verifiable safe level of these isotopes when they are ingested or inhaled and such pre-release treatment would not remove tritium, also carcinogenic, from the water; and

**WHEREAS**, any contaminants in the Hudson present the risk of entering the food chain; and

**WHEREAS**, there are community members who depend on fish from the river as a food source, and in addition, there are seven communities upriver who source their drinking water from the Hudson; and

**WHEREAS**, since the river is an estuary that flows from south to north as well as from north to south, this fact must be considered; and

**WHEREAS**, the river also serves as a source of recreational activities and represents an economic resource that will be endangered by this reckless action; and

**WHEREAS**, New York Senate bill S.6893 and New York State Assembly bill A.7208 have been introduced, an act to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the Hudson River; and

**RESOLUTION NO. 288 - Continued**

**NOW THEREFORE, BE IT RESOLVED**, that the Orangetown Town Board hereby strongly opposes the plan to release over a million gallons of contaminated water from the Indian Point Nuclear Power Plant site into the Hudson River; and

**BE IT FURTHER RESOLVED**, that the Orangetown Town Board hereby urges the New York State Senate to pass S.6893 and the New York State Assembly to pass A.7208 - an act to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the Hudson River and urges the governor to sign such legislation; and

**BE IT FURTHER RESOLVED**, that the Clerk to the Town Board is hereby authorized and directed to send a certified copy of this resolution to the Hon. Kathy Hochul, Governor of the State of New York; Hon. Bill Weber, New York State Senator; Hon. John W. McGowan, Member of the New York State Assembly; the President Pro Tempore of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; the New York State Public Service Commission, the New York State Department of Environmental Conservation, the Indian Point Decommissioning Oversight Board; and to such other persons as the Clerk in her discretion may deem proper in order to effectuate the purpose of this resolution.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 289****APPROVE / A+ TECHNOLOGIES / NEW TOWN HALL SECURITY CAMERAS**

**RESOLVED** that, upon the recommendation of the IT Department and the Town Board, and pursuant to §1A-13(F) of the Orangetown Code and NYS General Municipal Law §103(16) providing for “piggybacking” of municipal purchases, the Town Board awards the contract for the security/surveillance cameras for the new Town Hall in the amount of \$132,141.82 using the TIPS (The Interlocal Purchasing System) contract number #230202. The full amount is to be charged to A.1682.457.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 290****APPROVE ENGAGEMENT AGREEMENT WITH HODGES WALSH BURKE / BARKAI V. TOWN / MIELE V. TOWN**

**RESOLVED**, on the recommendation of the Town Attorney, approve the retention of Hodges Walsh and Burke, White Plains, New York to provide legal services for the Town in the matter of Barkai v. Orangetown, USDNY 21-civ 4060 and Miele v. Orangetown, Rockland Index No. 031572/2023, at the rate of no more than \$200.00 per hour and on the terms and conditions set forth more fully in a proposed Letter of Engagment, incorporated by reference herein, and authorize the Supervisor, or her designated representative, to execute a copy thereof.

**RESOLUTION NO. 290 - Continued**

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 291**

**APPROVE CORNELL UNIVERSITY LOCAL ROADS PROGRAM / PETER BLICKLEY / APRIL 27, 2023**

**RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves Peter Blickley, Highway Department, to attend 1 class through Cornell Local Roads on the above date at a cost of \$50.00, charged to Account Number D.5110.457.04.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 292**

**APPROVE / CHANGE ORDER #1 / BLUE HILL GOLF COURSE CART PATH REPAIRS**

**RESOLVED**, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance approve change order number one, for additional cart path repairs in the amount of \$12,880.000 increasing the total contract cost to \$53,032.00.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 293**

**AWARD BID / ROOF MAINTENANCE AND REPAIRS / HAYDEN BUILDING MAINTENANCE**

**WHEREAS**, the Superintendent of Parks, Recreation & Building Maintenance duly advertised for sealed bids for Annual Roof Maintenance & Repairs, which were received and publicly opened on May 18, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 05-23-B, and made a part of these minutes. Now, Therefore, Be It

**RESOLVED** that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance award the bid for roof maintenance and repairs to Hayden Building Maintenance of West Nyack, NY in the amount of: \$11,050.00, the only qualified bidder.

