



**TOWN OF ORANGETOWN TOWN BOARD MEETING**

**Tuesday August 22, 2023**

This Town Board Meeting was opened at 7:00 PM.

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

**☼ Pledge of Allegiance to the Flag**

**ANNOUNCEMENTS:**

- ◆ **Special Town Board Meeting for Budget Presentations by Town Departments on Wednesday, September 6, 2023 at 5:30 pm.**
- ◆ **The following Public Hearings are scheduled for September 26, 2023:**
  - **Adopt Orangetown Comprehensive Plan**
  - **Proposed Zone Change for 90 West Madison Avenue, Pearl River**
  - **Address Issues Related to Short Term Property Rentals**
  - **Address Parking Issues in South Nyack**

**DISCUSSION:**

- ◆ **WORKSHOP OF AGENDA ITEMS**

**PUBLIC COMMENT:**

**1. OPEN PUBLIC COMMENT PORTION**

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

SUMMARY OF PUBLIC COMMENTS:

**2. CLOSE PUBLIC COMMENT PORTION**

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

**AGENDA ITEMS:**

**TOWN BOARD**

3. **OPEN PUBLIC HEARING / AUGUST 22, 2023 AT 7:05 P.M. / PROPOSED ZONE CHANGE FOR PREL PLAZA / 60 DUTCH HILL ROAD, ORANGEBURG, NY / AMEND CHAPTER 43, 2.2**

**RESOLVED**, that the Public Hearing regarding the proposed Zone Change for Prel Plaza / 60 Dutch Hill Road, Orangeburg, New York to amend Chapter 43, 2.2 is hereby opened.

**PRESENTATION of Affidavit of Public Hearing posting and publication.**

**SUMMARY OF COMMENTS:**

4. **CLOSE OR CONTINUE PUBLIC HEARING / PROPOSED ZONE CHANGE FOR PREL PLAZA / 60 DUTCH HILL ROAD, ORANGEBURG, NY / AMEND CHAPTER 43, 2.2**

**RESOLVED**, that the Public Hearing regarding the Proposed Zone Change for Prel Plaza / 60 Dutch Hill Plaza, Orangeburg, New York to Amend Chapter 43, 2.2 is hereby closed or continued to \_\_\_\_\_.

5. **ADOPT / LOCAL LAW NO. \_\_\_\_\_ 2023 OF THE TOWN OF ORANGETOWN / AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF CERTAIN PROPERTY IN THE HAMLET OF ORANGEBURG**

**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

**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 60 Dutch Hill Road in the hamlet of Orangeburg, tax lot 74.10 Block 1 Lot 70 being located in the "CO" (Commercial Office) zoning district, to change the zoning classification of the property to that of "CS" (Community Shopping), a zoning district that is located across the street from the subject property, and

**WHEREAS**, by Resolution Nos. 348 and 349 of 2023, after notice duly given, and there being no other involved agency, by resolution duly adopted this 22nd day of August, 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 is located across the street from the subject parcel, is consistent with the Town's Comprehensive Plan, 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, at a public meeting held on July 26, 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 SEQRA Lead Agency on the matter, and offered no recommendation; 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**, Rockland County Department of Planning, pursuant to NYS General Municipal Law ("GML") §239-l, *et seq.*, reviewed the proposed Local Law and provided a GML review report to the Town Board, dated \_\_\_\_\_, which report recommended \_\_\_\_\_ Modifications; regarding which the Town Board hereby overrides the Modifications numbered \_\_\_\_\_, for the following reasons \_\_\_\_\_.

**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 60 Dutch Hill Road, located in the hamlet of Orangeburg, tax lot from 74.10 Block 1 Lot 70 from the current "CO" (Commercial Office) zoning district, to change the zoning classification of the property to that of "CS" (Community Shopping).

