



**TOWN OF ORANGETOWN TOWN BOARD MEETING**

**Tuesday April 02, 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:**

- ◆ **GREAT AMERICAN CLEANUP - ORANGETOWN/TAPPAN - Saturday, April 6, 2024 / 9 am - 12 pm / Rain or Shine / Breakfast and lunch included.**
  
- ◆ **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.**

**PRESENTATIONS:**

- ★ **Proclamation for 2024 National Poetry Month Honoring our Town Poet Laureate, Rose Marie Raccioppi**

**DISCUSSION:**

- ◆ **WORKSHOP OF AGENDA ITEMS**

**PUBLIC COMMENT:**

**1. OPEN PUBLIC COMMENT PORTION**

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

SUMMARY OF PUBLIC COMMENTS:

**2. CLOSE PUBLIC COMMENT PORTION**

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

**AGENDA ITEMS:**

**TOWN BOARD**

3. **OPEN PUBLIC HEARING / RTBM OF APRIL 2, 2024 AT 7:05 P.M. / PROPOSED ZONE CHANGE FOR 110 WEST CROOKED HILL ROAD, PEARL RIVER, NEW YORK**

**RESOLVED**, that the Public Hearing regarding proposed zone change for 110 West Crooked Hill Road, Pearl River, New York is hereby opened.

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

**SUMMARY OF COMMENTS:**

4. **CLOSE / CONTINUE PUBLIC HEARING / PROPOSED ZONE CHANGE FOR 110 WEST CROOKED HILL ROAD, PEARL RIVER, NEW YORK**

**RESOLVED**, that the Public Hearing regarding a proposed zone change for 110 West Crooked Hill Road, Pearl River, New York is hereby closed or continued to \_\_\_\_\_.

5. **ADOPT A NEGATIVE DECLARATION WITH RESPECT TO LOCAL LAW NO. \_\_\_ OF 2024, AMENDING THE TOWN ZONING LAW TO CHANGE THE ZONING DISTRICT, 110 WEST CROOKED HILL ROAD PEARL RIVER TAX LOT 68.11/3/37&38 FROM "LIO" TO "LI"**

**WHEREAS**, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the parcel known as 110 West Crooked Hill Road in the hamlet of Pearl River, tax lot Section 68.11 Block 3 Lots 37 & 38 from "LIO" to "LI", and

**WHEREAS**, on or about, pursuant to Town Board Resolution 2024-123 the Town Board circulated amongst various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

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

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

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

6. **ADOPT LOCAL LAW, \_\_\_\_\_ 2024 / AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN / CHANGE ZONING DISTRICT OF 110 WEST CROOKED HILL ROAD PEARL RIVER / LIO TO LI ZONING DISTRICT**

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

**WHEREAS**, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2 to change the zoning district of the parcel known as 110 West Crooked Hill Road in the hamlet of Pearl River, tax lot 68.11/3-37 & 38 being located in the “LIO” (Light Industrial -Office) zoning district, to change the zoning classification of the property to that of “LI” (Light Industrial), a zoning district that already directly abuts the property, and

**WHEREAS**, by Resolution No. 123 of 2024, after notice duly given, and there being no other involved agency, by resolution duly adopted this 2<sup>nd</sup> day of April, 2024, the Town Board assumed the role of Lead Agency under SEQRA for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town’s Zoning Law and determined the issuance of Negative Declaration is appropriate; and

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

**WHEREAS**, the Board has concluded that the proposed zone change which changes the zoning classification of the subject parcel to a zoning district which already abuts the parcel, is consistent with the Town’s Comprehensive Plan in that the property has always been used as a commercially developed parcel, which included storage, and otherwise is in the best interests of the Town and the owner of the parcel, who has requested the change of zoning classification; and

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

**WHEREAS**, the Town Planning Board, by Memorandum, dated March 27, 2024, following due consideration at a public meeting held on the same date, has indicated that it does not object to the Town Board serving as Lead Agency on the matter and otherwise had no comment on the proposed action by the Town Board, and

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

**WHEREAS**, the County Department of Planning, as part of the General Municipal Law 239 (l) and (m) review, by letter review dated April 1, 2024 has recommended that the Town Board be satisfied that the current and potential future uses permissible in the LI district are compatible with the surrounding neighborhood and does not significantly deviate from the Town’s Comprehensive Plan, and

**WHEREAS**, for the reasons set forth above, including but not limited to that the adjacent parcel is currently zoned and developed in accordance with the LI zoning district, and is thus consistent with the Comprehensive Plan to have such uses located in proximity to one another,

**NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED**, that the Town Board hereby adopts the within Local Law, amending the Town Zoning Law, and the Town Zoning Map made a part of the Town Code at Chapter 43, § 2.2., and changes the zoning classification of the referenced parcel known as 110 West Crooked Hill Road Pearl River, New York, tax lot 68.11/3/37 & 38 from “LIO” to “LI” (Light Industrial).

