

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

This meeting was opened at 7:03 pm. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

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

Also Present:

Allison Kardon, Supervisor's Confidential Assistant
Carmel Reilly, Director of Economic Development & Tourism
Rosanna Sfraga, Town Clerk
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Jeff Bencik, Finance Director
Brian Kenney, Assessor
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:

- **Pearl River Farmers Market: October 28, 2023 from 10 am – 2 pm, Central Avenue Field**
- **Orangetown Police Department's Drug Take Back: October 28, 2023 (10 am – 2 pm), Town Hall**

DISCUSSION:

PROPOSED AMENDMENT TO TOWN CODE / CHAPTER 43, ARTICLE IV / SPECIAL PERMIT / OUTDOOR PARKING AND STORAGE OF VEHICLES WORKSHOP OF AGENDA ITEMS

RESOLUTION NO. 562

OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

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

Summary of Public Comments:

John Caruso and Danielle Federico, Palisades, complained about excessive property signs and lighting on Century Road (Exhibit 10-24-A).

Heather Hurley, Orangetown Environmental Committee, spoke about the increased of odor complaints regarding Aluf Plastics and asked; what is the Town doing about them.

RESOLUTION NO. 563

CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 564

RESUME PUBLIC HEARING FROM OCTOBER 10, 2023 / 2024 PRELIMINARY BUDGET

RESOLVED, that the Public Hearing regarding the Preliminary Budget is hereby resumed.

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. 565

CONTINUE PUBLIC HEARING / REGARDING THE 2024 PRELIMINARY BUDGET

RESOLVED, that the Public Hearing regarding the 2024 Preliminary Budget is hereby closed or continued to November 14, 7:20 pm.

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. 566

SET PUBLIC HEARING / NOVEMBER 14, 2023 AT 7:10 PM / CHAPTER 24C-15 (PROPERTY MAINTENANCE) OF THE TOWN CODE / PERFORMING WORK ON 202 OLD PASCACK ROAD, PEARL RIVER

RESOLVED, that a public hearing is scheduled for November 14, 2023 at 7:10 pm pursuant to Chapter 24C-15 of the Town Code for the Town of Orangetown, to consider performing work at the property known as 202 Old Pascack Road, Pearl River, (68.14-2-28).

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. 567
SET PUBLIC HEARING / NOVEMBER 14, 2023 AT 7:15 PM / CHAPTER 24C-15
(PROPERTY MAINTENANCE) OF THE TOWN CODE / PERFORMING WORK ON 218
OLD PASCACK ROAD, PEARL RIVER

RESOLVED, that a public hearing is scheduled for November 14, 2023 at 7:15 pm pursuant to Chapter 24C-15 of the Town Code for the Town of Orangetown, to consider performing work at the property known as 218 Old Pascack Road, Pearl River, Tax Lot: 68.14-2-30.

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. 568
WAIVE 30-DAY ADVANCE NOTICE / ON-PREMISES ALCOHOLIC BEVERAGE
LICENSE / HUDSON WEST SPORTS BAR, LLC. / 50 E CENTRAL AVE / PEARL RIVER

RESOLVED, that the Town Board hereby waives the 30-day advance notice to the Town of Orangetown for the on-premises alcoholic beverage license for Hudson West Sports Bar, LLC, 50 E Central Ave, Pearl River, NY.

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. 569
APPROVAL OF 2023 CERTIFICATE OF SEWER REGISTRATION

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

Pro Cut Landscaping, Inc., 11 Pineview Road, West Nyack, NY 10994

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. 570
APPROVE RETAINER AGREEMENT WITH HODGES, WALSH AND BURKE / NOTICE
OF CLAIM / SQUITIERI

RESOLVED, on the recommendation of the Town Attorney, approve the retainer of Hodges, Walsh & Burke, LLP to represent the Town and Town Police Department, in connection with a Notice of Claim and any resulting litigation, brought by Ralph Squitieri, Jr., on the terms and conditions set forth in a proposed Engagement Letter, incorporated by reference herein, and authorize the Supervisor, or her designated representative, to execute a copy thereof.

RESOLUTION NO. 570 - Continued

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. 571

APPROVE / AWARD MINI-BID / DENOOYER CHEVROLET / TWO 2023 CHEVROLET TAHOE SPECIAL SERVICE VEHICLES

RESOLVED, based on the recommendation of the Chief of Police, utilizing RICO Enhancements budget line B.3120.408.16, to purchase two (2) 2023 Chevrolet Tahoe Special Service Vehicles (SSVs) at a grand total cost of \$93,688.48 from DeNooyer Chevrolet, Albany, NY, in accordance with NYS OGS Vehicle Marketplace Solicitation 23166 and Mini-Bid Award #14596.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 572

APPROVE SUPPLEMENT AGREEMENT / 2020-2021 MUNICIPAL SNOW & ICE AGREEMENT

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the maintenance of State Highways includes the control of snow and ice thereon, and the work of such control of snow and ice may be performed by any municipality, which includes towns, pursuant to an agreement between the governing board of a town and the State Commissioner of Transportation; and,

WHEREAS, pursuant to Resolution #2020-239, the Town entered into an agreement with the NYSDOT for the Town of Orangetown to provide Snow and Ice Control on State highways located within the Town from 2019 to 2024; and,

WHEREAS, the agreement allows labor costs to be adjusted based on the agreement between the Town and CSEA for the 2020/2021 season; and,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Highways, the Supervisor is hereby authorized to sign a Supplement Agreement to adjust the estimated expenditures for the 2020-2021 Municipal Snow & Ice Agreement, between the Town of Orangetown and the New York State Department of Transportation, to \$201,871.17, an increase of \$4,088.05.

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. 573**APPROVE/ AWARD CONTRACT / VAD CONSTRUCTION CORP./ FRANKLIN AVENUE CURB AND SIDEWALK IMPROVEMENTS**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Franklin Avenue Curb and Sidewalk Improvements, which were received and publicly opened on October 4, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 10-24-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 VAD Construction Corp, White Plains, NY, the low bidder, in the amount of \$ 115,309.50 to be charged to H.5410.200.08.

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to enter into an agreement with VAD Construction 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 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. 574**APPROVE / TEMPORARY LICENSE / TAPPAN FIRE DISTRICT / ACCESS FOR TREE REMOVAL**

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance approve the temporary license agreement with the Tappan Fire District for access to Tappan Memorial Park for the purpose of tree removals in relation to the construction of the fire districts firehouse, and that the Supervisor or her designee is authorized to execute any documents necessary to effectuate the purposes of this resolution, upon review and approval of the Town Attorney's office.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 575**APPROVE / AWARD BID / SPORT-TECH CONSTRUCTION CORP. FRANKLIN STREET PARK BASKETBALL COURT IMPROVEMENTS IN SOUTH NYACK**

WHEREAS, the Superintendent of Parks, Recreation and Building Maintenance duly advertised for sealed bids for Franklin Street Park Basketball Court Improvements, which were received and publicly opened on October 5, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 10-24-C; and made a part of these minutes.

NOW, THEREFORE BE IT RESOLVED, upon the recommendation from the Superintendent of Parks, Recreation & Building Maintenance award the bid for Franklin Street Park Basketball Court Improvements in South Nyack to Sport-Tech Construction Corp. of Brewster, New York, the lowest qualified bidder, in the amount of \$160,000 to be taken out of fund balance and charged to A.7110.200.

RESOLUTION NO. 575 - Continued

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

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. 576

**AMEND RESOLUTION #2023-546 / AWARD CONTRACT / PAT CORSETTI, INC.
ELIZABETH PLACE PARK PLAYGROUND PROJECT IN SOUTH NYACK**

WHEREAS, Resolution #2023-546 awarded a bid Pat Corsetti, Inc. of Mamaroneck, New York in an amount not to exceed \$200,000.00 for the Elizabeth Place Park Playground Project in South Nyack; and,

WHEREAS, the Town was awarded \$200,000 for the playground project from Rockland County's Urban Green Space Grant Program; and,

WHEREAS, upon receiving revised drawings for the playground project, the price increased by \$30,000 to include equipment that would enhance the project and in the best interests of the Town to include as part of the project; and,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance, amend Resolution #2023-546 and award the bid for the Elizabeth Place Playground Project in South Nyack to Pat Corsetti, Inc. of Mamaroneck, New York, the only qualified bidder, in an amount not to exceed \$230,000, with \$200,000 to be taken out of fund balance and charged to A.7110.200 and \$30,000 charged to H.7110.200.90.