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



**RESOLUTION NO. 293 - Continued**

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 294  
ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF JOSEPH  
MULROE /MUNICIPAL AIDE / DEME / EFFECTIVE MAY 27, 2023**

**RESOLVED**, that the Commissioner of D.E.M.E. and the Town Board accepts with regret, the resignation/retirement of Joseph Mulroe, Municipal Aide, from the D.E.M.E./Sewer Department, after 33 years, effective May 27, 2023.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 295  
COMBINE / APPROVE AGENDA ITEMS #17 TO 22**

**RESOLVED**, the Town Board hereby combines and approves agenda items #17 to 22.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 296  
APPROVE/ LEND ASSISTANCE/ ROCKLAND SOLACE SUNRISE SUICIDE  
PREVENTION WALK/ SATURDAY, JUNE 3, 2023**

**RESOLVED**, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades & cones from the Highway Department and Police detail from OPD, for the Solace Sunrise Suicide Prevention Walk in Orangeburg, to be held on Saturday, June 3, 2023, from 5:30am – 7:30 am.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 297  
APPROVE / LEND ASSISTANCE / PLUS POLISH FESTIVAL / SATURDAY JUNE 3 -  
SUNDAY JUNE 4, 2023**

**RESOLVED**, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades, plastic barrels, cones, one message board, sidewalk control on road edge and plastic fencing from the Highway Department and auxiliary police from OPD, for the Plus Polish Festival to be held on Saturday, June 3, 2023 from 11am to 10pm and Sunday, June 4, 2023 from 11am to 9pm.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 298  
APPROVE/ LEND ASSISTANCE/ CLAUSLAND MOUNTAIN WATCHFIRE/ MAY 30<sup>th</sup>**

**RESOLVED**, upon the recommendation of the Superintendent of Highways, that the Town Board hereby authorizes these departments to lend assistance which includes the use of a 500 gallon tank from the Highway Department for the Clausland Mountain Watchfire at Nike Park, to be held on Tuesday, May 30, 2023.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 299  
APPROVE / LEND ASSISTANCE/ 2023 PALISADES MEMORIAL DAY CEREMONY  
MAY 29, 2023**

**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 from the Highway Dept., and auxiliary police detail from the Police Dept., for the Palisades Memorial Day Parade to be held on Monday, May 29, 2023 from 8:45 am - 9:45 am.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 300  
APPROVE / LEND ASSISTANCE / 2023 SPARKILL MEMORIAL DAY PARADE  
MAY 29, 2023**

**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

**RESOLUTION NO. 300 - Continued**

which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Sparkill Memorial Day Parade to be held on Monday, May 29, 2023, from 11:30 am - 12:30 pm.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 301**

**APPROVE/ LEND ASSISTANCE/ ST. JOHN HENRY NEWMAN EUCHARISTIC PROCESSION**

**RESOLVED**, upon the recommendation of the Superintendent of Highways and the Chief of Police that the Town Board hereby authorizes these departments to lend assistance which includes road use from the Highway Department and police assistance from the Police Department for the St. John Henry Newman Eucharistic Procession on Sunday, June 11, 2023 from 9:50am- 10:30am.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**NEW BUSINESS**

**RESOLUTION NO. 302**

**ENGAGE KEANE & BEANE / PROFESSIONAL LEGAL SERVICES / PALISADES EOM LLC (ARMONI) v. TOWN OF ORANGETOWN / US DISTRICT COURT SDNY**

**RESOLVED**, that the Town Board hereby authorizes the Town Attorney to retain the services of Keane & Beane, White Plains, New York, to serve as litigation counsel with respect to the matter of Palisades Estates EOM, LLC v. Town of Orangetown that has been filed in the United States District Court, Southern District of New York, Case No. 7:23-cv-041215 and any matters related thereto, and authorizes the Town Attorney to execute the engagement letter and any other documents necessary to implement and carry out the intentions of this resolution.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 303**

**HOME RULE LEGISLATION REQUEST / ORANGETOWN COMMUNITY PRESERVATION FUND**

**WHEREAS**, the Town Board is desirous of establishing a Community Preservation Fund for purposes of implementing a plan for the preservations of the character of the community and

**RESOLUTION NO. 303 - Continued**

which will establish a one-time real estate transfer tax on any home purchase in the Town of Orangetown, and

**WHEREAS**, this preservation fund will enable the Town to collect up to  $\frac{3}{4}$  of a percent tax on any home purchase in the Town of Orangetown with an exemption of any purchase under \$400,000, and