**LOCAL LAW NO. \_\_\_\_\_ OF 2024 OF THE  
INCORPORATED TOWN OF ORANGETOWN, NEW YORK  
TOWN BOARD TO AMEND CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE  
TOWN OF ORANGETOWN TO CHANGE ZONING DISTRICT OF 110 WEST  
CROOKED HILL ROAD PEARL RIVER FROM LIO TO LI ZONING DISTRICT**

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

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

110 West Crooked Hill Road, Pearl River, New York (Tax Map Designation Section 68.11 Block 3 Lots 37 & 38) from the “LIO” (Light Industrial Office) zoning district to the “LI” (Light Industrial) zoning district.

*Section 3:* This law shall take effect immediately upon filing with the Secretary of State.

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

**WHEREAS**, the owner of premises located at 636 N. Greenbush Road, Blauvelt, New York, tax lot 65.15/1/1) being located partially in the “R40” (Low Density Residential) zoning district and the LO (“Laboratory Office) zoning district, has petitioned the Town Board to clarify and to the extent necessary adjust the zone line that runs through the property to be consistent with the line as it crosses neighboring properties and in accordance with previous approvals; and

**WHEREAS**, upon preliminary review, the Town Board is favorably disposed to such a change, because the zoning boundary line runs through the property, which is a single tax parcel consisting of 17.31 acres of land, the zone line as shown on the Town Zoning Map is not consistent with the zone line on neighboring property, and the property has received previous land use approvals with differing locations for the zone line; and

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

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

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

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

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

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

8. **SET PUBLIC HEARING ON PROPOSED ZONE CHANGE FOR 636 N. GREENBUSH ROAD/ROUTE 303, BLAUVELT, NY**

**RESOLVED** that the Town Board will hold a public hearing on May 7, 2024 at 7:10 p.m., on a proposed Local Law, as follows, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to adjust the zoning district line of the parcel known as 636 N. Greenbush Road, in the hamlet of Blauvelt, tax lot 65.15, Block 1 Lot 1 which lies partially in the R-40 and LO zoning districts.

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

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

*Section 1:* The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended and clarified regarding the location of the line of the zoning districts of the following property:

636 N. Greenbush Road (Tax Map Designation Section 65.15 Block 1 Lot 1) to clarify the line between the "R40" (Low Density Residential) and "LO" (Laboratory Office) zoning districts as set forth on a survey prepared by Jay Greenwell, PLS, LLC dated February 22, 2024 and incorporated by reference herein.

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

**TOWN ATTORNEY**

**9. 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:

- American Field Services, Inc. 149 Main Street, Suite E, Nanuet, NY
- Travcom Inc. 375 Kings Highway, Valley Cottage NY

**10. AMEND RESOLUTION #2023-102 / ACCEPT DEDICATION / PUBLIC IMPROVEMENTS / VIRGINIA HOMES SUBDIVISION / TAX LOT SECTION 77.08-BLOCK 5-LOTS 33.2 & 36 / GOSWICK COURT, SPARKILL, NY**

**WHEREAS**, Resolution #2023-102 accepted for dedication as public improvements the following items as part of the Virginia Homes Subdivision, Sparkill, New York:

- 1) Road Widening Deed,
- 2) Drainage Easement, and
- 3) Covenant, Conservation Easement and Indemnification Agreement; and

**WHEREAS**, the Road Widening Deed at issue conveyed Goswick Court, Sparkill to the Town of Orangetown; and

**WHEREAS**, upon the submittal of Goswick Court, Sparkill by the Town of Orangetown Highway Department as an addition to the New York State Department of Transportation (NYSDOT) Local Highway Inventory, NYSDOT advised that the resolution must include the road name.

**NOW THEREFORE BE IT RESOLVED**, that upon the recommendation of the Superintendent of Highways, amend resolution #2023 -102 to accept for dedication as a public roadway "Goswick Court" located in the hamlet of Sparkill, New York, and identified as part of Tax Lots 77.08/5/33.2 and 36, and authorize the Town Supervisor or her designee to execute all transfer documents necessary to effectuate the acceptance of this dedication and have the deeds thereto recorded with the Rockland County Clerk, the originals to be returned for filing with the Town Clerk.

## **HIGHWAY**

**11. APPROVE/ CHANGE ORDER #1/ VAD CONSTRUCTION CORP./ VILLA DRIVE CULVERT PIPE REPLACEMENT PROJECT**

**RESOLVED**, upon the recommendation of the Superintendent of Highways, and Commissioner of the Department of Environmental Management and Engineering, the Town Board hereby approves VAD Construction Corp. Change Order #1, in the amount of \$94,460 to remove unsuitable material and replace with stable material for the Villa Drive Culvert Pipe Replacement Project to be charged to Account # H.5110.200.08.

