



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday May 21, 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:

- ◆ Recognizing May 2024 as ALS Awareness Month

PRESENTATIONS:

- ◆ Proclamation for Mental Health Awareness to NAMI Rockland

DISCUSSION:

- ◆ Proposed Zone Change / Western Hwy and Ellsworth Drive
- ◆ 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. APPROVE / WATERCOURSE DIVERSION – 64 & 140 LEBER ROAD, BLAUVELT, NEW YORK

WHEREAS, on March 27, 2024, the Town of Orangetown Planning Board conducted a public hearing and declared itself lead agency relating to the application of Onyx Management Group, LLC, for site plan approval, relating to property located at 64 and 140 Leber Road, Blauvelt, New York, Section 70.06, Block 1, Lots 47 (140 Leber Road) and 50.4 (64 Leber Road), PB # 24 -08, for which the instant watercourse diversion permit application is related, and issued a negative declaration, and further granted preliminary approval to the application, conditioned on the Town Board granting the instant permit for the watercourse diversion;

WHEREAS, on March 28, 2024, the applicant through its attorney Seth M. Mandelbaum, Esq., from the law firm of McCullough, Goldberger & Staudt, LLP, filed with the Clerk of the Town of Orangetown pursuant to the Town Code of the Town of Orangetown Chapter 41, an application for a watercourse diversion permit relating to the property located at 64 and 140 Leber Road, Blauvelt, New York;

WHEREAS, upon review by the Town of Orangetown Planning Board, Highway Department, Department of Environmental Management and Engineering (DEME), Town Attorney's Office, and Office of Building, Zoning, Planning, Administration and Enforcement (OBZPAE), respectively, indicating no objection to the application for said watercourse diversion permit;

NOW THEREFORE, BE IT RESOLVED, pursuant to Town of Orangetown Town Code Chapter 41, the request from Seth Mandelbaum, Esq., attorney for Onyx Management Group, LLC, the property owner of 64 and 140 Leber Road, Blauvelt, New York, Section 70.06, Block 1, Lots 47 (140 Leber Road) and 50.4 (64 Leber Road), for a watercourse diversion permit is hereby approved.

4. SET PUBLIC HEARING ON PROPOSED RENEWAL OF THE CABLEVISION OF ROCKLAND/RAMAPO, LLC FRANCHISE AGREEMENT / JUNE 11, 2024 AT 7:05 PM

RESOLVED, that the Town Board will hold a public hearing on June 11, 2024 at 7:05 pm in the Town Hall of the Town of Orangetown, New York, for all interested persons to be heard in favor of or in opposition to the proposed renewal of the Cablevision of Rockland/Ramapo, LLC franchise agreement for a period of fifteen years.

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

WHEREAS, the owner of premises located at 283 North Middletown Road, Pearl River, New York, being located in the "MFR" (Multi Family Residential) zoning district, has petitioned the Town Board to change the zoning classification of the property to that of "RG" (Residential), a zoning district that directly abuts the property; and

WHEREAS, upon preliminary review, the Town Board is favorably disposed to such a change, because property currently abuts an RG zone, the lot is already partially zoned as RG, and the proposed use as a single family residence, would be an appropriate use on the site; and

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

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

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

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

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- 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.

6. **SET PUBLIC HEARING ON PROPOSED ZONE CHANGE FOR 283 NORTH MIDDLETOWN ROAD PEARL RIVER / JUNE 25, 2024 AT 7:10 PM**

RESOLVED that the Town Board will hold a public hearing on June 25, 2024 at 7:10 p.m., on a proposed Local Law, as follows, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel known as 283 North Middletown Road, , tax lot 68.12/3/24 in the hamlet of Pearl River from "MFR" (Multi Family Residential) to "RG" (General Residence).

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

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

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

283 North Middletown Road (Tax Map Designation Section 68.12 Block 3 Lot 24) from the "MFR" (Multi Family Residential) zoning district to the "RG" (General Residence) zoning district.

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

PERSONNEL

7. **GRANT EXTENSION / UNPAID LEAVE OF ABSENCE / EMPLOYEE # 2152 / REFERENCE RESOLUTION 2024-181**

RESOLVED, that the Town Board hereby, pursuant to the terms and conditions of the current Collective Bargaining Agreement, approves the request of Employee # 2152, for an extension of an unpaid Leave of Absence, with continuing health benefits, which Leave commenced on April 3, 2024 and is hereby extended through June 25, 2024.

