



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
May 07, 2024**

This meeting was opened at 7:00 pm. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

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

Also Present:

Denis Troy, Deputy Supervisor
Carmel Reilly, Director of Economic Development & Tourism
Rosanna Sfraga, Town Clerk
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Eamon Reilly, Commissioner of DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob (Roberto) Urban, Human Resource Coordinator
Matthew Lenihan, Computer Network Specialist
Brendon Carton, IT Department

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ❖ The May 7, 2024 Public Hearing on the Proposed Text Amendment to Special Permit Uses to include Farm Cidery/Winery is adjourned until June 25, 2024, at the request of the applicant.
- ❖ Pearl River Farmers Market / Saturdays / 10 am – 2 pm / Central Avenue Field

PRESENTATIONS:

Certificate Presentations Honoring:

- Eagle Scout Harry Mirijanian IV, Troop 55 Blauvelt / Communication Boards Project
- Roger Seiler, South Nyack / Civic Service

DISCUSSION:

- Proposed Local Law / Food Truck Regulation
- Proposed Zone Change / 283 N. Middletown Road, Pearl River / 283 NMR, LLC
- Workshop of Agenda Items

**RESOLUTION NO. 217
OPEN PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby opened.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

RESOLUTION NO. 217 - Continued

Summary of Public Comments:

A J Servidio, Gracie's Bull Dog Food Truck, the time limit of running of generators for a food truck needs tweaking.
Jim Linekin, Rockland's Kettle Corn Food Truck, asked about the Food Truck Committee that was never formed. The proposed local law needs quite a bit of tweaking. He would like to be involved with tweaking this local law.
Richard Esnart, Piermont, wants the Electrical Relay Cabinet returned to Piermont Historical Society. He explained the entire history of this panel.
Eileen Larkin, Palisades, concerned that none of the roads in Palisades is on the list for Pavement Improvement Repairs and she complained about increased Auto & Homeowners Insurance rates.
Angela Holder, Blauvelt, had many questions regarding the zoning with the property located at 636 N Greenbush Rd, Blauvelt.
Mike Mandel, Pearl River, supports the opposition of Faith-Based Affordable Housing.
Brian Seibolt, S. Nyack, spoke about the several accidents at the intersection of Route 9W and Old Mountain Rd. He wants the Town Board to find ways to make this intersection safer.

**RESOLUTION NO. 218
CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 219
ADJOURN PUBLIC HEARING TO JUNE 25, 2024 / 7:05 P.M. / PROPOSED ZONE
TEXT AMENDMENT / SPECIAL PERMIT USE / FARM WINERY/CIDERY
ADJOURNED NOVEMBER 28, 2023, CONTINUED JANUARY 23, 2024, ADJOURNED
FEBRUARY 20, 2024 AND ADJOURNED MAY 7, 2024.**

RESOLVED, that the Public Hearing regarding the Proposed Zone Text Amendment to Special Permit Use / Farm Winery / Cidery is hereby adjourned/continued until June 25, 2024 at 7:05 pm at the request of the applicant.

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

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 220
OPEN PUBLIC HEARING/ IN THE MATTER OF THE INCREASE AND
IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT
IN THE TOWN OF ORANGETOWN ROCKLAND COUNTY, NEW YORK**

RESOLVED, that the Public Hearing in the Matter of the Increase and Improvement of the Facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York is hereby opened.

RESOLUTION NO. 220 - Continued

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication & Posting, as well comments from various agencies; which are labeled Exhibit 05-07-A and made a part of these minutes.

Summary of Public Comments:

Eileen Larkin, Palisades, is in-favor of these improvements and bonding for them.

