



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday March 19, 2024

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

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

☼ Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ **The March 19, 2024 Public Hearing on the Proposed Text Amendment to Special Permit Uses to include Farm Cidery/Winery is adjourned until May 7, 2024, at the request of the applicant.**
- ◆ **ORANGETOWN SHREDDING EVENT - Saturday, April 13, 2024 / 8:00 a.m. - 11:30 a.m. Hosted by Orangetown Town Clerk, Rosanna Sfraga, Rockland Green and People to People. Please bring non-perishable food items for a donation to People to People.**

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. **ADJOURN PUBLIC HEARING TO MAY 7, 2024 / 7:05 P.M. / PROPOSED ZONE TEXT AMENDMENT / SPECIAL PERMIT USE / FARM WINERY/CIDERY / ADJOURNED NOVEMBER 28, 2023, CONTINUED JANUARY 23, 2024 AND ADJOURNED FEBRUARY 20, 2024**

RESOLVED, that the Public Hearing regarding the Proposed Zone Text Amendment / Special Permit Use / Farm Winery / Cidery is hereby adjourned/continued until May 7, 2024 at 7:05 pm at the request of the applicant.

4. **OPEN PUBLIC HEARING / RTBM OF MARCH 19, 2024 AT 7:10 PM / PROPOSED LOCAL LAW AMENDING CHAPTER 24C OF THE TOWN CODE “PROPERTY MAINTENANCE”, SECTION 24C-10 TO ADDRESS PARKING AND STORING OF COMMERCIAL VEHICLES ON RESIDENTIAL LOTS**

RESOLVED, the Public Hearing on the proposed Local Law amending Chapter 24C of the Town Code “Property Maintenance”, Section 24C-10 to address parking and storing of commercial vehicles on residential lots is hereby opened.

PRESENTATION of Affidavit of Public Hearing posting and publication

SUMMARY OF COMMENTS:

5. **CLOSE/CONTINUE PUBLIC HEARING / PROPOSED LOCAL LAW AMENDING CHAPTER 24C OF THE TOWN CODE “PROPERTY MAINTENANCE”, SECTION 24C-10 TO ADDRESS PARKING AND STORING OF COMMERCIAL VEHICLES ON RESIDENTIAL LOTS**

RESOLVED, the Public Hearing on the proposed Local Law amending Chapter 24C of the Town Code “Property Maintenance”, Section 24C-10 to address parking and storing of commercial vehicles on residential lots is hereby closed or continued to ____.

6. **DESIGNATION OF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL LAW NO. ____ OF 2024 AMENDING CHAPTER 24 OF THE TOWN CODE ENTITLED “PROPERTY MAINTENANCE” REGARDING PARKING AND STORAGE OF COMMERCIAL VEHICLES ON RESIDENTIAL LOTS AND DETERMINATION UNDER SEQRA**

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to a proposed Local Law No.____ of 2024, amending Chapter 24C of the Town Code, entitled “Special permit uses; special findings and addition requirements and conditions for certain uses”; and further determines that such action is a Type II action pursuant to SEQRA (6 NYCRR 617.5(c)(18)(21)(25)(32)(33), that the action will not have a significant adverse environmental impact, and, therefore, no further action is necessary with respect thereto under the State Environmental Quality Review Act.

7. **ADOPT LOCAL LAW NO. ____ OF 2024, AMENDING CHAPTER 24C OF THE TOWN CODE “PROPERTY MAINTENANCE”, SECTION 24C-10 TO ADDRESS PARKING AND STORING OF COMMERCIAL VEHICLES ON RESIDENTIAL LOTS**

RESOLVED, that the Town Board hereby adopts proposed Local Law No. ____ of 2024, amending Chapter 24C entitled “Property Maintenance”, Section 24C-10 “Parking and storage of vehicles, of the Town Code, to provide for the definition and regulation of the parking and storage of commercial vehicles on residential lots.