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. 577

**AWARD BID / NON-HAZARDOUS ANTI-CORROSIVE ODOR CONTROL CHEMICALS
FUSION ENVIRONMENTAL SOLUTIONS LLC**

WHEREAS, the Commissioner of DEME duly advertised for sealed bids for Non-Hazardous Anti-Corrosive Odor Control Chemicals. (DEME-2023-01) which were publicly opened on August 17, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 10-24-D; and made a part of these minutes.

NOW THEREFORE, BE IT RESOLVED, this bid is hereby awarded to Fusion Environmental Solutions, LLC, Warwick, Rhode Island, the lowest qualified bidder, at the unit price of \$3,770.00 at the total price of \$90,480.00.

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

RESOLUTION NO. 577 - Continued

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. 578

AUTHORIZE SUPERVISOR TO SIGN PILOT AGREEMENT WITH ROCKLAND GARDENS HOUSING PARTNERS LIMITED PARTNERSHIP, ROCKLAND COUNTY IDA, VILLAGE OF NYACK, AND NYACK UNION FREE SCHOOL DISTRICT, REGARDING PROPERTY COMMONLY KNOWN AS 84 NORTH FRANKLIN ST., NYACK (66.29-1-23)

WHEREAS, real property known as Rockland Gardens Apartments located at 84 North Franklin Street, Nyack, and identified as Section 66.29, Block 1 and Lot 23 on the Tax Map of the Town of Orangetown (the "RGA Property"), is the subject of a transaction involving the County of Rockland Industrial Development Agency ("RCIDA"); and

WHEREAS, the RGA Property is situated within the Town of Orangetown and the Nyack Union Free School District ("Nyack UFSD"); and

WHEREAS, the RGA Property is the site of an affordable rental property comprised of eight (8) garden-style buildings that house seventy (70) apartments, of which all but two (2) units are rented to tenants on an income-restricted basis under a federal Section 8 Housing Assistance Program ("HAP"); and

WHEREAS, under this Section 8 HAP program, leased units are restricted to tenants earning at or below 60% of area median income; and

WHEREAS, RCIDA is prepared to acquire the RGA Property and, in turn, lease these premises to Rockland Gardens Housing Partners Limited Partnership ("RGH"); and

WHEREAS, RGH, upon taking a leasehold interest in the RGA Property, will continue to operate the apartments on an affordable, income-restricted basis, and will further undertake significant renovations of the apartments and premises; and

WHEREAS, the RCIDA transaction is intended to preserve an existing affordable housing resource within the Village of Nyack, which supports these efforts; and

WHEREAS, once RCIDA takes title to the RGA Property, it will be rendered exempt from real property taxes, including taxes levied by the Town of Orangetown, the Nyack UFSD and the Village of Nyack; and

WHEREAS, an agreement is proposed by and between RCIDA, RGH, the Town of Orangetown, the Village of Nyack and the Nyack UFSD, providing for the annual payment of monies in lieu of taxes (the "PILOT Agreement") in furtherance of this transaction; and

WHEREAS, under the terms of the PILOT Agreement, which will commence in the 2024 Town assessment year and continue through the 2045 Town assessment year, annual payments will be made to the Town of Orangetown in lieu of taxes; and

WHEREAS, these payments shall be computed annually by applying the then prevailing Town tax rate to (a) the current assessment of the RGA Property of \$1,510,000 for a period of two (2) years, and (b) thereafter, to an increased amount of \$2,320,000 for the duration of the PILOT Agreement's term; and

RESOLUTION NO. 578 - Continued

WHEREAS, the PILOT Agreement will thereby allow for future PILOT payments to equal or exceed the amount of Town taxes currently levied against the RGA Property, and will further allow these future payments to adjust with annual changes in the tax rates employed in future Town tax levies; and

WHEREAS, the Town Board has obtained the advice and assistance of its Tax Assessor, Brian Kenney, concerning this PILOT Agreement; and

WHEREAS, the Town Board has concluded that entry into the PILOT Agreement is in the best interests of the Town of Orangetown;

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves of the Town of Orangetown entering into the PILOT Agreement; and

IT IS FURTHER RESOLVED that the Supervisor is hereby authorized to execute this PILOT Agreement in the form provided by RCIDA, and acceptable to the Tax Assessor and the Town Attorney, on the Town Board's behalf.

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. 579**ACCEPT / RECEIVE / FILE DOCUMENTS/TOWN CLERK'S OFFICE**

RESOLVED that the following documents are accepted, received and filed in the Town Clerk's Office:

1. Town Board Meeting minutes: September 6, 2023 Special Town Board Meeting; September 12, 2023 Police Commission and September 12th & 26th, 2023 Regular Town Board Meetings.
2. Easements:
 - Drainage Easement: Bucci, Ezio (19 Villa Dr, Nanuet / 64.18-1-69)
 - Temporary Easement: Bucci, Ezio (19 Villa Dr, Nanuet / 64.18-1-69)
 - Hold Harmless Agreement, The Valley Area Network, Inc for the Farmers Market in Pearl River
3. Agreement & Contracts:
 - Pearl River Chamber of Commerce / Dispense Alcoholic Beverages on Town property during Pearl River Day.
 - Memorandum of Agreement, Orangetown Policemen's Benevolent Association Laberge Group – Addendum, increase \$6500 for Parking Lots & Meters Local Law (S Nyack)
 - Innovative Excavating – Installation of New 4" Ductile Iron Sprinkler Main

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. 580

GRANT ALLISON KARDON/ CONFIDENTIAL ASSISTANT TO TOWN SUPERVISOR/ CHANGE RATE OF PAY/ EFFECTIVE JANUARY 1, 2024

RESOLVED, that upon the recommendation of the Town Supervisor, Allison Kardon, Confidential Assistant to Town Supervisor, is hereby granted at a change of salary from \$82,568.00 to \$ 94,000.00, effective January 1, 2024.

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. 581

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 two (2) warrants (attached) for a total of \$1,061,161.49.

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. 582

ENTER EXECUTIVE SESSION

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

RESOLVED, at 7:53 pm, the Town Board entered Executive Session to discuss personnel matters.

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. 583

RE-ENTER RTBM / ADJOURNED / MEMORY

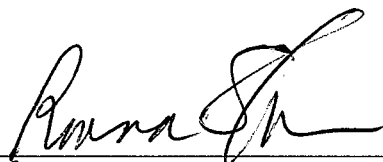
RESOLVED, at 8:15 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: *Christopher Tucci*, Resident of Pearl River

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

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WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	100623	\$ 30,539.77
	102423	\$ 1,030,621.72
		\$ 1,061,161.49

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

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

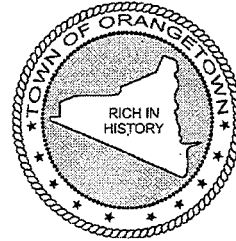
Councilman Thomas Diviny

Councilman Brian Donohue

Supervisor Teresa M. Kenny

TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 10/19/2023
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 10/24/2023 consists of 2 warrants for a total of \$1,061,161.49.

The first warrant had 29 vouchers for \$30,539 and was for utilities.

The second warrant had 159 vouchers for \$1,030,621 and had the following items of interest.