**RESOLUTION NO. 221
CLOSE PUBLIC HEARING / IN THE MATTER OF THE INCREASE AND
IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT
IN THE TOWN OF ORANGETOWN ROCKLAND COUNTY, NEW YORK**

RESOLVED, that the Public Hearing in the Matter of the Increase and Improvement of the Facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York hereby closed.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 222
PUBLIC INTEREST ORDER / IN THE MATTER OF THE INCREASE AND
IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT
IN THE TOWN OF ORANGETOWN ROCKLAND COUNTY, NEW YORK**

WHEREAS, the Town Board of the Town of Orangetown, Rockland County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202 b of the Town Law, relating to the increase and improvement of the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles; and

WHEREAS, at a meeting of said Town Board duly called and held on April 16, 2024, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Orangetown Sewer District in said Town at a maximum estimated cost of \$1,597,575 and to hear all persons interested in the subject May 7, 2024, at 7:05 P.M. o'clock, Prevailing Time; and **WHEREAS**, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles for the Orangetown Sewer District, at a maximum estimated cost of \$1,597,575.

RESOLUTION NO. 222-Continued

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

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

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

The order was thereupon declared duly adopted.

RESOLUTION NO. 223

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,597,575 SERIAL BONDS OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT IN THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202 b of the Town Law, and more particularly an order dated May 7, 2024, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, at a maximum estimated cost of \$1,597,575; and

WHEREAS, it is now desired to provide funding for such capital project;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. For the object or purpose of paying the cost of the increase and improvement of the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles for the Orangetown Sewer District, there are hereby authorized to be issued \$1,597,575 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of (i) the aforesaid sewer system related improvements, including equipment (being a class of objects or purposes) is \$1,429,575, and (ii) the purchase of vehicles (being a class of objects or purposes) is \$168,000, and that the plan for the financing thereof is by the issuance of \$1,597,575 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid (i) sewer system related improvements is forty years, and (ii) the purchase of vehicles is ten years, pursuant to subdivisions 4 and 28, respectively, of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

RESOLUTION NO. 223 - Continued

Section 5. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon all the taxable real property within said Orangetown Sewer District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
2. and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution which takes effect immediately shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

RESOLUTION NO. 223 - Continued

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and on a roll call was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 224
OPEN PUBLIC HEARING/ PROPOSED ZONE CHANGE FOR 636 NORTH
GREENBUSH ROAD/ ROUTE 303, BLAUVELT, NY**

RESOLVED, that the Public Hearing regarding the proposed zone change for 636 North Greenbush Road, Route 303, Blauvelt, NY is hereby opened.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication, Postings and Mailing, as well comments from various agencies; which are labeled Exhibit 04-02-B and made a part of these minutes.

Donald Brenner, Attorney for Petitioner, explained that the parcel is divided between two zoning districts (an “R-40” and “LO”) and it is unclear as to where is zoning boundary line. The petitioner is requesting that the zoning line between the R-40 residential property on N Greenbush Road and LO commercial property on Route 303 be established.

Summary of Public Comments:

Kelly Maris, Blauvelt, needs more clarification.

Robert Zerilli, Blauvelt, is opposed to any type of change for this parcel. He wants it to be kept open space.

Deanna Lamhut, Blauvelt, agrees with the previous comments.

George Blunt, Blauvelt, needs more clarification but is opposed to any type of change.

Shanaz Fillmore, Blauvelt, any change to this parcel is not safe for children & school buses.

Liza Barry, Chair of Rockland Cty Democratic Committee, is opposed to any development of this parcel. This parcel should be protected as “Open Space” due to the findings of dinosaur prints and it being adjunct to Buttermilk Falls.

Fran Oldenburger, Blauvelt, needs for clarity and asked that this public hearing be continued.

Eileen Larkin, Palisades, said this is a delicate piece of property because of the dinosaur prints.

Rick Tannenbaum, Rockland Cty Business Journal, referred to the 2016 Comp Plan, that this parcel is to be protected. He asked, whether the Town engineers have been consulted.

Mike Holder, Blauvelt, said there was never any clarification or approval concerning the zoning district lines.

Eli Senderovich, Blauvelt, asked that the owner come up and speak.

Tina Traster, Rockland Cty Business Journal, asked what was the previous subdivision and when was it approved.

**RESOLUTION NO. 225
CLOSE / RE: PROPOSED ZONE CHANGE FOR 636 NORTH GREENBUSH ROAD
ROUTE 303, BLAUVELT, NY**

RESOLVED, that the Public Hearing regarding a proposed zone change for 636 North Greenbush Road / Route 303, Blauvelt, NY is hereby closed.

