



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday February 06, 2024

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

Councilperson Paul Valentine	_____
Councilperson Jerry Bottari	_____
Councilperson Brian Donohue	_____
Councilperson Daniel Sullivan	_____
Supervisor Teresa M. Kenny	_____

☼ Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ The Public Hearing on February 20, 2024 regarding the local law on the proposed text amendment to Special Permit Uses to include farm cidery/winery has been adjourned to March 19, 2024 at 7:05 pm at the request of the applicant.

PRESENTATIONS:

- ◆ Black History Month Ceremony / February 2024
 - ★ Honoring Tahlaad J. Mahboeb
- ◆ Certificate Presentation / Eagle Scout Michael Hanebuth from Troop 55, Blauvelt / Camp Shanks Freedom Trail Project
- ◆ "Think Differently Initiative" Presentation by Jennifer Green

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. APPOINT / REAPPOINT LIAISONS / 2024 / LAND USE BOARDS / COMMITTEES

RESOLVED, that the following Town Officials are hereby appointed / reappointed liaisons to the following Land Use Boards and Committees for 2024:

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

4. APPOINT / REAPPOINT / BLUE HILL GOLF ADVISORY COMMITTEE / 2024 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Blue Hill Golf Advisory Committee for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

- Patrick J. Shields (Chairman)
 - Sean Burke
 - Joseph Green
 - Michael Hussey
 - Martin Fogarty
 - Matt Willock
 - Kevin Fagan
 - Nick Gajovich
 - Joseph O'Loughlin
 - Barbara Sabatini
- Liaison: Councilman Paul Valentine

5. **APPOINT / REAPPOINT / ORANGETOWN OFFICE OF EMERGENCY MANAGEMENT COMMITTEE / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Office of Emergency Management Committee for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

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

6. **APPOINT / REAPPOINT / ORANGETOWN ENVIRONMENTAL COMMITTEE / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Environmental Committee for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

- Michael Andrea (Chairman)
 - Alexis Starke
 - Heather Hurley
 - Don Steinmetz
 - Andrew Goodwillie
 - Katherine Copp-Brown
 - Susan O'Reilly Turner
 - June Starke
 - Allan Ryff
 - Lawrence Vail
 - Maria Gagliardi
 - Fran Oldenburger
 - Tom O'Reilly
 - Eve Millard
 - Anne Putko
- Liaison: Supervisor Teresa M. Kenny

7. **APPOINT / REAPPOINT / ORANGETOWN PARKS DEVELOPMENT ADVISORY COMMITTEE / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Parks Development Advisory Committee, for a 1-year term, commencing January 1, 2024 and expires on December 31, 2024:

- T. P. Bailey (Chairman)
 - Anne Byrne
 - Michael Andrea
 - Michele Galle-Looram
 - James Willcox
 - Orli Eshkar
 - Andrew Goodwillie
 - Aric Gorton, Superintendent of Parks & Recreation
- Liaison: Councilman Brian Donohue

8. **REAPPOINT / ORANGETOWN PROJECT REVIEW COMMITTEE / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Project Review Committee, for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

- Jane Slavin (Chairwoman)
 - Bruce Peters, DEME
 - David Majewski, Bureau of Fire Protection
 - James J. Dean, Superintendent of Highways
 - Michael Yannazzone, Traffic Advisory Board
 - Aric Gorton, Superintendent of Parks and Recreation
 - Rick Pakola, Deputy Town Attorney, Legal Advisor
- Liaison: Supervisor Teresa M. Kenny

9. **APPOINT / REAPPOINT ORANGETOWN SENIOR CITIZEN COMMITTEE / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Senior Citizen Committee, for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

- Margaret Raso (Chairwoman) / Tappan Club
 - Phyllis Moehrle, Member / Blauvelt/Orangeburg Clubs
 - Dean Hoffman, Member / Nyack Club
 - Rosemary Doherty, Member / PR A Group
 - Elizabeth Settle, Member / PR B Club
 - Jeffrey L. McCall, Member / Piermont Club
 - Carmen Abreu, Member / Sparkill Club
 - Carmel Reilly, Clerk
- Liaison: Deputy Supervisor Denis Troy, Liaison