1. A+ Technology (p1) - \$9,858 for security cameras at pump stations.
1. Capasso & Sons (p11) - \$90,817 for recycling.
2. Dave Heiner Associates (p16) - \$9,183 for Townline Rd. pump station repairs.
3. Eagle Point (p18) - \$6,279 for Police ammunition.
4. Fred Devens Construction (p21) - \$183,816 for Tier 4 pump stations improvements.
5. Goosetown Enterprises (p24) - \$11,762 for Police leases.
6. Joe Lombardo Plumbing & Heating (p27) - \$51,582 for new town hall plumbing.
7. Keane & Beane (p29) - \$29,699 for outside counsel.
8. Ken's Tree Care (p30) - \$16,470 for tree work on rails to trails.
9. Nielsen Ford (p33) - \$186,003 for 4 police vehicles.
10. Precision Electric Motor Works (p37) - \$8,548 for sewer plant repairs.
11. Sealcoating Inc. (p43) - \$204,267 for Highway road treatments.
12. State Comptroller (p48) - \$22,616 for Justice fines.
13. Tilcon (p50) - \$17,933 for Highway materials.
14. Troon Golf (p38) - \$190,797 for GC management contracts.
15. Virtuit Systems (p54) - \$51,486 for battery backups new town hall.

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

Jeffrey W. Bencik, CFA

845-359-5100 x2204

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EXHIBIT

10-24-A

October 24, 2023

Town Board
Orangetown Town Hall
26 W Orangeburg Rd,
Orangeburg, NY 10962

Re: Excessive Property Signs and Lighting
7 Century Road and 8 Century Road, Palisades

Dear Members of the Board:

We are writing to request your assistance with excessive property signs and lighting in our neighborhood at Century Road in Palisades, New York. The properties are located at 7 Century Road and 8 Century Road and are owned by the same entity (Shimon Properties LLC). This same entity also recently purchased 5 Century Road.

The number "7" sign was installed in February of this year. The number "8" sign was just installed (see attached photos). We anticipate the property owner will also install a number "5" sign in the future.

Unfortunately, the building department believes the property address signs would be considered "sculptures" and are not regulated under the Town Code. Further, they do not believe the lighting can be regulated even though it spills over these properties into adjacent properties hundreds of feet away.

However, the properties are located in the R-40 Zone, which contains the following limitation related to property signs under the general accessory uses category:

For any residence and home occupation, if any, on the premises,
1 nameplate and 1 home occupation sign, each not over 2 square feet
in area; except for physicians, such nameplates or signs shall be
nonilluminated.

The signs and lighting on these properties are excessive, reduce our quality of life and visually detract from the residential neighborhood. Further, while these properties are not in the historic district, due to their size and intensity, they can be seen from the historic district and are not keeping in line with the historic character of this district.

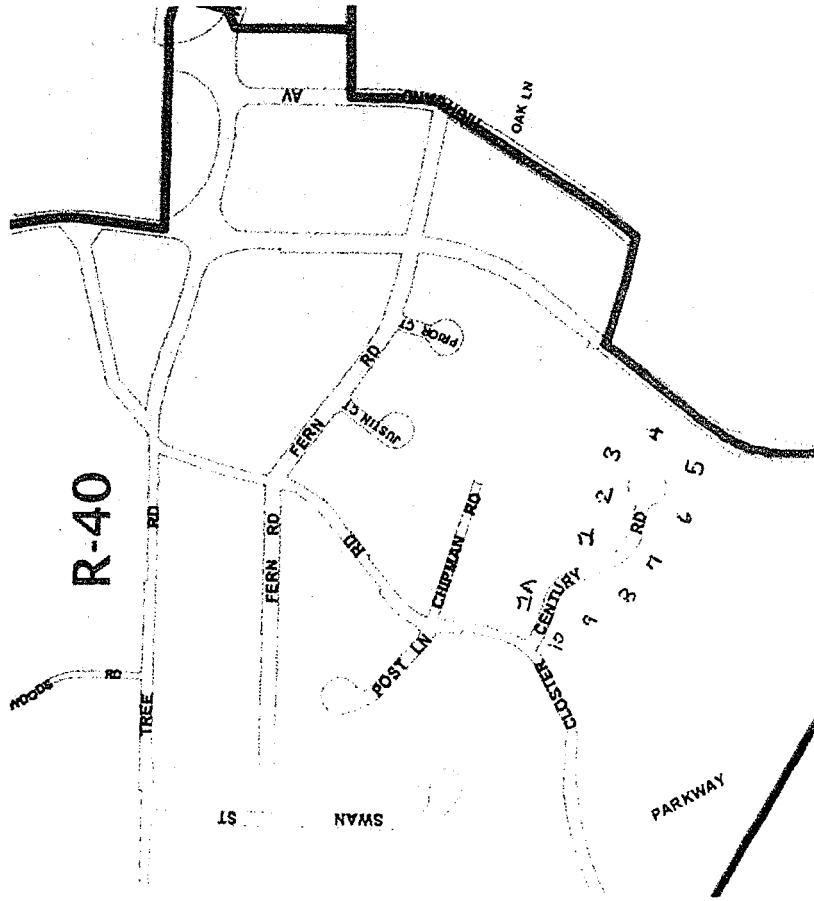
Further, while we recognize property owners should have the freedom to use their properties as they wish, the Town Zoning Code is in place for a reason and should not be allowed to be abdicated.







Thank you for your anticipated assistance in looking into this matter.

Sincerely,



Danielle Federico – 10 Century Road
Danielle.federico1@gmail.com
(845) 702-2485



Legend	
	Zoning District
R-40	Zoning District Label
	Orangetown Critical Environmental Area
	Route 303 Zone Overlay
	Sparkill Hamlet Center Overlay
	Historic Districts
	Town Boundary
	Village Boundary
	Road Right-of-Way
	Parcel