PARKS AND RECREATION

8. **APPROVE / CHANGE ORDER #1 / FRANKLIN STREET BASKETBALL COURTS / CURBING REPAIR & REPLACEMENT**

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance approve change order number one for the Franklin Street Basketball Court project for the repair and replacement of curbing in the amount of \$8,500.00. Bringing the original contract amount with Sport Tech Construction from \$160,000.00 to \$168,500.00, which is covered by grant funding.

TRAFFIC ADVISORY BOARD

9. **APPROVE INSTALLATION OF STOP SIGN AT INTERSECTION OF SOUTH BROADWAY AND ELIZABETH PLACE IN SOUTH NYACK / 6-MONTH POLICE REGULATION**

RESOLVED that, upon the recommendation of the Orangetown Traffic Advisory Board, and in accordance with the NYS Manual on Uniform Traffic Control Devices (MUTCD), the Town Board approves the installation of a stop sign on South Broadway, heading south, at the intersection of South Broadway and Elizabeth Place, in South Nyack, under a 6-month Police Regulation to be reviewed between 5 and 6 months after implementation.

LEND ASSISTANCE

10. COMBINE / APPROVE AGENDA ITEMS #11 TO 16

RESOLVED, the Town Board hereby combines and approves agenda items #11 to 16.

11. APPROVE / LEND ASSISTANCE/ 2024 PALISADES MEMORIAL DAY CEREMONY / MAY 27, 2024

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Palisades Memorial Day Parade to be held on Monday, May 27, 2024 from 8:45 am - 9:45 am.

12. APPROVE / LEND ASSISTANCE / 2024 SPARKILL MEMORIAL DAY PARADE / MAY 27, 2024

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Sparkill Memorial Day Parade to be held on Monday, May 27, 2024, from 11:30 am - 12:30 pm.

13. APPROVE/ LEND ASSISTANCE/ CLAUSLAND MOUNTAIN WATCHFIRE/ MAY 30, 2024

RESOLVED, upon the recommendation of the Superintendent of Highways, that the Town Board hereby authorizes these departments to lend assistance which includes the use of a 500 gallon tank from the Highway Department for the Clausland Mountain Watchfire at Nike Park, to be held on Thursday, May 30, 2024.

14. APPROVE / LEND ASSISTANCE / PEARL RIVER SCHOOL DISTRICT / SHOWMOBILE / JUNE 1, 2024

RESOLVED, that upon the completion of the necessary paperwork the Superintendent of Parks, Recreation & Building Maintenance forwards to the Town Board for approval the use of the Orangetown Showmobile by the Pearl River School District for their Art's in the Park event to be held at Central Avenue Field on June 1, 2024 at a fee of \$500.00 with the District providing an insurance certificate naming the Town of Orangetown as an additional insured.

15. APPROVE/ LEND ASSISTANCE/ ST. JOHN HENRY NEWMAN EUCHARISTIC PROCESSION / JUNE 2, 2024

RESOLVED, upon the recommendation of the Superintendent of Highways and the Chief of Police that the Town Board hereby authorizes these departments to lend

assistance which includes road use from the Highway Department and police assistance from the Police Department for the St. John Henry Newman Eucharistic Procession on Sunday, June 2, 2024 from 9:50am- 10:30am.

16. **APPROVE / LEND ASSISTANCE / SHOWMOBILE & PORTO-JONS / BLUE HILL GOLF COURSE CENTENNIAL CELEBRATION / JULY 19, 2024**

RESOLVED, that upon the completion of the necessary paperwork the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board the use of the Orangetown Showmobile and providing of porto-jons for the Blue Hill Golf Course Centennial Celebration to be held on July 19, 2024 at the Blue Hill Golf Course

AUDIT

17. **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 \$1,032,571.66.

EXECUTIVE SESSION

18. **ENTER EXECUTIVE SESSION**

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

ADJOURNMENTS

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

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

- ❖ **Josephine Urban**, *Resident of Orangeburg and Former Chairperson of the Orangetown Senior Citizen Club*
- ❖ **Mark Woods**, *Town of Clarkstown Councilman*