RESOLUTION NO. 225 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 226
ENTER EXECUTIVE SESSION**

RESOLVED, at 9:14 pm, the Town Board entered Executive Session to discuss the zoning districts lines on this parcel.

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

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 227
RE-ENTER & CONTINUE RTBM**

RESOLVED, at 9:23 pm, the Town Board re-entered and continued the Regular Town Board Meeting.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 228
ADOPT A NEGATIVE DECLARATION / AMENDING THE TOWN ZONING LAW TO CHANGE/CLARIFY THE ZONING DESIGNATIONS FOR 636 N. GREENBUSH ROAD TAX LOT 65.15/1/1 / R40 / LO**

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 clarify and to the extent necessary adjust the zone line as shown on the Town zoning map for the parcel known as 636 N. Greenbush Road, in the hamlet of Blauvelt, tax lot 65.15/1/1 which is currently shown as having a western portion of the property located in the R40 (medium density residential) zoning district and the eastern portion of the property located in the LO (Laboratory Office) zoning district, which zoning line is in dispute.

WHEREAS, on or about April 2, 2024 pursuant to Town Board Resolution 2024-174 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

RESOLUTION NO. 228 - Continued

impact or effect caused or occasioned by the proposed change in the zoning classification of the three parcels 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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 229
ADOPT LOCAL LAW 6 OF 2024 / AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT DEMARCATION LINE/ 636 N. GREENBUSH ROAD BLAUVELT / TAX LOT 65.15/1/1 / CLARIFY/AMEND DEMARCATION R40/LO**

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 clarify, confirm and amend the Town Zoning Map with respect to the parcel known as 636 N. Greenbush Road, in the hamlet of Blauvelt, tax lot 65.15/1/1, currently shown to have a western portion of the parcel located in the R40 (Medium Density Residence) zone and an eastern portion of the property being located within the LO (Laboratory Office) zoning district, to change the demarcation line to that as shown on a survey of the property prepared by Jay Greenwell, PLS dated February 22, 2024, to be consistent with the demarcation line from the neighboring property as shown on the survey, and

WHEREAS, by Resolution No. 174 of 2024, after notice duly given, and there being no other involved agency, by resolution duly adopted this 7th day of May, 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 determines 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 amendment to the Town zoning map does not change the existing zoning classifications of the subject parcel, but clarifies and to the extent necessary hereby amends the Town zoning map as to the location of the demarcation line between the R40 zoning district and LO zoning district, as shown on a survey prepared by Jay Greenwell, PLS dated February 22, 2024, the line being identified as “Proposed Zone Line to be Confirmed”; 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 April 24, 2024, following due consideration at a public meeting held on the same date, has no objection to the Town Board serving as Lead Agency and had no further comment on the proposal; and

RESOLUTION NO. 229 - Continued

WHEREAS, the County Department of Planning, by letter review dated April 30, 2024 and has recommended modifications of note, as indicated in item 1, that the Town Board must be satisfied that the change in district boundary does not negatively impact the nearby residences across North Greenbush Road to the east of the subject area and in item 4 that the Town of Clarkstown must be given the opportunity to review the proposal; and

WHEREAS, the Town Board is satisfied that confirming and clarifying the zone line will not negatively impact the nearby residences across North Greenbush Road in that this is a ministerial change to the zoning map and any development of the property is subject to further review, and the action will lessen the amount of developable area nearest to these properties; and the Town Board has referred the matter to the Town of Clarkstown, which has no comment on the matter,

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 clarifies and to the extent necessary hereby amends the location of the zoning demarcation line between the R40 and LO zoning districts of the referenced parcel located at 636 N. Greenbush Road, Blauvelt, New York, tax lot 65.15/1/15 as shown on a survey prepared by Jay Greenwell, PLS, dated February 22, 2024, such line designated as “Proposed Zone Line to be Confirmed”.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

Local Law No. 6 of 2024

**THE INCORPORATED TOWN OF ORANGETOWN, NEW YORK
LOCAL LAW TO CLARIFY AND AMEND THE ZONING DEMARCATION LINE OF
636 N. GREENBUSH ROAD, BLAUVELT NY, WHICH ZONING CLASSIFICATIONS
SHALL REMAIN R40 AND LO**

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 and to the extent necessary hereby amend the demarcation line between the “R40” (Low Density Residential) and “LO” (Laboratory Office) zoning districts to be located and shown on the Town zoning map as set forth on a survey prepared by Jay Greenwell, PLS, LLC dated February 22, 2024 and identified as “Proposed Zone Line to be Confirmed” which survey is incorporated by reference herein.