**LOCAL LAW NO. \_\_\_\_\_ OF THE TOWN OF ORANGETOWN, AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF CERTAIN PROPERTY IN THE HAMLET OF ORANGEBURG**

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1: The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended to change the zoning district of the following property:

60 Dutch Hill Road, located in the hamlet of Orangeburg, tax lot from 74.10 Block 1 Lot 70, from "CO" (Commercial Office) zoning district, to change the zoning classification of the property to that of "CS" (Community Shopping), which metes and bounds description is as follows:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland and State of New York, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Dutch Hill Road at the intersection of the southerly side of Orangeburg Road;

RUNNING THENCE southerly along the westerly side of Dutch Hill Road on a curve to the right having a radius of 5,679.65 a distance of 412.84 feet to lands now or formerly of lands of Dutch Hill Equities LLC;

RUNNING THENCE along the same South 79°40'48"W, 233.16 feet to the lands now or formerly of Palisades Interstate Parkway;

RUNNING THENCE along said lands the following courses and distances:

- 1) North 12°44'37"West, 291.50 feet;
- 2) North 23°00'37"East, 125.04 feet;
- 3) North 63°57'18"East, 79.37 feet
- 4) North 83°04'50"East, 166.22 feet to the point and place of BEGINNING.

Section 2: This law shall take effect immediately upon filing with the Secretary of State.

6. **RESUME PUBLIC HEARING FROM JULY 25, 2023 / 7:10 P.M./ PROPOSED LOCAL LAW / AMENDING CHAPTER 15 OF THE TOWN CODE, "FIRE PREVENTION CODE" BY REPEALING AND ADDING A NEW SECTION 15-10(D)" / OUTDOOR BURNING, OPEN BURNING AND BURNING OF REFUSE**

**RESOLVED**, that the Public Hearing regarding the Proposed Local Law / Amending Chapter 15 of the Town Code , "Fire Prevention Code" by repealing and adding a new section 15-10 (D): Outdoor Burning, Open Burning and Burning of Refuse, is hereby resumed.

**SUMMARY OF COMMENTS:**

7. **CLOSE OR CONTINUE PUBLIC HEARING / PROPOSED LOCAL LAW / AMENDING CHAPTER 15 OF THE TOWN CODE, "FIRE PREVENTION CODE" BY REPEALING AND ADDING A NEW SECTION 15-10(D)" / OUTDOOR BURNING, OPEN BURNING AND BURNING OF REFUSE**

**RESOLVED**, that the Public Hearing regarding Amending Chapter 15 of the Town Code "Fire Prevention Code" by repealing and adding a new Section 15-10(D) is hereby closed or continued to \_\_\_\_\_.

8. **ADOPT LOCAL LAW RE: AMENDING CHAPTER 15 OF THE TOWN CODE, "FIRE PREVENTION CODE" BY REPEALING AND ADDING A NEW SECTION 15-10(D)" / OUTDOOR BURNING, OPEN BURNING AND BURNING OF REFUSE**

*(Language to be supplied by Town Attorney)*

9. **ACCEPT PETITION / REQUEST FOR ZONE CHANGE AND DIRECT CIRCULATION OF PROPOSED LOCAL LAW, AMENDING TOWN ZONING MAP**

**WHEREAS**, the owner of premises located at 90 West Madison Avenue, Pearl River, New York, (Tax Map 68.19-4-24) being located in the "CO" (Commercial Office District) zoning district, has petitioned the Town Board to change the zoning classification of the property to that of "RG" (General Residence District), a zoning district that directly abuts the property; and

**WHEREAS**, upon preliminary review, the Town Board is favorably disposed to such a change, because property currently abuts an RG zone, the property is currently used, and likely has always been used as a single family residence, and the proposed use as a single family residence, would be an appropriate use on the site; and

**WHEREAS**, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as review by other interested agencies; and

**WHEREAS**, upon review of the Petition, and a Short Environmental Assessment Form prepared at the Town Board's request by the Office of Building, Zoning, Planning and Administration and Enforcement, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:
  - Orangetown Planning Board;
  - Rockland County Department of Planning;
  - Rockland County Highway Department

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

**BE IT FURTHER RESOLVED**, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- I & m; and

**BE IT FURTHER RESOLVED**, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Zoning Map, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

10. **SET PUBLIC HEARING ON PROPOSED ZONE CHANGE FOR 90 WEST MADISON AVENUE PEARL RIVER**

**RESOLVED** that the Town Board will hold a public hearing on September 26, 2023 at 7:10 p.m., on a proposed Local Law, as follows, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel known as 90 West Madison Avenue, in the hamlet of Pearl River (Tax Lot 68.19-4-24) from "CO" Commercial Office to "RG" Residence General.