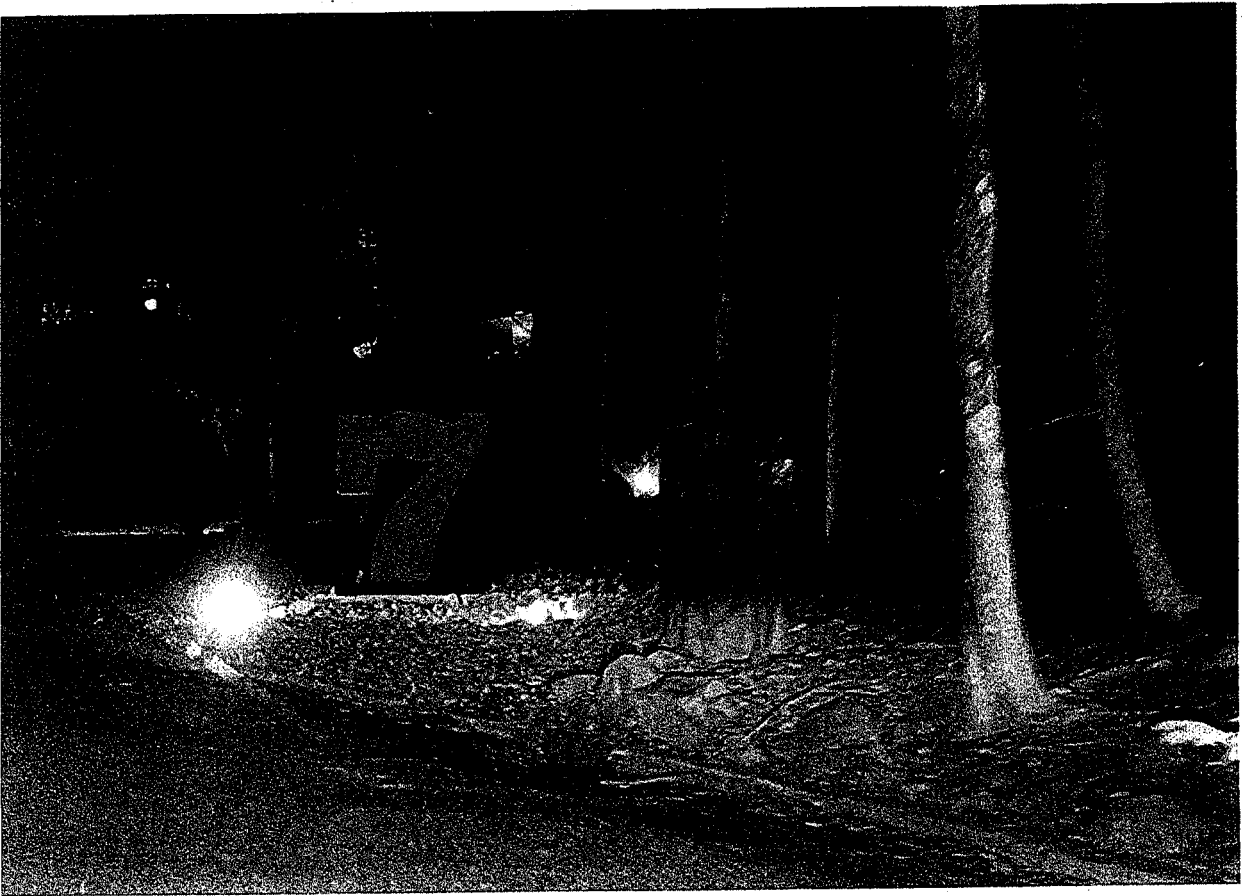
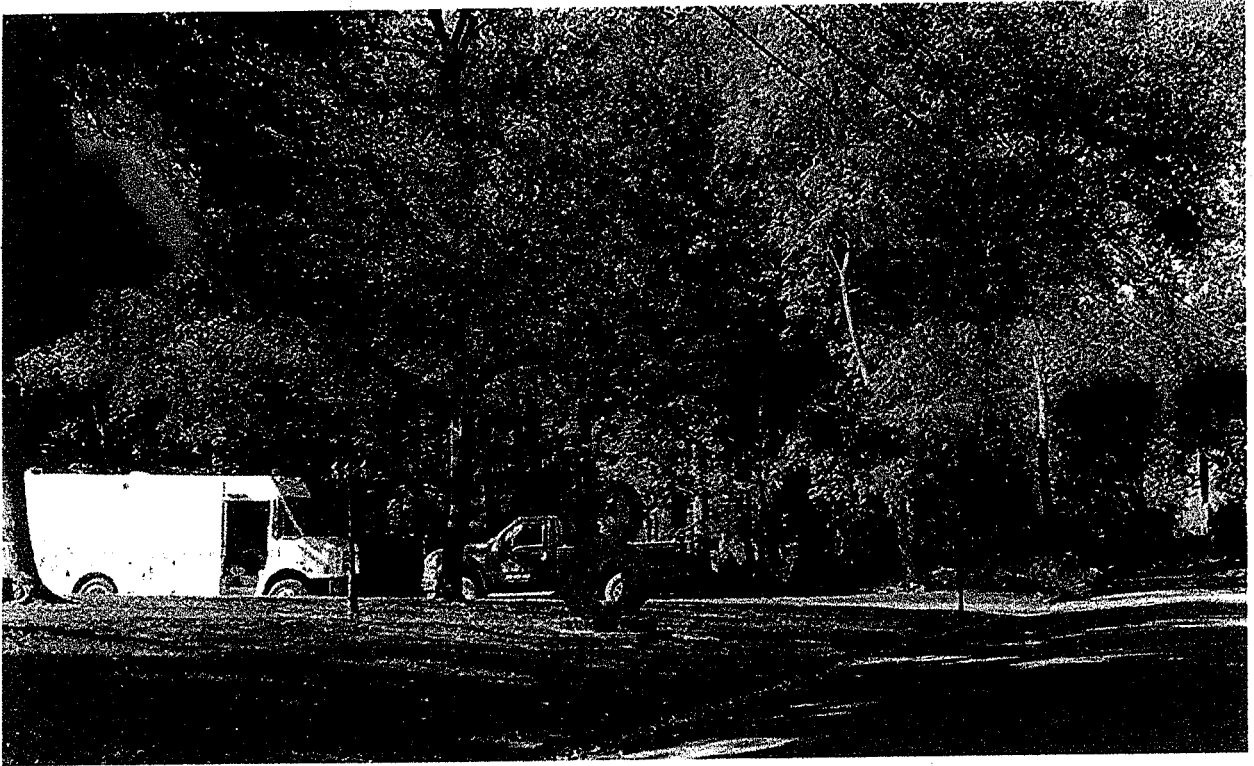
Zoning Legend		
R-80	Rural Residence District	(80,000 S.F./Lot.)
R-40	Low Density Residential District	(40,000 S.F./Lot.)



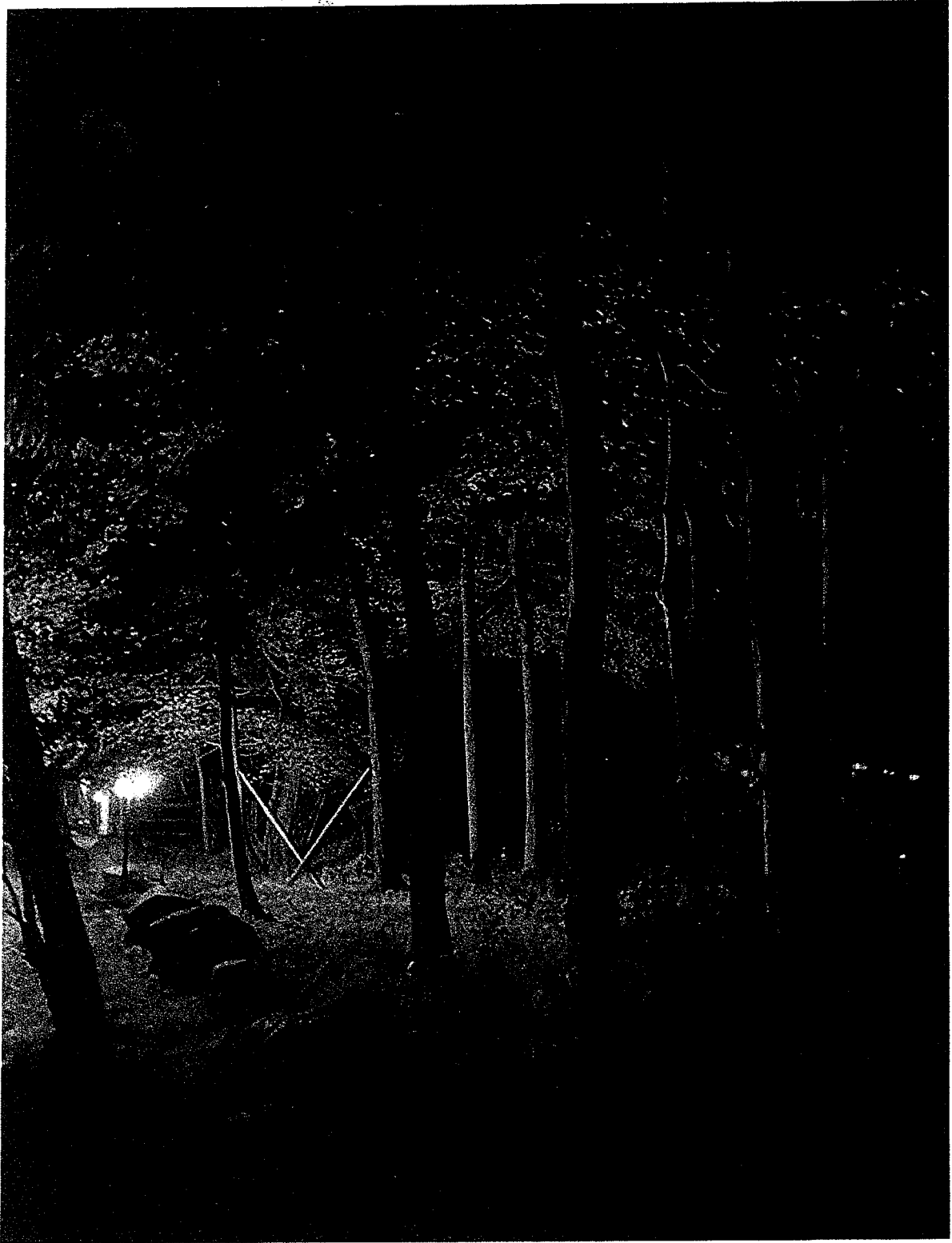
1	2	3	4	5
District	Uses Permitted by Right	Uses by Special Permit	Conditional Uses by Planning Board	General Accessory Uses
R-40	<ol style="list-style-type: none"> Same as R-80 except No. 2(c) 	<p>Town Board</p> <ol style="list-style-type: none"> Same as R-80 except airports <p>Zoning Board</p> <ol style="list-style-type: none"> Same as R-80 except Nos. 3, 4 and 7 Restaurants and the sale of antiques in existing buildings which shall be located on lots of not less than 1 acre 	<ol style="list-style-type: none"> Same as R-80 except camps 	<ol style="list-style-type: none"> Same as R-80 except No. 8 shall have not more than 24 foot Same as R-80 except accommodations for servants or caretakers