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

**RESOLUTION NO. 230
RESOLUTION CALLING ON THE NEW YORK STATE LEGISLATURE TO OPPOSE
THE FAITH-BASED AFFORDABLE HOUSING ACT**

WHEREAS, the Faith-Based Affordable Housing Act has been introduced in both the New York State Senate (S.7791) and the New York State Assembly (A.8396) in the 2023-2024 Legislative Session; and

RESOLUTION NO. 230 - Continued

WHEREAS, this legislation would allow “temples, synagogues, mosques, and churches to bypass local zoning rules” to build high-density affordable housing in circumvention of local zoning regulations; and

WHEREAS, zoning has historically been the province of local governments in the State of New York; and

WHEREAS, this legislation vitiates the longstanding principle of local control over zoning and imposes a one-size fits all approach that does not universally reflect the needs, economic realities, environmental protection priorities or concerns of each community; and

WHEREAS, this legislation would allow the construction of affordable housing up to 35 feet tall, with 30 units per acre, in municipalities with fewer than 50,000 residents and up to 55 feet tall, with 50 units per acre, in municipalities with more than 50,000 residents; and

WHEREAS, this legislation expressly precludes local governments from imposing commonsense requirements designed to protect the character of their communities and the quality of life enjoyed by local residents and undermines the environmental review process; and

WHEREAS, the planning process must be predicated on a transparent, accountable and democratic mechanism through which development projects are vetted and approved by local municipalities; and

WHEREAS, this legislation circumvents the planning process and disenfranchises the public.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Orangetown encourages the New York State Legislature to reject the Faith-Based Affordable Housing Act’s flawed approach and work with its partners in local government to develop a more thoughtful plan to promote the accessibility of affordable housing.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 231
ACKNOWLEDGE NOTICE OF DISCIPLINE / APPOINT HEARING OFFICER
HIGHWAY DEPT / EMPLOYEE NO. 4153**

BE IT RESOLVED, that the Town Board hereby acknowledges the service of a Notice of Discipline, containing certain charges and specifications, preferred by the Superintendent of Highways as against Employee No. 4153.

BE IT FURTHER RESOLVED, that the Town Board hereby appoints Arbitrator/Mediator John E. Sands, Esq. to act as a hearing officer pursuant to § 75 of the Civil Service Law of the State of New York with respect to the Notice of Discipline, dated April 3, 2024, preferred against employee number 4153; and

BE IT FURTHER RESOLVED, that the Town Board hereby acknowledges that a Designation be served on Hearing Officer John E. Sands, Esq. by the Superintendent of Highways;

BE IT FURTHER RESOLVED, that the Town Board approves of the compensation of Hearing Officer John E. Sands, Esq. at a rate not to exceed \$5,000 for services rendered; and

RESOLUTION NO. 231 - Continued

BE IT FURTHER RESOLVED, that the Town Board acknowledges that the hearing officer is directed to conduct a hearing, make findings of fact and issue a recommendation of guilt or innocence, along with a recommended penalty, if appropriate, to the Superintendent of Highways for decision and determination.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted.

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 232
AMEND RESOLUTION 131/2024 AWARDED THE CONTRACT TO STORMPEAK ENTERPRISES d/b/a THE WASHING BOARD LAUNDROMAT TO WAIVE PERFORMANCE SECURITY.**

WHEREAS, by Notice to Bidders, dated March 5, 2024, competitive bids were solicited for a two-year contract for laundry, dry cleaning and minor repair services for police uniforms; and

WHEREAS, bids for said contract were publicly opened on November 30, 2023 at which time STORMPEAK ENTERPRISES d/b/a The Washing Board Laundromat, the sole bidder, was presumptively determined to be the lowest responsible bidder; and