**LOCAL LAW NO. ____ OF 2024 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
TOWN BOARD TO AMEND CHAPTER 24C OF THE TOWN CODE ENTITLED “PROPERTY
MAINTENANCE” TO ADDRESS PARKING AND STORAGE
OF VEHICLES ON RESIDENTIAL LOTS**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

Section 1. Chapter 24C, Section 24C-10 of the Code of the Town of Orangetown is hereby amended as follows: As amended, Additions are underlined. ~~Deletions are stricken.~~

§ 24C-10 Parking and storage of vehicles.

- A. The parking and storage of vehicles within the unincorporated portion of the Town of Orangetown shall be regulated as follows:
- (1) The owner, tenant or occupant of any property shall not park or permit or allow the exterior parking or storage of any vehicle within the front, side or rear yard of such property, except on driveways and parking areas constructed and installed in compliance with applicable laws, and except as permitted under Subsections **A(3)**, ~~and (4)~~ and (5) of this section.
 - (2) No abandoned vehicle, no unregistered vehicle, and no vehicle with either an expired registration certificate, registration certificate under suspension, or otherwise invalid registration certificate shall be parked out of doors on any property. The number of vehicles allowed to park on any property shall be limited to the number of parking spaces legally provided on the property.
 - (3) No vehicle shall be parked out of doors on any property unless the vehicle license plate is exposed and clearly visible. No vehicle parked or stored out of doors on any property shall be covered over with any tarp, material or matter other than an approved car cover, with its vehicle license plate exposed and clearly visible.
 - (4) ~~Only one commercial vehicle not over one-half ton capacity and a~~ Only one unoccupied trailer or recreation vehicle, owned or rented by the owner of the premises, or owned or rented by a gratuitous guest visiting the owner of the premises, may be parked on that portion of a residential lot, provided same is parked lying to the side or rear of the residence, and which trailer or vehicle shall be secured in place at least a ten-foot distance from both side and rear lot lines.
 - (5) Only one commercial vehicle not exceeding 22 feet in length, or eight feet in height or seven feet in width, including all accessories and equipment, may be parked on a residential lot. Said vehicle may only be parked on a permitted driveway or parking area constructed and installed

in compliance with applicable laws, or within a private garage. For purposes of this section, "commercial vehicle" shall mean any motor vehicle used for commercial purposes, including but not limited to a vehicle used for the transportation of goods, wares and merchandise, or passengers for hire, or used for repair, service, installation, inspection, landscaping or snowplowing purposes.

- (56) Only one boat no longer than 24 feet, ~~owned or rented by the owner of the premises~~ may be parked on ~~that portion of~~ a residential lot provided the boat is lying to the rear of the residence. The boat shall be secured in place at least a ten-foot distance from both side and rear lot lines.
- B. No commercial or for-hire automotive repairs shall take place on any property located in any residentially zoned district. **[Amended 11-14-2017 by L.L. No. 10-2017]**

Section 2. Severability Clause

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid parts.

Section 3. Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.

TOWN ATTORNEY

8. APPROVAL OF 2024 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 2024 Sewer Work is approved to:

- Environmental Construction, Inc. 21 Holt Drive, Stony Point, NY
- Belleville Landscaping, Inc. 84 N Route 9W, Congers, NY
- JD Backhoe Service, Inc. 3 Route 340, Orangeburg, NY
- Victor P. Zugibe Inc. 66 W Railroad Ave., Garnerville, NY

HIGHWAY

9. APPROVE/ PERMISSION TO ATTEND/ 2024 NYSAOTSOH HIGHWAY SCHOOL

RESOLVED, that permission is hereby granted for the following personnel: Jim Dean, Stephen F. Munno, Michael Donahue & Brian DeBonis, to attend the 2024 Association of Towns Annual Highway School, Ithaca, NY, from June 3-5, 2024, with the Town paying \$1,739.00 which includes the cost of courses and travel to be charged to appropriate departmental accounts.

10. **APPROVE / HIGHWAY DEPARTMENT TO HOST 2024 AMERICAN PUBLIC WORKS ASSOCIATION ANNUAL EQUIPMENT SHOW**

RESOLVED, that the Highway Department is hereby authorized to host the 2024 American Public Works Association Annual Equipment Show on Wednesday, May 22, 2024, from 10:00 a.m. to 3:00 p.m. at the Highway Department Facility.