10. **REAPPOINT ORANGETOWN SHADE TREE COMMISSION / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Shade Tree Commission, for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

- Mary Vail (Chairwoman)
 - Mary Ellen Le Warn
 - Joy Macy
 - Brian Burns
 - Katja Alberino-Rappaport
- Liaison: Councilman Jerry Bottari

11. **REAPPOINT ORANGETOWN TRAFFIC ADVISORY BOARD / 2024 / 1-YEAR TERM**

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Traffic Advisory Board, for a 1-year term, commencing on January 1, 2024 and expires on December 31, 2024:

- Michael Yannazzone, (Co-Chairman)
 - Margaret Warren, (Co-Chairwoman)
 - Paul Raso
 - Robert Simon
 - Robert Morrison
 - James Castagna
 - P. O. Michael Yannazzone, Jr. OPD, Advisor
 - Brian DeBonis, Highway, Advisor
 - Thomas Edattel, DEME, Advisor
 - Stefanie Schera, Legal Advisor
 - Allison Kardon, Clerk
- Liaison: Councilman Paul Valentine

12. **RESOLUTION CALLING ON THE TOWN OF ORANGETOWN, RESIDENTS AND BUSINESS OWNERS TO ADOPT THE DAC INITIATIVE TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES**

WHEREAS, the "Disability Advisory Council" Initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all neurodiverse individuals and anyone with special needs; and,

WHEREAS, we know and believe our state and communities are stronger when they are diverse and inclusive of everyone; and,

WHEREAS, according to the Center for Disease Control (CDC) over 61 million people, or one in four American adults, have a type of disability or special need; and,

WHEREAS, for some people with special needs, their disability marginalizes them, preventing them from fully accessing resources, recreational opportunities and full community integration; and,

WHEREAS, it is important to educate and provide guidance to those with special needs and their families and advocates on how to access publicly supported services available to them in their community; and,

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and,

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and,

WHEREAS, adopting the DAC Initiative is an important statement that our Town officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families; and,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Orangetown adopts and urges residents and business owners to adopt the DAC Initiative so that all are better prepared to communicate with, provide for, and support the neurodiverse and anyone with special needs.

13. APPROVE / ADDITIONAL FINAL PAYMENT / LABERGE GROUP / SOUTH NYACK PARKING LOCAL LAW

WHEREAS, pursuant to Town Board Resolutions 2022-506 and 2023-539, the Town Board authorized LaBerge Group to provide planning services to the Town to prepare a parking study and local law to address parking standards and regulations in the former village of South Nyack, for a total of \$37,200.00,

BE IT RESOLVED that the Town Board hereby authorizes the additional final payment of \$1,721.60 for additional services rendered by LaBerge Group for the preparation and revision of a local law to address parking standards and regulations related to the Hamlet of South Nyack.

TOWN ATTORNEY

14. APPROVAL OF 2024 CERTIFICATE OF SEWER REGISTRATIONS

RESOLVED, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2024 Sewer Work is approved to:

- Innovative Excavating, Ltd., 15 Conklin Drive, Stony Point, NY 10980
- Kevin Stokes Excavating, Inc., 52 Grotke Road, Chestnut Ridge, NY 10977

15. APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING RE. 10-18 SOUTH HENRY LLC V. TOWN OF ORANGETOWN (TAX LOT #69.13-1-19)

RESOLVED that, upon the recommendation of the Tax Assessor, approve and authorize Robert V. Magrino, Town Attorney, and any of his Deputy Town Attorneys, to sign settlement documents regarding the tax certiorari proceeding *10-18 South Henry LLC v. Town of Orangetown* (NYS Supreme Court, Rockland County, Index Numbers 032619/2020, 034056/2021, 033133/2022 & 033340/2023), for property commonly known as 10-18 South Henry Street, Pearl River (Tax Map Designation: 69.13- 1-19), for the tax assessment years 2020 through 2023, for a total refund by the Town of \$3,921.00, a total refund by the School District of \$13,903.00, and a total refund by the County of \$1,214.00. Although the Pearl River Union Free School District did not intervene in this case, the School District communicated its approval of this settlement. Interest on the Town's liability, as a result of a property tax assessment decrease or refund, is waived if payment is made within sixty (60) days after a copy of the Court Order, based upon the settlement, is served on the Rockland County Finance Department.