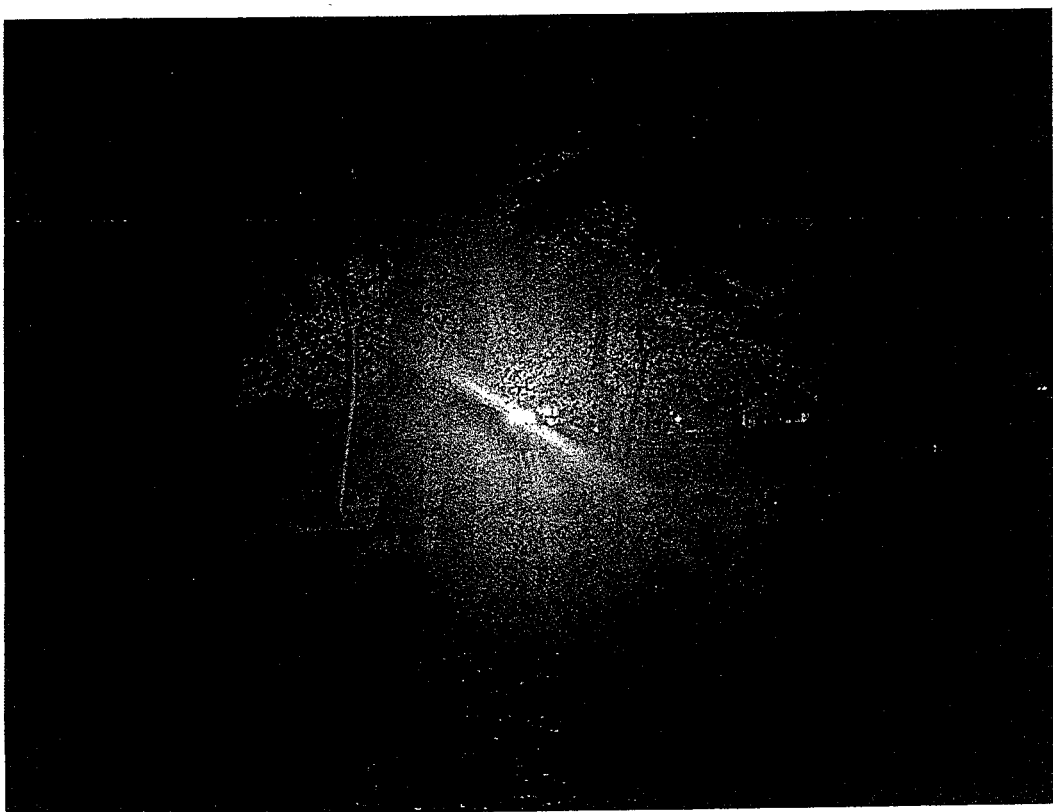
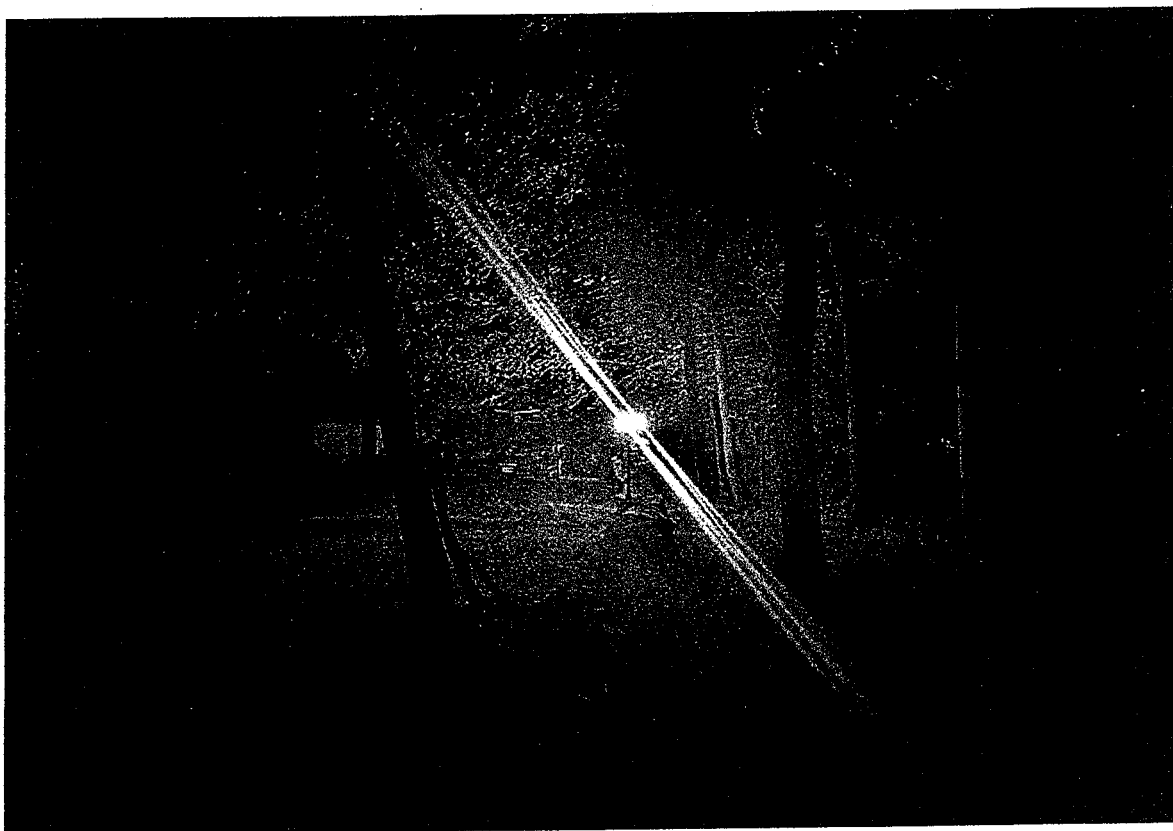
1	2	3	4	5
District	Uses Permitted by Right	Uses by Special Permit Town Board	Conditional Uses by Planning Board	General Accessory Uses
R-80	<p>1 Single-family detached residences</p> <p>2 The following commercial agricultural operation, provided that there shall be no greenhouse-heating plant where coal is used for fuel, stables or similar animal housing or the storage of manure or other odor- or dust-producing substance or use, except spraying or dusting to protect vegetation within 200 feet of any lot line</p> <p>(a) Nurseries, greenhouses and growing of mushrooms, provided that no smokestacks shall exceed the height regulations</p> <p>(b) Orchards, truck gardening and growing of field crops and vineyards and growing of other bush or berry crops.</p> <p>(c) Keeping, breeding training and taming of sheep, goats, pigs and horses and rental of horses on lots of 10 acres or more, including accessory training tracks and as restricted under general accessory uses</p> <p>3 Churches and similar places of worship, Sunday-school buildings, parish houses and rectories</p> <p>4 Libraries and similar community facilities</p> <p>5 Public parks and play grounds</p> <p>6 Schools of general instruction, schools of religious instruction</p> <p>7 Conversion of a detached, owner-occupied, single-family dwelling so as to add 1 additional dwelling unit clearly subordinate to the main 1-family use to occupy not more than 600 square feet of floor area, subject to § 4.5</p> <p>8 Telephone exchange</p> <p>9 Fire, police and community-owned ambulance stations, government offices and office buildings, town garages, municipal parking lots and similar public buildings and governmental uses</p>	<p>1 Agency boarding home</p> <p>2 Agency group home</p> <p>3 Radio and television towers</p> <p>4 Airports and heliports</p> <p>5 High-tension transmission lines, accessory poles and towers, provided that all brush and cut timber are disposed of in accord with approved forestry practices and as provided by the Town Board</p> <p>6 Railroad and public utility rights-of-way</p> <p style="text-align: center;">Zoning Board</p> <p>1 Agency community residence</p> <p>2 Family day-care homes and group-family day-care homes with all parking and outdoor play areas complying with all required yards as provided in § 3.12</p> <p>3 Convalescent and nursing homes and institutions for the aged and children, whether or not operated for profit, provided that no building is located within 300 feet of any lot line</p> <p>4 Hospitals and sanatoriums primarily for special medical care</p> <p>5 Reservoir of 3 acres or more</p> <p>6 Use of a building in existence on the effective date of this code and located on a lot of no less than 2 acres for a restaurant or for the sale of antiques, provided that all parking facilities shall be located and maintained to the rear of the building not in any required yards, and provided that there shall be no outdoor display or storage of antiques</p> <p>7 Commercial dog kennels, animal hospitals and rental of horses, provided that no kennel, runway, stable, corral or exercise pen or track is located within 300 feet of any lot line, which provision shall not be subject to variance</p>	<p>1 Camps, subject to § 4.32</p> <p>2 Golf courses and tennis clubs or private swim clubs not less than 5 acres in area, yacht or similar clubs</p> <p>3 Schools of special instruction</p> <p>4 Museums and public art galleries</p> <p>5 Public utility substations and pump stations, housed in buildings that harmonize with the character of the neighborhood and having adequate fences and other safety devices and landscaping and subject to performance standards procedure, § 4.12</p> <p>6 Elevated standpipes and water tanks located at a distance from any lot line equal to the height of the structure</p> <p>7 Commercial forestry, as provided in § 4.32(D)</p> <p>8 Satellite dish antennas</p> <p>9 Nurseries, schools with all parking and outdoor play areas complying with all required yards as provided for in § 3.12, but not less than 30 feet</p>	<p>1 Accommodations for servants or caretakers, subject to § 5.228</p> <p>2 Keeping not more than 2 nontransient boarders or roomers</p> <p>3 Private greenhouses, barns, silos, toolsheds, garages, swimming pools and tennis courts</p> <p>4 Home occupations</p> <p>5 Accessory parking as permitted in § 6.1</p> <p>6 Accessory loading as permitted in § 6.2</p> <p>7 Buildings for display and sale of agricultural products, at least 50% of which shall be grown by the owner or lessee of the premises, provided that such building is at least 30 feet from any lot line, buildings for processing and storing agricultural products subject to the same restrictions as for buildings for the display and sale, temporary open stands for display and sale of agricultural products, subject to the same restrictions as buildings, except that such shall be located not less than 15 feet from any lot line and shall not encroach on pedestrian or vehicular rights-of-way or any required parking space</p> <p>8 Keeping not more than 2 domestic animals over 6 months old for individual domestic purposes or for cultivation of the soil, except that not more than 1 horse per acre and 5 cats or dogs over 6 months old, and not more than 99 fowl shall be kept on any lot, and no animals (except cats or dogs) or fowl shall be penned or housed and no odor- or dust-producing substance or use, except spraying or dusting to protect vegetation, shall be maintained within 200 feet of any lot line, nor shall any such animal or fowl be permitted to graze upon, pasture in or use that portion of any lot within 100 feet of any lot line</p> <p>9 Keeping not more than 1 unoccupied trailer or commercial vehicle of not over 1,000 pounds capacity, subject to §§ 6.1 and 11.2</p>