## **PARKS AND RECREATION**

**12. AWARD BID / DAY CAMP BUSING / CHESTNUT RIDGE TRANSPORTATION**

**RESOLVED**, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance, award the bid for the 2024 Orangetown Day Camp Busing to Chestnut Ridge Transportation of Spring Valley, NY, the only qualified bidder at a price of \$656.00 per bus for "all day" transportation, including pick-ups and drop-offs and \$562.00 per bus for "at camp" transportation.

**13. APPROVE INSTALLATION /CONSTRUCTION OF SNACK SHACK SHED/CONCESSION STAND BY WKC GOLF LLC D/B/A O'GRADY'S CASTLE, AS SUB-LICENSEE OF TROON GOLF LLC, AT BLUE HILL GOLF COURSE**

**BE IT RESOLVED** that the Town Board hereby consents to the request of WKC Golf, LLC d/b/a O'Grady's Castle, as sub-Licensee of Troon Golf L.L.C., the latter being the Licensee under a 01/01/2021 License Agreement with the Town to operate the Blue Hill Golf Course and restaurant, to tear down and remove the existing 20' X 6.5' red wood structure and scoreboard, and, in their place, install and/or construct a new "snack shack" shed/concession stand, on the grounds of the Blue Hill Golf Course, in accordance with the narrative description, plans, drawings and specifications submitted by O'Grady's Castle on or about March 27, 2024, at their own cost and expense, and subject to the approval of the Office of Building, Zoning and Planning Administration and Enforcement and the Superintendent of the Department of Parks, Recreation and Building Maintenance, and

**BE IT FURTHER RESOLVED**, that the Supervisor or her designee is authorized to execute any agreements or documents necessary to effectuate the purposes and intentions of this resolution, subject to review and approval of the Town Attorney's Office.

## **PERSONNEL**

### **14. GRANT / UNPAID LEAVE OF ABSENCE / EMPLOYEE # 2152**

**RESOLVED**, that the Town Board hereby, pursuant to the terms and conditions of the current Collective Bargaining Agreement, approves the request of Employee # 2152, from The Assessor's Office, for an unpaid Leave of Absence, due to personal medical reasons, with continuing health benefits, beginning April 3, 2024 through May 21, 2024.

## **FINANCE**

### **15. APPROVE / 2023 FINAL BUDGET LINE ADJUSTMENTS**

**RESOLVED**, that based upon the recommendation of the Finance Director, the Town Board hereby approves the following 2023 final Budget line adjustments attached as an exhibit.

## **LEND ASSISTANCE**

### **16. APPROVE / LEND ASSISTANCE / LT. JOHN G. BELLEW 5K FUN RUN/WALK / PORTO JON / APRIL 27, 2024**

**RESOLVED**, upon the recommendation from the Superintendent of Parks, Recreation & Building Maintenance and the completion of the necessary paperwork, the Town Board hereby approves the request for two porto jons (1 regular, 1 handicapped) for use at the Lt. John G. Bellew 6K Fun Run/Walk to be held on April 27, 2024.

## **TOWN CLERK**

### **17. APPROVE FLEXIBLE WORK SCHEDULE / SUMMER HOURS / JUNE – AUGUST TOWN CLERK'S OFFICE**

**RESOLVED**, upon the recommendation of the Town Clerk, the Town Board hereby approves a Summer Flexible Work Schedule for the staff of the Town Clerk's Office. The Summer Flexible Work Schedule allows the Clerk's office to have extended hours (8:00 am – 5:00 pm) with half the staff working 8:00 am – 4:00 pm and the other half working 9:00 am – 5:00 pm. This flexible work schedule shall be in place from June through August. In accordance with Section 5.1.2 of the Collective Bargaining Agreement, the Town Board has the sole responsibility for establishing flexible work hour schedules.



18. **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: March 5, 2024 Police Commission; March 5 & 19, 2024 Regular Town Board Meeting and March 25, 2024 Special Town Board Meeting.
2. Agreement & Contracts:
  - Town of Ramapo, Use of Firing Range
  - Blauvelt Free Library (2024)
  - Orangetown Schools, Avigilon Control Camera Systems
  - Blauvelt Volunteer Fire Company, Inc (2024)

**AUDIT**

19. **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 **\$1,047,250.06**.

**EXECUTIVE SESSION**

20. **ENTER EXECUTIVE SESSION**

**RESOLVED**, at \_\_\_\_ pm, the Town Board entered Executive Session to discuss employment matters.

**ADJOURNMENTS**

21. **RE-ENTER RTBM / ADJOURNED / MEMORY**

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

- ❖ **Patricia Peneno**, *Mother of Orangetown Employee Frank Peneno*
- ❖ **James "Jim" Spink**, *Resident of Pearl River*