**PROPOSED LOCAL LAW AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF CERTAIN PROPERTY IN THE HAMLET OF PEARL RIVER**

Be it enacted by the Town Board of the Town of Orangetown as follows:

*Section 1:* The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended to change the zoning district of the following properties:

90 West Madison Avenue, Pearl River, New York (Tax Map Designation Section 68.19 Block 4 Lot 24) from the "CO" (Commercial Office) zoning district to the "RG" (General Residence) zoning district, which metes and bounds description is as follows:

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland and State of New York, bounded and described as follows:

BEGINNING at a point, said point being the intersection formed by the Southerly side of Madison Avenue and the Easterly side of Elwin Street; thence

1. South 80° 05' 00" East a distance of 75 feet along the Southerly side of Madison Avenue to a point; thence
2. Turning and running South 13° 35' 00" West a distance of 121.56 feet to a point; thence
3. Turning and running North 67° 27' 00" West a distance of 70 feet to a point on the Easterly side of Elwin Street; thence
4. North 10° 30' 00" East a distance of 106.00 feet along the Easterly side of Elwin Street to the point and place of BEGINNING.

*Section 2:* This law shall take effect immediately upon filing with the Secretary of State.

11. **SET PUBLIC HEARING ON SEPTEMBER 26, 2023 AT 7:15 P.M. RE: PROPOSED AMENDMENT TO TOWN CODE / CHAPTER 43 ARTICLE XVI "LANDLORD REGISTRY" / SHORT TERM RENTALS**

**RESOLVED** that the Town Board will hold a public hearing on September 26, 2023 at 7:15 p.m., on a proposed Local Law, to amend Chapter 43, Article XV of the Town Code entitled "Landlord Registry", to address issues related to short term property rentals.

12. **DECLARATION OF INTENTION OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA**

**WHEREAS**, on or about November 1, 2016, the Town Board adopted Local Law No. 11 of 2016 and established the Landlord Registry Act which was to establish a registry of all rental properties in the Town, and

**WHEREAS**, the Town wishes to address the issue of short term rental of residential properties, to protect and preserve the Town's appropriately balanced commercial and residential nature and tranquil neighborhood character, and

**WHEREAS**, upon review thereof, the Board makes the following preliminary determinations:

1. The proposed Action is one subject to review under the State Environmental Quality Review Act ("SEQRA");

2. The proposed Action as an “Unlisted” action under SEQRA; and
3. The following are involved or interested agencies in the review of the Action under SEQRA:

1. Orangetown Planning Board;
2. Rockland County Department of Planning;
3. Rockland County Department of Health;
4. Town of Clarkstown
5. Town of Ramapo
6. Village of Piermont
7. Village of Nyack
8. Village of Chestnut Ridge
9. Palisades Interstate Parks Commission

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby declares its intent to serve as Lead Agency for the purpose of environmental review of the Action, and directs that: (i) a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and (ii) the proposed local law and relevant documents be referred to the Orangetown Planning Board, and the Rockland County Department of Planning Board and all other involved agencies for review pursuant to the New York State General Municipal Law.

13. **SET PUBLIC HEARING ON SEPTEMBER 26, 2023 AT 7:20 P.M. RE: PROPOSED AMENDMENT TO TOWN CODE / CHAPTER 24 “PARKING LOTS & METERS / CHAPTER 39 “VEHICLES & TRAFFIC / HAMLET OF SOUTH NYACK**

**RESOLVED** that the Town Board will hold a public hearing on September 26, 2023 at 7:20 p.m., on a proposed Local Law, to amend Chapter 24 of the Town Code entitled “Parking Lots & Meters” and Chapter 39 of the Town Code entitled “Vehicles and Traffic” related specifically to the Village of South Nyack.

14. **DECLARATION OF INTENTION OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA**

**WHEREAS**, the former Village of South Nyack dissolved as of March 1, 2022, and any properties and land located in the former Village are now governed by the Town of Orangetown Town Code, and

**WHEREAS**, the former Village of South Nyack Code remains in effect for a period of two years after its dissolution, unless the Town of Orangetown takes any action with respect thereto, and

**WHEREAS**, the Town has caused a parking study to address parking issues related to and unique to the hamlet of South Nyack and to address such issues by incorporating parking and vehicle and traffic regulations as applicable to that area into the Town Code, and

**WHEREAS**, upon review thereof, the Board makes the following preliminary determinations:

1. The proposed Action is one subject to review under the State Environmental Quality Review Act (“SEQRA”);
2. The proposed Action as an “Unlisted” action under SEQRA; and
3. The following are involved or interested agencies in the review of the Action under SEQRA:
  - Orangetown Planning Board;
  - Rockland County Department of Planning;
  - N.Y.S. Department of Transportation; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby declares its intent to serve as Lead Agency for the purpose of environmental review of the Action, and directs that: (i) a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and (ii) the proposed local law and relevant documents be referred to the Planning Board, and the Rockland County Department of Planning Board and all other involved agencies.