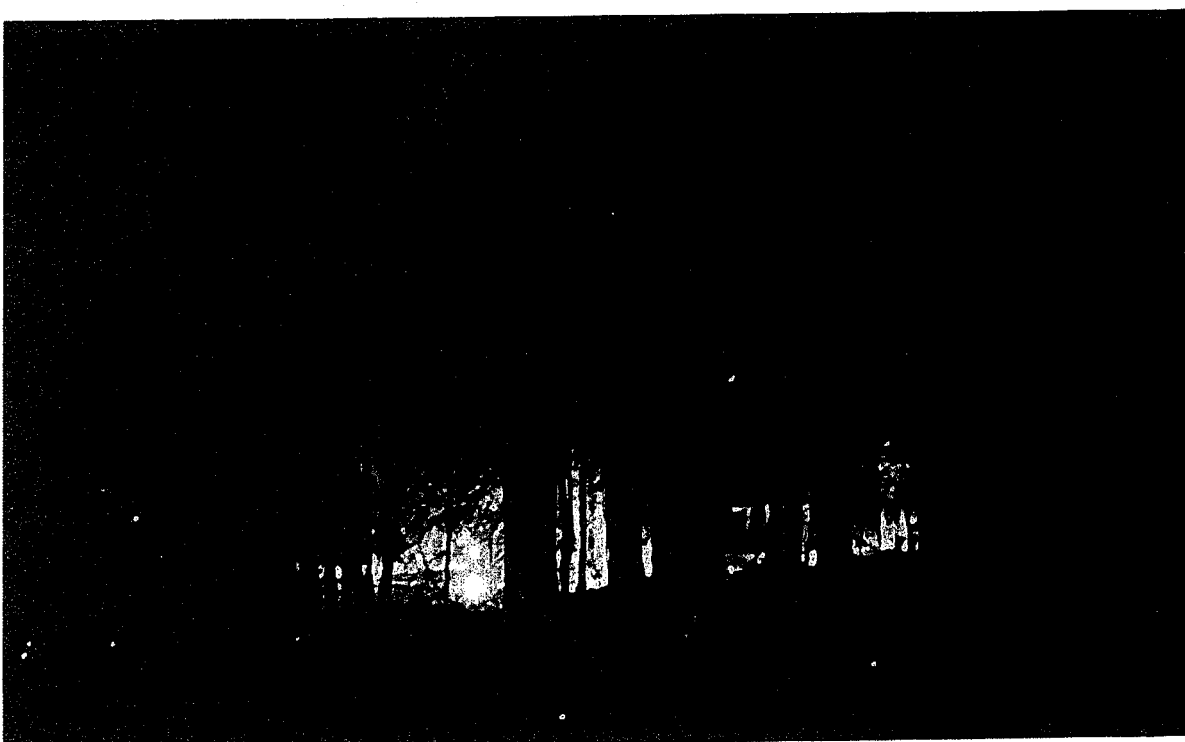
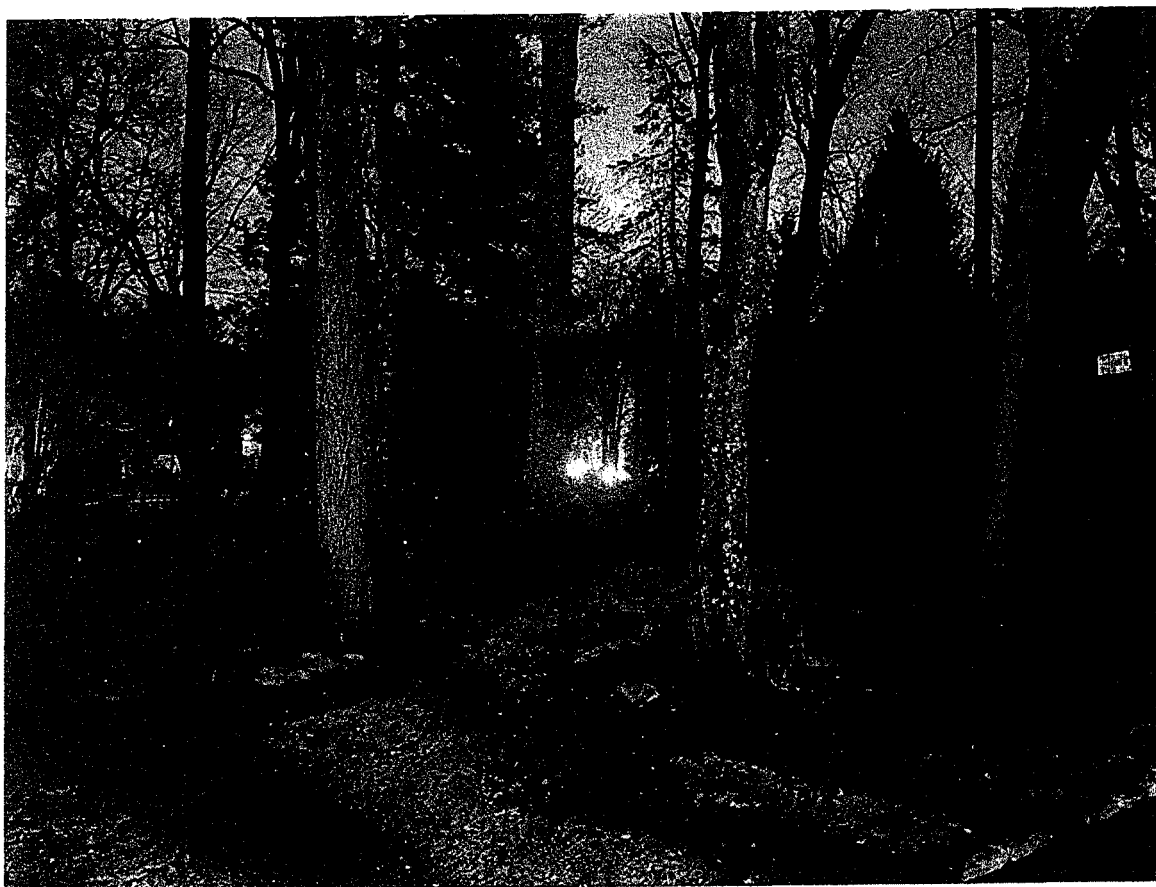
1 District	2 Uses Permitted by Right	3 Uses by Special Permit	4 Conditional Uses by Planning Board	5 General Accessory Uses
R-80 (cont d)		<p>8 Sand pits, gravel pits, removal of topsoil and landfill and excavation operations not undertaken in connection with the construction of a building for which a building permit has been issued or the development of a subdivision in accordance with an approved plat thereof, as provided in § 4-12(C).</p> <p>9 Public swimming facilities, beaches, marinas, boat rental or storage and picnic grounds.</p> <p>10 Cemeteries on plots of 10 acres or less, adjacent to an established cemetery or place of worship.</p>		<p>10 Any other accessory use not inconsistent with the uses permitted herein.</p> <p>(1) In any residence and home occupation, if any, on the premises, illuminated and illuminated signs, each not over 2 square feet in area, except for physicians, such as radiologists or signs shall be nonilluminated.</p> <p>12 For any nonresidential establishment or institution permitted in R-80, the Board of Appeals may permit one sign not over 20 square feet in area which may be illuminated, provided that the light source is not visible to, or directed toward, a residential use, and is located at 25 feet from any lot line, and not more than 2 nonilluminated directional signs, each not over 2 square feet in area, provided that such signs are located not over a mile from the establishment, as measured along existing public roads, and are set back at least 10 feet from the front lot line, except at intersections where the setback shall be 35 feet.</p> <p>(a) For uses permitted within the historic areas:</p> <p>(1) Neon, electronic, and back-lighted signs are not permitted on the building or in the windows and on the doors of the structure.</p> <p>(2) Temporary signs affixed to a building or a post until a permanent sign is installed may be displayed for 60 days prior to approval of a permanent sign. The sign shall not be any larger than what is allowed for permanent signs.</p> <p>(3) Lettering on windows and doors is subject to approval by the Historical Areas Board of Review.</p>