**WHEREAS**, the Town will use the preservation fund as a necessary tool to preserve Orangetown's character and environment by acquiring properties with exceptional scenic value, threatened ecological areas, historical significance, and waterways, including those properties for open space and recreational use, , and

**WHEREAS**, the Town will also accept gifts of land and funds not to be transferred into any other account and that fund will be monitored by an advisory board chosen by the Town Board to review and make recommendations on proposed acquisitions, and

**WHEREAS**, special legislation has been drafted for submission to the NYS Senate by Senator Weber identified as Senate Bill S 4712A, a copy of which is annexed hereto and incorporated by reference herein, and

**WHEREAS**, special legislation has been drafted for submission to the NYS Assembly by Assemblyman McGowan identified as Assembly Bill A 4606A, a copy of which is annexed hereto and incorporated by reference herein, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Orangetown hereby requests and approves the submission of a Home Rule Request for the enactment of special state legislation, in the form of Senate Bill S 4712A as set forth above and entitled "AN ACT to amend the town law, in relation to authorizing the town of Orangetown, County of Rockland to establish community preservation funds; to amend the tax law, in relation to authorizing the town of Orangetown to impose a real estate transfer tax with revenues therefrom to be deposited in said community preservation fund; and providing for the repeal of certain provisions upon expiration thereof" and its matching Assembly bill of the same title and identified as Assembly Bill A 4606A authorizing the Town to establish a community preservation fund as more fully described therein; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor and Town Clerk are authorized to execute and transmit all documents that may be necessary to effectuate this home rule request.

Under new business, Councilperson Tom Diviny offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 304  
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 one (1) warrant (attached) for a total of **\$1,353,162.32**.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 305  
ENTER EXECUTIVE SESSION**

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

**RESOLVED**, at 8:00 pm, the Town Board entered Executive Session to discuss pending litigation.

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

Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 306  
RE-ENTER RTBM / ADJOURNED / MEMORY**

**RESOLVED**, at 8:30 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Joseph Brady**, *Former Resident of Pearl River*; **Ed Coffey**, *Resident of Pearl River*; **Debra Ford**, *Resident of Nanuet*; **Theresa Gaglio**, *Mother of Mary Cardenas, Town Historian*; **Donald Gash**, *Father in-law to Orangetown Employee Bob Gerard*; and **Elsi Marlene Zamora**, *Sister to Orangetown Employee Nelson Zamora*.

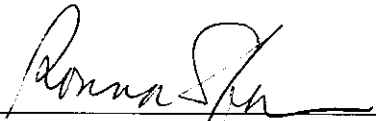
Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