**15. STREET NAMING/PRIVATE ROAD/THE RESERVE AT PEARL RIVER/LUCY COURT**

**WHEREAS**, the property located at 555 Veterans Memorial, Pearl River, New York 10965, and identified as Orangetown Tax Lot Section 73.10, Block 1, Lot 6, has received subdivision and Site Plan approval from the Town Planning Board; and

**WHEREAS**, there is an unnamed private roadway on said property, as reflected on the Layout Plan for the Reserve at Pearl River; and

**WHEREAS**, Rockland County 911 Emergency Services requires that such roads with addressable structures be formally named, and the United States Postal Service requires numbered and named street addresses for mail delivery; and

**WHEREAS**, Mr. Donald Brenner, attorney for the applicant, has requested on behalf of his clients that the unnamed private roadway on said property be approved as “Lucy Court”; and

**WHEREAS**, Town Superintendent of Highways has determined that there are no conflicts with the name and has no objection to the private road being named “Lucy Court.”

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Orangetown hereby authorizes and directs that the unnamed private road shown on the Reserve at Pearl River Layout Plan shall be forever named and known as “Lucy Court” and that all future maps depicting said area indicate the naming of this private road as “Lucy Court.”

**TOWN ATTORNEY**

**16. GRANT COVENANT / HOLD HARMLESS AND INDEMNIFICATION AGREEMENT / LISA FERRANTE, 1031 ROUTE 9W, UPPER GRANDVIEW, NEW YORK, S/B/L 71.09-1-17**

**WHEREAS**, Lisa Ferrante, the property owner of property located at 1031 Route 9W, Upper Grandview, New York, S/B/L 71.09-1- 17, has constructed a carport that has a roof which overhangs fifteen inches onto a Town of Orangetown right of way; and



**WHEREAS**, Ms. Ferrante has applied to the Town Highway Department for permission to have that portion of her carport roof which overhangs the Town’s right of way remain in place; and

**WHEREAS**, the matter has been reviewed by the Town Highway Department and the Town Attorney’s Office, and the Highway Department and the Town Attorney’s Office recommend that the Town allow the carport roof to remain in place provided the owner executes and files with the County Clerk a Covenant, Hold Harmless and Indemnification Agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town hereby grants to 1031 Route 9W, Upper Grandview, New York, S/B/L 71.09-1-17, a revocable license, in the form of a Covenant, Hold Harmless and Indemnification Agreement, which provides that the carport roof currently encroaching on the Town’s right-of-way may remain and the owner of the property, Lisa Ferrante, must defend, indemnify and hold harmless the Town for any damage related thereto and caused thereby, and that said structure must be removed upon notice as set forth therein, otherwise to be removed by the Town at the expense of the property owner and,

**BE IT FURTHER RESOLVED**, that the Supervisor or her designee is hereby authorized to execute the Covenant, Hold Harmless and Indemnification Agreement and any and all other documents necessary in order for same to be recorded in the Rockland County Clerk’s Office, at the expense of the owner.

**17. STANDARD WORK DAY (SWD) FOR APPOINTED OFFICIAL, STEFANIE A. KOCOVIC (A/K/A STEFANIE A. SCHERA), TO REPORT SWD PER MONTH TO NEW YORK STATE & LOCAL RETIREMENT SYSTEM (NYSLRS)**

**BE IT RESOLVED** hat the Town of Orangetown (“Town”) hereby establishes the following as standard work day(s) (“SWD”) for elected and appointed Official(s), and will report the following days worked to the New York State & Local Retirement System (“NYSLRS”), based on the Record of Activities (“ROA”) maintained, and submitted by, these/this Official(s) to the Town Clerk or Town Attorney:

<u>Elected or Appointed Official’s Title</u>	<u>Name</u>	<u>NYSLRS Registration Number</u>	<u>Standard Work Day/SWD (hours per day)</u>	<u>Term Begins/Ends</u>	<u>Participates in Town’s Time Keeping System</u>	<u>SWD Days per Month (based on ROA)</u>	<u>ROA Submitted</u>
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Deputy Town Attorney	Stefanie A. Kocovic (a/k/a Stefanie A. Schera)	REDACTED	7	02/17/2023 - 12/31/2023	NO	10.29	YES (2023)
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**BE IT FURTHER RESOLVED** that this Resolution shall be posted for at least 30 days, and a certified copy of the Resolution shall be filed by the Town Clerk with the Office of the New York State Comptroller.

## **HIGHWAY**

### **18. APPROVE / SURPLUS / ASPHALT TAILINGS**

**RESOLVED**, that upon the recommendation of the Superintendent of Highways, approve for surplus, 1,400 cubic yards of asphalt tailings.

### **19. APPROVE / COST OF ADDITIONAL DESIGN WORK & CONSTRUCTION INSPECTION SERVICES / TRAFFIC SIGNAL REPLACEMENT PROJECT / COLLIERS ENGINEERING & DESIGN**

**RESOLVED**, upon the recommendation of the Superintendent of Highways that the Town Board hereby approves the proposals for the cost of additional costs from Colliers Engineering & Design to provide additional design work and construction inspection services to the Town as part of the Traffic Signal Replacement Project, in the amount of \$8,000.00 to be charged to H.3310.200.22.

### **20. ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF CHRISTOPHER FEROLDI / LABORER / HIGHWAY DEPARTMENT / EFFECTIVE AUGUST 31, 2023**

**RESOLVED**, that the Superintendent of Highways and the Town Board accepts with regret, the resignation/retirement of Christopher Feroldi, Laborer, from the Orangetown Highway Department, after 37 years, effective August 31, 2023.

## **TRAFFIC ADVISORY BOARD**

### **21. APPROVE / INSTALLATION OF TWO STREET LIGHTS / STAFF SGT JAMES PARKER ROAD & GREENBUSH ROAD / NORTH AND SOUTH INTERSECTIONS / BLAUVELT**

**RESOLVED**, that upon the recommendation of the Traffic Advisory Board, the installation of two street lights at the intersection of Staff Sgt James Parker Rd and Greenbush Rd, both north and south intersections in Blauvelt (North Utility Pole# 60616/39188 and South Utility Pole# 60600/39102) is hereby approved to be paid from the following budget line item B.5182.452.17.

## **LEND ASSISTANCE**

### **22. COMBINE / APPROVE AGENDA ITEMS #23 TO 30**

**RESOLVED**, the Town Board hereby combines and approves agenda items #23 to 30.

### **23. APPROVE / LEND ASSISTANCE / SOUTH NYACK 10- MILER / SEPTEMBER 10, 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 from the Highway Dept., and police detail from OPD, for the South Nyack Road Race to be held on Sunday, September 10, 2023.

**BE IT FURTHER RESOLVED**, that upon the completion of the necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of porto-jons (10 regular) for use at the South Nyack 10 Miler on September 10, 2023. With the organization providing a certificate of insurance naming the Town of Orangetown as being an additional insured.

**24. APPROVE / LEND ASSISTANCE / TAPPAN 9/11 MEMORIAL DAY SERVICE / SEPTEMBER 11, 2023**

**RESOLVED**, upon the recommendation from the Superintendent of Highways that the Town Board hereby authorizes the Highway Department to lend assistance which includes the use of two message boards from the Highway Department, Tappan 9/11 Memorial Service, to be held on Monday, September 11, 2023 from 8am- 11am.

**25. APPROVE / LEND ASSISTANCE / 2023 SONS OF ITALY ITALIAN FEAST / SEPTEMBER 14- 17, 2023**

**RESOLVED**, upon the recommendation from the Superintendent of Highways and the Chief of Police that the Town Board hereby authorizes these departments to lend assistance which includes the use of fencing, cones, barricades, message board, trash cans & barrels from the Highway Department & police detail from the Police Department, upon receipt of a valid certificate of insurance listing the Town as the certificate holder and additionally insured. This event will be held from September 14 - September 17, 2023.