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EXHIBIT
10-24-B


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.

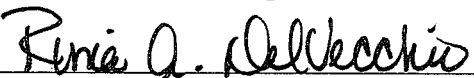
That, on the 25th day, September, 2023, she caused to be conspicuously posted
and fastened up a notice, a true copy of which is annexed hereto and made a part of
hereof, in the following places, at least one of which is a public place within the **TOWN
of ORANGETOWN**, New York.

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



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 25th day of September, 2023


RIMA A. DELVECCHIO
Notary Public, State of New York
No. 01DE622635
Qualified in Rockland County
My Commission Expires June 1, 2026

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.** local time on , **October 4, 2023** and will be publicly opened and read aloud at **11:00 A.M.** local time for FRANKLIN AVENUE CURB AND SIDEWALK IMPROVEMENTS, PEARL RIVER, NEW YORK, 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 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.

The Town Board 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.

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: September 20, 2023

ROSANNA SFRAGA, TOWN CLERK

JAMES J. DEAN, SUPERINTENDENT OF HIGHWAYS

Journal News

media group

lohud.

AFFIDAVIT OF PUBLICATION FROM

State of Wisconsin

County of Brown, ss.:

On the 20 day of September 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:
09/20/2023

Linda Tuttle

Signature

Sworn to before me, this 20 day of September, 2023

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

RYAN SPELLER
Notary Public
State of Wisconsin

10-25-26

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, Deeds Ferry, Eastchester, Elmsford, Garmen, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Marcoac 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, Verblanc, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Gamerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Taitman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005827660

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. local time on , October 4, 2023 and will be publicly opened and read aloud at 11:00 A.M. local time for FRANKLIN AVENUE CURB AND SIDEWALK IMPROVEMENTS, PEARL RIVER, NEW YORK, 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 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.

The Town Board 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.