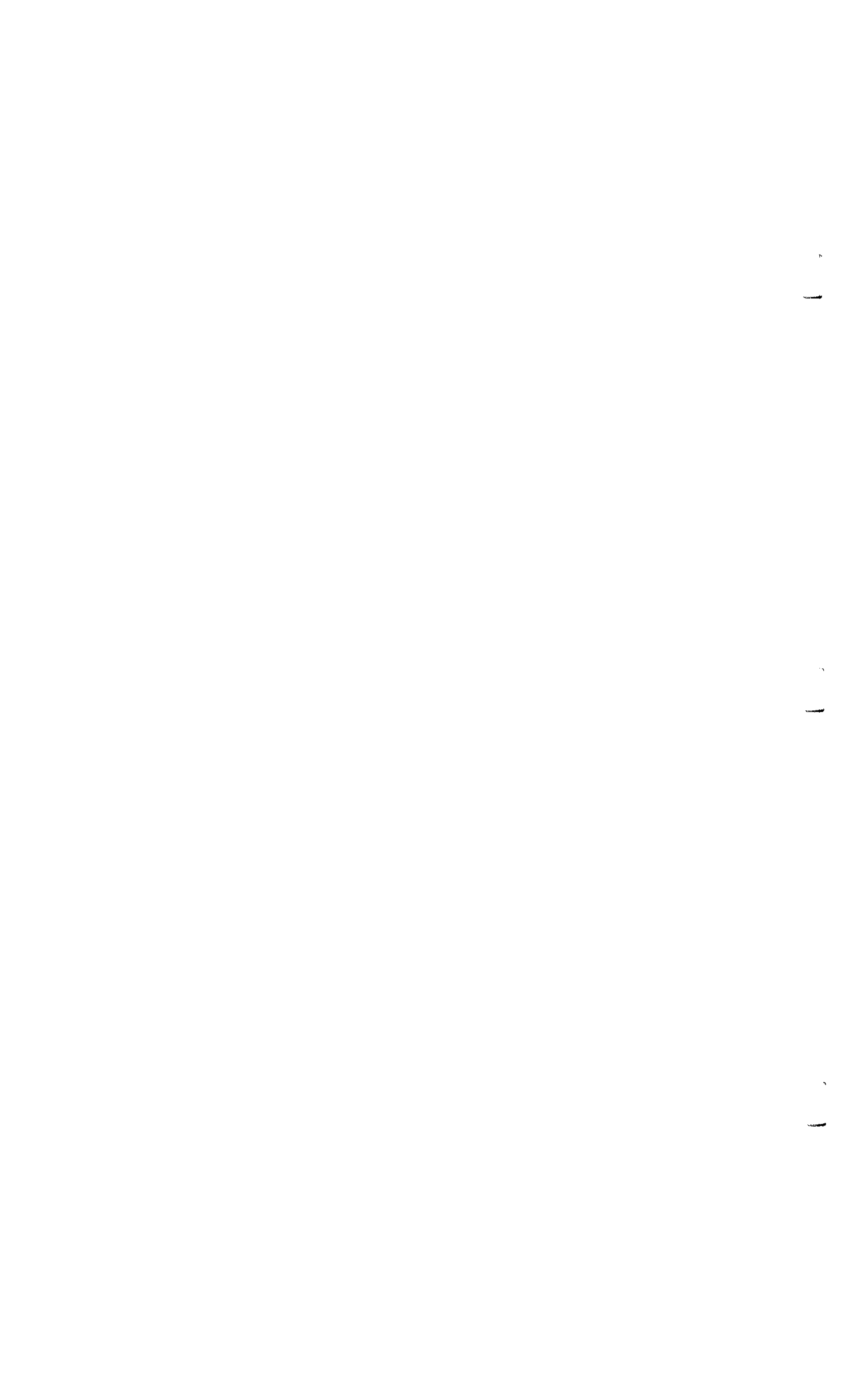
Motion: 4 - 0

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

Noes: None

Absent: Supervisor Teresa M. Kenny

  
\_\_\_\_\_  
Rosanna Sfraga, Town Clerk



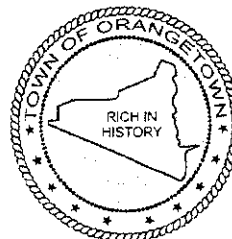


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**TOWN OF ORANGETOWN  
FINANCE OFFICE MEMORANDUM**

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**TO:** THE TOWN BOARD  
**FROM:** JEFF BENCIK, *DIRECTOR OF FINANCE*  
**SUBJECT:** AUDIT MEMO  
**DATE:** 5/18/2023  
**CC:** DEPARTMENT HEADS



---

The audit for the Town Board Meeting of 5/23/2023 consists of 1 warrants for a total of \$1,353,162.32.

The first warrant had 134 vouchers for \$1,353,162 and had the following items of interest.

1. Charles Capasso & Sons (p12) - \$90,817 for recycling.
2. Crown Castle Fiber (p15) - \$33,648 for connectivity.
3. Dutra Excavating (p15) - \$26,400 for splashpad.
4. Environmental Construction (p16) - \$26,206 for emergency repair on sewer line.
5. Ferraro Construction (p18) - \$15,554 for retainage release.
6. Global Montello (p21) - \$20,973 for fuel.
7. Holland Company (p23) - \$7,155 for sewer chemicals.
8. Johnson Controls (p27) - \$8,214 for HVAC servicing town hall.
9. Kuchne Chemical Co. (p29) - \$8,125 for sewer chemicals.
10. NYS Dept. of Civil Service (p31) - \$954,552 for healthcare insurance.
11. Shi International (p35) - \$28,466 for cybersecurity programming.
12. Tilcon New York (p44) - \$8,650 for Highway materials.
13. Vanas Construction (p45) - \$17,248 for GC for new Town Hall.