**BE IT FURTHER RESOLVED**, upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board use of the showmobile at a rental cost of \$500.00 by the Sons of Italy Rockland Lodge 2176 for their Italian Feast, Thursday, September 14 to Sunday, September 17, 2023, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**26. APPROVE / LEND ASSISTANCE / DOMINICAN UNIVERSITY / FIRE IN THE SKY / SHOWMOBILE / SEPTEMBER 30, 2023**

**RESOLVED**, upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board use of the showmobile at a rental cost of \$500.00 by Dominican University NY for Family Day & Fire in the Sky, Saturday, September 30, 2023, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**27. APPROVE / LEND ASSISTANCE / 2023 NOBLE NINTH TRAUBENFEST / OCTOBER 1, 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 & barrels from the Highway Dept., and auxiliary police from OPD, for the Noble Ninth Traubenfest to be held on Sunday, October 1, 2023 from 11am-10pm.

28. **APPROVE / LEND ASSISTANCE / 2023 PEARL RIVER HIGH SCHOOL PEP RALLY & BONFIRE/ OCTOBER 13, 2023**

**RESOLVED**, upon the recommendation of the Superintendent of Highways and Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades, barrels and sand from the Highway Department & the presence of Auxiliary Police from the Police Department for the Pearl River High School Pep Rally & Bonfire to be held on Friday, October 13, 2023 at 7pm.

29. **APPROVE/ LEND ASSISTANCE / 2023 ANNUAL HALLOWEEN PARADE ORANGEBURG FIRE DEPARTMENT/ TUESDAY, OCTOBER 31, 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 barricades & trash barrels from the Highway Department and Auxiliary Police from OPD, for the OFD annual Halloween parade to be held on Tuesday, October 31, 2023, from 6:00 pm – 8:30 pm.

30. **APPROVE / LEND ASSISTANCE / 2023 ORANGEBURG FIRE DEPARTMENT HOLIDAY PARADE / SATURDAY, DECEMBER 9, 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 & trash bins from the Highway Dept., and auxiliary police from OPD, for the OFD annual holiday parade to be held on Saturday, December 9, 2023 (rain date: Sunday, December 10, 2023), on various roads in the hamlet of Orangeburg, from 5 pm – 9 pm.

**TOWN CLERK**

31. **RETENTION OF “BORN-DIGITAL” RECORDS IN THEIR ORIGINAL FORMAT FOR LGS-1 PRESCRIBED PERIOD OF TIME; AND DIGITALIZATION OF PLAIN PAPER RECORDS REQUIRED TO BE RETAINED PERMANENTLY**

**WHEREAS**, the Town Board of the Town of Orangetown (“Town Board” and “Town,” respectively) previously adopted the Retention and Disposition Schedule for New York Local Government Records, issued by State Archives of the State of New York (“NYS”) of the NYS Education Department, pursuant to Article 57-A of the NYS Arts and Cultural Affairs Law, the most recent version of which (issued by State Archives 2020, and revised 2022) is known as “LGS-1” (8 NYCRR §185.15; Appendix L).

**WHEREAS**, the Town has limited physical storage space for plain paper records.

**WHEREAS**, it is the Town’s intention to digitalize, to the extent practicable, plain paper records that are required to be retained permanently by LGS-1 (as same may be amended from time to time).

Now, therefore, it is hereby **RESOLVED** that:

(1). The Town shall retain all records that originate in a digital format ("born-digital") in their original born-digital format for the retention period of time prescribed for each record by LGS-1 (as same may be amended from time to time).

(2). Each Town Department or Office may digitalize plain paper records that are required to be retained permanently by LGS-1 (as same may be amended from time to time), which digitalization shall be in accordance with the State Archives's Digital Imaging Guidelines (as same may be amended from time to time); and the plain paper originals and copies of all such digitalized records shall be deemed convenience copies, and may be disposed of at the discretion of each Town Department or Office.

(3). Each Town Department or Office shall be responsible for records retention and disposition for their respective Department's or Office's own records.

## **AUDIT**

### **32. 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 three (3) warrants (attached) for a total of \$ 2,942,685.21.

## **EXECUTIVE SESSION**

### **33. ENTER EXECUTIVE SESSION**

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

## **ADJOURNMENTS**

### **34. RE-ENTER RTBM / ADJOURNED / MEMORY**

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

❖ **Patricia "Trish" DuBow**, *Former South Nyack Mayor from 2006-2013*