HIGHWAY

16. APPROVE / GRANT PERMISSION/ 2024 ADVOCACY DAY

RESOLVED, that permission is granted for the Superintendent of Highways to attend the 2024 Advocacy Day for Local Roads, Bridges and Culverts, Albany, NY, March 5-6,2024, at a cost of \$250.00 which includes travel and conference costs to be charged to the proper departmental accounts.

DEME

17. ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF ARTHUR HIGGINS /MAINTENANCE MECHANIC II (SEWERS) / D.E.M.E./SEWER DEPARTMENT / EFFECTIVE JANUARY 22, 2024

RESOLVED, that the Commissioner of D.E.M.E. and the Town Board accepts with regret, the resignation/retirement of Arthur Higgins, Maintenance Mechanic II(Sewers), from D.E.M.E./Sewer Department, effective January 22, 2024.

18. ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF DAVID ALVAREZ /ASSISTANT OPERATOR GRADE 2(WASTEWATER) / D.E.M.E./SEWER DEPARTMENT / EFFECTIVE FEBRUARY 1, 2024

RESOLVED, that the Commissioner of D.E.M.E. and the Town Board accepts with regret, the resignation/retirement of David Alvarez, Assistant Operator Grade 2(Wastewater), from D.E.M.E./Sewer Department, effective February 1, 2024.

TOWN CLERK

19. 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: 10, 2024 Re-Organizational Meeting; Jan. 23, 2024 Police Commission and Regular Town Board Meeting.
2. Agreement & Contracts:
 - 2024 CANDLE Agreement
 - Millennium Strategies, LLC (grant writer)

TOWN COUNCILMAN BRIAN DONOHUE

20. PBA CONTRACT / AMENDMENT TO MEMORANDUM OF AGREEMENT / REFERENCE RESOLUTION 2023-471 / APPROVAL OF MOA 2023-2027

This item placed on the agenda at the request of Councilman Donohue:

WHEREAS, on September 12, 2023, pursuant to Town Board Resolution 2023-471 the Town Board approved the terms of a Memorandum of Agreement (MOA) as an amendment to the existing Collective Bargaining Agreement (CBA) by and between the Town of Orangetown and Rockland County Patrolmen's Benevolent Association, Inc. (PBA) effective January 1, 2023 through December 31, 2027, and

WHEREAS, the parties have determined it is necessary to clarify a discrepancy regarding Item Number 7 in the September, 2023 MOA referencing uniform allowance and have agreed to amend the September 2023 MOA as set forth in the attach proposed Amended MOA, to provide for a yearly payment to each union member for the purchase of equipment in the amount of five hundred and fifty dollars (\$550.00),

NOW THEREFORE BE IT RESOLVED that the Town Board hereby approves an amendment to the September 2023 MOA between the Town and the PBA, in form and substance as such Amended MOA is annexed hereto and incorporated by reference herein, and be it further

RESOLVED, that the Town Supervisor or her designee is hereby authorized to sign and fully execute said amended MOA and any related documents as may be necessary to effectuate the purposes of this resolution.

AUDIT

21. 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 **seven (7) warrants** (attached) for a total of **\$2,094.19.49**.

EXECUTIVE SESSION

22. 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.

ADJOURNMENTS

23. RE-ENTER RTBM / ADJOURNED / MEMORY

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

❖ **Mario Saltarelli**, Father of Town Attorney's Office Employee Mary Ferrara