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

Jeffrey W. Bencik, CFA  
845-359-5100 x2204





**TOWN OF ORANGETOWN  
NOTICE OF PUBLIC HEARING**

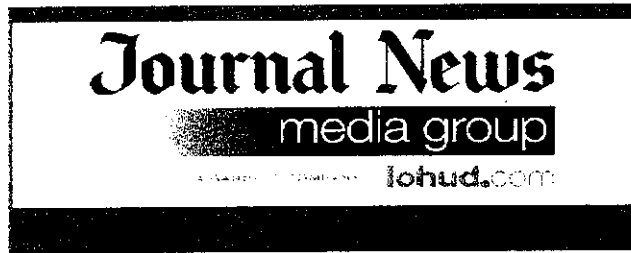
**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on April 11, 2023, a public hearing will be held by the Town Board on a proposed Local Law, amending Chapter 43, §2.2, establishing the Town Zoning Map, to change the zoning district of the parcel know as 175 East Washington Ave, in the hamlet of Pearl River (68.16-5-56) from "CC" to "RG". This public hearing is scheduled for the 23rd day of May, 2023 at 7:05 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

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

Dated: May 2, 2023

Rosanna Sfraga, Town Clerk  
Robert Magrino, Town Attorney



**AFFIDAVIT OF PUBLICATION  
FROM**

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

On the 8 day of May, in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttle, 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 Tuttle 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 :

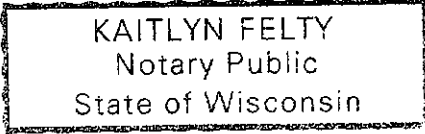
**Zone:**  
Rockland

**Run Dates:**  
05/08/2023

Linda Tuttle  
Signature

Sworn to before me, this 8 day of May, 2023

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



3/7/27  
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, Lincolndale, 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, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

**Ad Number: 0005689827**

**TOWN OF ORANGETOWN  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on April 11, 2023, a public hearing will be held by the Town Board on a proposed Local Law, amending Chapter 43, §2.2, establishing the Town Zoning Map, to change the zoning district of the parcel know as 175 East Washington Ave, in the hamlet of Pearl River (68.16-5-56) from "CC" to "RG". This public hearing is scheduled for the 23rd day of May, 2023 at 7:05 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

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

Dated: May 2, 2023

Rosanna Sfraga, Town Clerk  
Robert Magrino, Town Attorney

0005689827

TOWN OF ORANGETOWN AFFIDAVIT OF POSTING AND MAILING NOTICES FOR SPECIAL PERMIT/ZONE CHANGE

Project Name: \_\_\_\_\_

Address: \_\_\_\_\_

(Named) \_\_\_\_\_ being duly sworn, deposed that he/she is the applicant herein, or is representing the applicant herein:

That he/she resides at \_\_\_\_\_

That heretofore and the 3rd day of May, 2023

POSTING

• He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article 10.44 by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5 days immediately preceding the hearing date. The sign was not be set back more than 10 feet from any property or street line, was not be less than two feet or more than six feet above grade at the property line, and was clearly visible from the property line.

Please Note that this affidavit shall be notarized the date of the Public Hearing after the five day period has expired. It must be completed by the person actually posting the notice and shall be submitted to the Town Clerk at the commencement of the Public Hearing.

NOTICES

• He/She complied with required mailing of the Notice of Public Hearing pursuant to Orangetown Code, Chapter 43, Article 10.44, by, at least 10 days prior to the public hearing, providing the Town Clerk with stamped envelopes addressed to all property owners within 500 feet of the subject property as measured from the front, side, and rear lot lines of the subject parcel (excluding public road ways, rights of way, and property owned by any public utility or public entity in measuring the 500 feet), as well as all properties within 500 feet of the subject parcel along both sides of parcel along both sides of any street or roadway on which the subject parcel abuts.

[Signature] (signature)

Subscribed and sworn to before me

This 3rd day of May, 2023

Please Note that this affidavit shall be notarized the date of the hearing and shall be submitted to the Town Clerk at the commencement of the Public Hearing.

(Attach Notice and list of property owners within 500 feet to whom notices were sent)

TOWN OF ORANGETOWN  
2023 MAY -11 A 10:31  
TOWN CLERK'S OFFICE

SHEEBAR R. MATHAI, ESQ.  
Notary Public, State of New York  
Registration No. 02MA6273708  
Qualified in Rockland County  
Commission Expires December 17, 2024

**EXHIBIT**  
05-23-B 5/23/23

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.

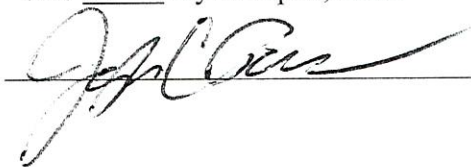
That, on the 24th day, April, 2023, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the **TOWN Of ORANGETOWN**, New York.