PARKS AND RECREATION

11. **ACCEPT / MEMORIAL BENCHES / BLUE HILL GOLF COURSE**

RESOLVED; Upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance the donation of three Memorial Benches to be placed at locations on the grounds of Blue Hill Golf Course. Bench engravings will read as follows:

In Loving Memory of Ted Gunther
A Brother, Uncle & Friend
"Teddy Ballgame"
10/11/64-3/8/12

Frank J. Bevelacqua
Blue Hill Golf Course Superintendent
1969-1995
"Keep it Neat, Keep it Clean, Keep it Green"

In Loving Memory of
Robert Alexander
"PRO"
9/4/1937-8/5/2022

POLICE

12. **ACCEPT WITH REGRET / RESIGNATION/RETIREMENT LIEUTENANT JAMES SULLIVAN / POLICE DEPARTMENT / EFFECTIVE MARCH 23, 2024**

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Lieutenant James Sullivan, from the Orangetown Police Department effective March 23, 2024.

13. **ACCEPT FUNDING FROM ROCKLAND COUNTY FOR STOP-DWI ENFORCEMENT**

RESOLVED, upon the recommendation of the Chief of Police, accept funding from Rockland County through the Rockland County Stop-DWI Department in the amount up to \$3,750.00 to provide overtime reimbursement for Impaired Driving Enforcement within the Town of Orangetown, New York from October 1, 2023 to September 30, 2024.

BUILDING

14. ACCEPT WITH REGRET / RESIGNATION/RETIREMENT DEBORAH ARBOLINO / OBZPAE / EFFECTIVE MARCH 30, 2024

RESOLVED, that upon the recommendation of the Director of OBZPAE, accept with regret, the resignation/retirement of Deborah Arbolino, Administrative Aide, from Office of Building, Zoning, Planning, Administration and Enforcement, effective March 30, 2024.

TRAFFIC ADVISORY BOARD

15. MEMORIALIZING REQUEST FOR SPEED LIMIT REDUCTION ON ROUTE 340

WHEREAS, a section of New York State Route 340 in the Hamlets of Sparkill and Orangeburg between Kings Highway and Route 303, has seen increased development, and has substantial vehicle, truck, commuter, pedestrian, and bicycle traffic; and

WHEREAS, this section of Route 340 passes directly next St. Thomas Aquinas College where students routinely cross Route 340 to get to classes, residence halls, the cafeteria and athletic fields; and

WHEREAS, in addition to college facilities, the Dominican Convent, Dominican Sisters of Sparkill, Thorpe Village, Dowling Gardens, the Kathy Lukens Living Center and residential housing are located along this corridor; and

WHEREAS, this section of Route 340 from Kings Highway to Route 303 has a speed limit varying between 30 and 40 miles per hour in both directions; and

WHEREAS, the Orangetown Traffic Advisory Board has considered the recent development and accidents, including one where a college student was hit crossing Route 340 in Sparkill, as well as the concerns of the young and old residents of Sparkill and Orangeburg about the speed limit; and

WHEREAS, it is in the direct interest of the Town of Orangetown to maintain the safety of our residents and visitors in the Hamlets of Sparkill and Orangeburg; and

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Traffic Advisory Board, the Town Board of the Town of Orangetown hereby requests that the New York State Department of Transportation lower the speed limit on Route 340 in both east and west directions from Kings Highway in the Hamlet of Sparkill to Route 303 in the Hamlet of Orangeburg; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to send a copy of this resolution to the New York State Department of Transportation, Hudson Valley Region, and to such other persons as the Clerk, in her discretion, may deem proper in order to effectuate the purpose of this resolution.

FINANCE

16. **WITHDRAWAL FROM THE NEW YORK STATE & LOCAL RETIREMENT SYSTEM ERS CONTRIBUTION STABILIZATION PROGRAM (Chapter 57, Laws of 2010)**

WHEREAS, The Town of Orangetown entered into the NYSLRS ERS Contribution Stabilization Program (CSP) due to large fluctuations in the pension contribution rates, which allowed the Town to pay a portion of the annual pension costs over a ten (10) year period. As these rates have become less volatile and all prior ERS borrowings have been paid in full, the Town wishes to exercise the option to withdraw from the program.