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: September 20, 2023

SOSANNA SFRAGA, TOWN CLERK

JAMES J. DEAN, SUPERINTENDENT OF HIGHWAYS

0005827660

BID ITEM

Franklin Ave Curb & Sidewalk Contract

Pg 1 of 2

BID OPENING TIME

11:00AM

DATE

4-Oct-23

CONTRACTOR NAME & ADDRESS	<i>Raja Contractors Bellevue, NY</i>	<i>A-Tech Edison NJ</i>	<i>MFD Quality Construction New City, NY</i>	<i>Morano Bros Corp Croton on Hudson, NY</i>	<i>VAD Construction White Plains, NY</i>
DATE RECEIVED	10/4/23	10/4/23	10/4/23	10/4/23	10/4/23
TIME RECEIVED	8:54 AM	9:49 AM	9:54 AM	9:58 AM	10:00 AM
NON COLLUSION STATEMENT	✓	✓	✓	✓	✓
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓	✓
ITEM No. 1 Installation of New Concrete Pedestrian Ramps Est Qty 500SF					
UNIT PRICE	\$ 27.00	\$ 35.00	\$ 39.20	\$ 50.00	\$ 12.25
TOTAL	\$ 13,500.00	\$ 17,500.00	\$ 19,600.00	\$ 25,000.00	\$ 11,125.00
ITEM No. 2 Installation of New Concrete Sidewalks Est Qty 2900 SF					
UNIT PRICE	\$ 18.10	\$ 16.00	\$ 25.00	\$ 30.00	\$ 14.75
TOTAL	\$ 52,490.00	\$ 46,400.00	\$ 72,500.00	\$ 87,000.00	\$ 42,775.00
ITEM No. 3 Installation of Belgium Block Curbs Est Qty 700LF					
UNIT PRICE	\$ 68.00	\$ 75.00	\$ 80.00	\$ 105.00	\$ 22.75
TOTAL	\$ 47,600.00	\$ 52,500.00	\$ 56,000.00	\$ 73,500.00	\$ 15,925.00
ITEM No. 4 Installation of Concrete Curbs Est Qty 50LF					
UNIT PRICE	\$ 60.00	\$ 100.00	\$ 105.00	\$ 85.00	\$ 50.00
TOTAL	\$ 3,000.00	\$ 5,000.00	\$ 5,250.00	\$ 4,250.00	\$ 2,500.00
ITEM No. 5 Asphalt Driveway Aprons Est Qty 800 SF					
UNIT PRICE	\$ 15.50	\$ 14.00	\$ 18.00	\$ 23.00	\$ 12.50
TOTAL	\$ 12,400.00	\$ 11,200.00	\$ 14,400.00	\$ 18,400.00	\$ 10,000.00
ITEM No. 6 Remove and Replace Concrete Stairs Est Qty 3EA					
UNIT PRICE	\$ 8700.00	\$ 9000.00	\$ 10000.00	\$ 12000.00	\$ 3000.00
TOTAL	\$ 26,100.00	\$ 27,000.00	\$ 30,000.00	\$ 36,000.00	\$ 9,000.00
ITEM No. 7 Remove, Store, and Reset Concrete Block Pavers Est Qty 10SY.					
UNIT PRICE	\$ 162.00	\$ 300.00	\$ 225.00	\$ 600.00	\$ 55.00
TOTAL	\$ 1,620.00	\$ 3,000.00	\$ 2,250.00	\$ 6,000.00	\$ 550.00
ITEM No. 8 Saw Cutting Pavement Est Qty 900LF					
UNIT PRICE	\$ 4.00	\$ 2.00	\$ 7.50	\$ 3.00	\$ 4.00
TOTAL	\$ 3,600.00	\$ 1,800.00	\$ 6,750.00	\$ 2,700.00	\$ 3,600.00
ITEM No. 9 White Epoxy ReflectORIZED Pavement Stripes - 15 Mills Est Qty 1026LF					
UNIT PRICE	\$ 3.00	\$ 2.00	\$ 3.50	\$ 4.00	\$ 3.25
TOTAL	\$ 3,078.00	\$ 2,052.00	\$ 3,591.00	\$ 4,104.00	\$ 3,334.50
ITEM No. 10 Maintenance and Protection of Traffic (min \$2000.00) Est Qty 1LS					
TOTAL	\$ 1,000.00	\$ 750.00	\$ 1,000.00	\$ 2,500.00	\$ 400.00
ITEM No. 11 Maintenance of Site (min \$2000.00) Est Qty 1LS					
TOTAL	\$ 400.00	\$ 200.00	\$ 750.00	\$ 3,700.00	\$ 250.00
ITEM No. 12 Miscellaneous Additional Work Est Qty 1LS					
TOTAL	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
SUMMATION	187,388.00	185,952.00	241,341.00	328,954.00	115,309.50

BID ITEM		Franklin Ave Curb & Sidewalk Contract				SHEET 2 of 2	
BID OPENING TIME		11:00AM		DATE		4-Oct-23	
CONTRACTOR NAME & ADDRESS		<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Paladino Concrete Creations Corp Mt Vernon NY </div> <div style="width: 45%;"> D Tortuccio Landscape Inc Fairfield NJ </div> </div>					
DATE RECEIVED	10/4/23	10/4/23					X
TIME RECEIVED	10:14 AM	10:23 AM					
NON COLLUSION STATEMENT	✓	✓					
BID BOND or CERTIFIED CHECK	✓	✓					
ITEM No. 1 Installation of New Concrete Pedestrian Ramps Est Qty 500SF							
UNIT PRICE	\$ 79.00	\$ 92.00	\$	\$	\$		X
TOTAL	\$ 14500.00	\$ 46000.00	\$	\$	\$		
ITEM No. 2 Remove and Replace Concrete Staire Est Qty 2900SF							
UNIT PRICE	\$ 25.00	\$ 30.93	\$	\$	\$		X
TOTAL	\$ 72500.00	\$ 89697.00	\$	\$	\$		
ITEM No. 3 Installation of Belgium Block Curbs Est Qty 700LF							
UNIT PRICE	\$ 89.00	\$ 44.29	\$	\$	\$		X
TOTAL	\$ 62300.00	\$ 31003.00	\$	\$	\$		
EM No. 4 Installation of Concrete Curbs Est Qty 50LF							
UNIT PRICE	\$ 65.00	\$ 120.00	\$	\$	\$		X
TOTAL	\$ 3250.00	\$ 6000.00	\$	\$	\$		
ITEM No. 5 Asphalt Driveway Aprons Est Qty 800 SF							
UNIT PRICE	\$ 11.00	\$ 15.00	\$	\$	\$		X
TOTAL	\$ 8800.00	\$ 12000.00	\$	\$	\$		
ITEM No. 6 Removal and Replace Concrete Stairs Est Qty 3EA							
UNIT PRICE	\$ 4300.00	\$ 5333.33	\$	\$	\$		X
TOTAL	\$ 12900.00	\$ 16000.00	\$	\$	\$		
ITEM No. 7 Remove, Store, and Reset Concrete Block Pavers Est Qty 10SY							
UNIT PRICE	\$ 225.00	\$ 350.00	\$	\$	\$		X
TOTAL	\$ 2250.00	\$ 3500.00	\$	\$	\$		
ITEM No. 8 Saw Cutting Pavement Est Qty 900LF							
UNIT PRICE	\$ 7.00	\$ 7.22	\$	\$	\$		X
TOTAL	\$ 6300.00	\$ 6498.00	\$	\$	\$		
ITEM No. 9 Whit Epoxy ReflectORIZED Pavement Stripes - 15 Mils Est Qty 1026LF							
UNIT PRICE	\$ 3.50	\$ 7.80	\$	\$	\$		X
TOTAL	3591.00	8000.00					
EM No. 10 Maintenance and Protection of Traffic (min \$2000.00) Est Qty 1LS							
UNIT PRICE	1500.00	300.00					X
TOTAL	1500.00	300.00					
ITEM No. 11 Maintenance of Site (min \$2000.00) Est Qty 1LS							
UNIT PRICE	1500.00	300.00					X
TOTAL	1500.00	300.00					
ITEM No. 12 Miscellaneous Additional Work Est Qty 1LS							
UNIT PRICE	10,000 \$/LS	10,000 \$/LS	10,000 \$/LS	10,000 \$/LS	10,000 \$/LS		X
TOTAL	10000.00	10000.00					
SUMMATION	226391.00	234698.00					

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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, October 5, 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 Franklin Street Park Basketball Court Project"**.

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.

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: August 18, 2023

ARIC T. GORTON

Director

Office of Parks and Recreation

81 Hunt Rd.

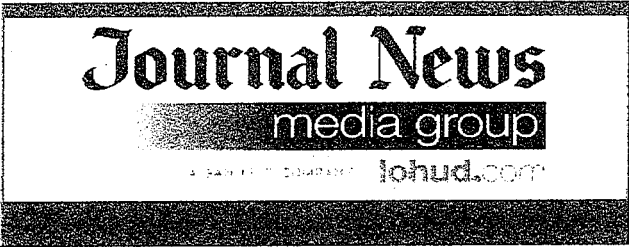
Orangeburg, NY 10962

(845) 359-6503

agorton@orangetown.com

ROSANNA SFRAGA

Town Clerk



AFFIDAVIT OF PUBLICATION
FROM

State of Wisconsin
County of Brown, ss.:

On the 18 day of August in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Futt, 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.

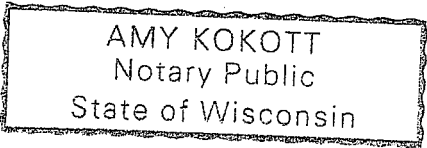
Linda Futt being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone:
Rockland

Run Dates:
08/18/2023

Linda Futt
Signature

Sworn to before me, this 18 day of August, 2023
Amy Kokott
Notary Public, State of Wisconsin, County of Brown



6/30/2025
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, Thomwood, 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: 0005800536

NB-1

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, October 5, 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 Franklin Street Park Basketball Court Project"**.

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.

NB-2

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.

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: August 18, 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

0005800536

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