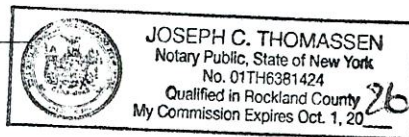
1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

  
 \_\_\_\_\_  
 Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 24<sup>th</sup> day of April, 2023

  
 \_\_\_\_\_



## 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, May 18, 2023, 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 **"2023 Bid for Annual Roof Maintenance and Repairs within the Town of Orangetown, Orangeburg, New York"**.

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 can arrange a site visit by contacting the Office of Parks and Recreation, Veterans Memorial Park, 81 Hunt Road, Orangeburg, New York.

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: April 24, 2023

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 24 day of April in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared [Signature], 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.

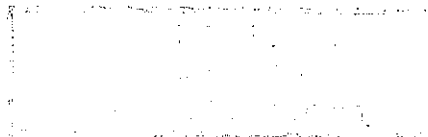
[Signature] being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated:

Zone: Rockland Run Dates: 04/24/2023

[Signature]
Signature

Sworn to before me, this 24 day of April, 2023

[Signature]
Notary Public, State of Wisconsin, County of Brown



[Signature]
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, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005675934

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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 USC275a 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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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: April 24, 2023

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

5675934

**BID OPENING TIME** 11:00AM **DATE** May 18, 2023

**CONTRACTOR NAME & ADDRESS**

*Handwritten:* Hays Construction, 11450 W. Highway 1, Suite 100, Palm Beach Gardens, FL 33418

<b>DATE RECEIVED</b>	5/18/23				
<b>TIME RECEIVED</b>	11:07am				
<b>NON COLLUSION STATEMENT</b>	NA				
<b>BID BOND or CERTIFIED CHECK</b>	✓				

**INSPECT ROOFING AREAS AT EACH LOCATION TWO (2) TIMES ANNUALLY:**  
 (1) Provide for minor repairs, assuring that the entire roof is performing as intended; (2) Clean all leaves & debris from roof, valleys, gutters, leaders, roof drains & all flat areas and dispose; (3) Ensure that drainage system is working property; (4) Check all flashing, pitch pockets, vent pipes & expansion joints. Re-caulk as necessary; (5) Provide a written report of any deficiencies that should be addressed; (6) Emergency reponse to roof leaks within twenty-four (24) hours.

Location	Annually	Annually	Annually	Annually	Annually
Blue Hill Pro-Shop	\$	\$	\$	\$	\$
Blue Hill Restaurant	\$	\$	\$	\$	\$
Orangeburg Library/Building Dept	\$	\$	\$	\$	\$
Quonset Huts (20 Greenbush Rd)	\$	\$	\$	\$	\$
Police Booth (Pearl River)	\$	\$	\$	\$	\$
<b>TOTAL ANNUAL COST</b>	\$1,050.00	\$	\$	\$	\$

HOURLY LABOR COST FOR WORK NOT COVERED BY THE SERVICE AGREEMENT	Hourly	Hourly	Hourly	Hourly	Hourly
	\$ NA	\$	\$	\$	\$

**HVAC TECHNICIAN - LABOR COSTS**

#1 - Labor Rates for Monday to Friday - 8:00 A.M. to 4:00 P.M.

UNIT	HOUR	HOUR	HOUR	HOUR	HOUR
UNIT PRICE	\$ 156.00	\$	\$	\$	\$

#2 - Labor Rates for Monday to Friday - 4:00 P.M. to 8:00 A.M.

UNIT	HOUR	HOUR	HOUR	HOUR	HOUR
UNIT PRICE	\$ 192.00	\$	\$	\$	\$

#3 - Labor Rates for Saturday - 8:00 A.M. to 12-Midnight

UNIT	HOUR	HOUR	HOUR	HOUR	HOUR
UNIT PRICE	\$ 192.00	\$	\$	\$	\$

#4 - Labor Rates for Sunday and Holidays

UNIT	HOUR	HOUR	HOUR	HOUR	HOUR
UNIT PRICE	\$ 192.00	\$	\$	\$	\$

**COSTS for MATERIALS**

If no discount is being offered, enter "0". Mark-Up shall not exceed 10%. No mark-up on freight.

<b>PERCENT MARK-UP</b>	10 %	%	%	%	%
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