RESOLVED, that upon the recommendation of the Finance Director, withdrawal from this program by April 1, 2024 is recommended.

17. **APPROVE / CLOSING COMPLETED CAPITAL PROJECTS (2023/2024)**

WHEREAS, the Town of Orangetown has completed the below capital projects:

1. 2010 Route 340 sidewalk project
2. 2012 Pearl River sidewalk project
3. 2012/2014 Bonding (\$719,000) Sparkill Creek Bridge flood mitigation project
4. 2013 Oak Tree Road sidewalk project
5. 2017 RPC traffic light improvement
6. 2018 Bonding (\$1,110,000) for traffic control improvements
7. 2018 Bonding (\$2,200,000) for Highway road resurfacing and drainage improvements
8. 2018 Bonding (\$1,800,000) for Highway machinery and equipment
9. 2020/2022 Bonding (\$63,200) William and Central traffic control project **(2024)**

RESOLVED, that upon the recommendation of the Finance Director and the Superintendent of Highways, the Town Board hereby closes the above projects.

WHEREAS, the Town of Orangetown has completed the below capital projects:

10. 2015/2019 Bonding (\$1,875,000) for Nyack inflow and infiltration sewer improvements
11. 2021/2022 American Rescue Plan (\$374,565) for improvements to the sewer collection and treatment system
12. 2011/2012 Bonding (\$1,605,800) sewer sludge handling project **(2024)**
13. 2014 Bonding (\$2,225,000) for sewer improvements **(2024)**

RESOLVED, that upon the recommendation of the Finance Director and the Commissioner of DEME, the Town Board hereby closes the above projects.

WHEREAS, the Town of Orangetown has completed the below capital projects:

14. 2020 bonding (\$425,000) Blue Hill Golf Course improvements
15. 2014 Bonding (\$50,000) for various building renovations **(2024)**
16. 2018 Bonding (\$150,000) Blue Hill pond repair **(2024)**
17. 2022 Bonding (\$250,000) for parks facilities pickleball court **(2024)**

RESOLVED, that upon the recommendation of the Finance Director and Superintendent of Parks, Recreation & Building Maintenance, the Town Board hereby closes the above projects.

WHEREAS, the Town of Orangetown has completed the below capital project:

18. 2016 Bonding (\$2,727,000) for Town-wide equipment

RESOLVED, that upon the recommendation of the Finance Director, the Town Board hereby closes the above projects.

WHEREAS, the Town of Orangetown has completed the below capital project:

19. 2020 bonding (\$415,600) for Police vehicles **(2024)**

RESOLVED, that upon the recommendation of the Finance Director and the Chief of Police, the Town Board hereby closes the above projects.

LEND ASSISTANCE

18. **APPROVE / LEND ASSISTANCE / LT. JOHN G. BELLEW 5K FUN RUN / WALK / APRIL 27, 2024**

RESOLVED, that the Town Board hereby authorizes the Orangetown Highway, Parks and Police Departments, to lend assistance, which includes the use of trash receptacles & barricades from the Highway Department, (3) port-a-sans from the Parks Department, and Auxiliary Police from OPD, for the Lt. John G. Bellew 5K Fun Run/Walk, on Saturday, April 27, 2024, from 9 am to 1 pm.

19. **APPROVE / LEND ASSISTANCE / PEARL RIVER MEMORIAL DAY PARADE / MAY 27, 2024**

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Chief of Police, that the Town Board hereby authorizes the above departments to lend assistance which includes the use of barricades, from the Highway Department and bagging of the parking meters, and auxiliary police detail from the Police Department, for the Pearl River Memorial Day Parade to be held on Monday, May 27, 2024 from 9:45 am - 11:45 am.

AUDIT

20. **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 **\$2,737,757.26**.

EXECUTIVE SESSION

21. ENTER EXECUTIVE SESSION

RESOLVED, at _____ pm, the Town Board entered Executive Session to discuss employment matters.

ADJOURNMENTS

22. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Mary "Bonnie" Leggett**, *Resident of Tappan*
- ❖ **George Kenneth Mannix**, *Resident of Pearl River*
- ❖ **Dorothy Scarpa**, *Resident of Pearl River*