WHEREAS, by Resolution 131 of March 5, 2024, the Town Board confirmed that STORMPEAK ENTERPRISES d/b/a The Washing Board Laundromat, was the lowest responsible bidder and awarded the contract accordingly; and
WHEREAS, the bid solicitation required that, at the time the contract is executed, the prevailing bidder deliver performance security in the amount of \$1,000; and

WHEREAS, in the past years (including by way of example, Resolution 512 of December 14, 2021), the Board agreed to waive the requirement that STORMPEAK ENTERPRISES d/b/a The Washing Board Laundromat provide performance security based on its many years of timely and competent performance; and

WHEREAS, by letter dated March 25, 2024, STORMPEAK ENTERPRISES d/b/a the Washing Board again has requested that the Town waive the \$1,000 performance guarantee required as a condition of the award; and

WHEREAS, for more than 20 years, STORMPEAK ENTERPRISES d/b/a the Washing Board Laundromat has faithfully performed the dry cleaning, laundry and minor repair service required for police uniforms pursuant to multiple contracts duly awarded, without claim or incident.

RESOLVED, that upon the recommendation of the Town Attorney, Resolution 131 of March 5, 2024, awarding the contract for washing, dry cleaning and minor repair services for police uniforms to STORMPEAK ENTERPRISES d/b/a the Washing Board Laundromat of Pearl River, the only bidder, is hereby amended to waive the contract requirement that the vendor shall post with the Town a \$1,000 performance guarantee.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted.

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 233
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:

MFD Quality Construction, Inc., 173 Old Route 304, New City, NY 10956

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 234
APPROVE / AUTHORIZE AGREEMENT / GAS POWERED VEHICLE
REPLACEMENTS PROJECT / PIN 8TRM.86**

Authorizing the implementation, and funding in the first instance 100% of the federal-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Orangetown Gas Powered Vehicle Replacements, Town of Orangetown, Rockland County, PIN 8TRM.86 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Town of Orangetown desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the miscellaneous phase.

NOW, THEREFORE, the Orangetown Town Board, duly convened does hereby **RESOLVED**, that the Orangetown Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orangetown Town Board hereby authorizes the Town of Orangetown to pay in the first instance 100% of the federal and non-federal share of the cost of miscellaneous work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$530,000 is hereby appropriated from H.5130.200.24 and H.5132.200.24 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Orangetown Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Orangetown Town Supervisor thereof, and it is further

RESOLVED, that the Supervisor of the Town of Orangetown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Orangetown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Town Supervisor the following municipal titles: Highway Superintendent, Town Engineer, and Finance Director are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with

RESOLUTION NO. 234 - Continued

NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement, subject to review and approval of the Town Attorney's Office;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Summary of Participating Costs:

PIN	Fiscal Share	Funding Source (%)	TOTAL Costs	FEDERAL Funds	LOCAL Funds
8TRM.86.421		CMAQ (80%)	\$335,000.00	\$268,000.00	\$ 67,000.00
8TRM.86.NPS		100% Local	\$195,000.00		\$195,000.00
Grand Total:			\$530,000.00	\$268,000.00	\$262,000.00

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
 Noes: None

**RESOLUTION NO. 235
 GRANT PERMISSION / ATTEND APWA PUBLIC FLEET MANAGEMENT COURSE / ALPHONSE SOMMA / DECEMBER 5, 6, 12 AND 13, 2023**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby grants permission for Alphonse Somma, Automotive Mechanic I, Highway Department, to attend the APWA Public Fleet Management Course via Zoom on the above dates at a cost of \$225.00, to be charged to A.5132.457.00, nunc pro tunc.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
 Noes: None

**RESOLUTION NO. 236
 GRANT PERMISSION / ATTEND APWA FLEET MANAGEMENT COURSE WILLIAM LENNOX / SEPTEMBER 24, 26 AND OCTOBER 1 AND 2, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby grants permission for William Lennox, Automotive Mechanic I, Highway Department, to attend the APWA Public Fleet Management Course via Zoom on the above dates at a cost of \$225.00, to be charged to A.5132.457.00

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
 Noes: None

**RESOLUTION NO. 237
 APPROVE / AGREEMENT EXPENDITURE OF HIGHWAY MONIES / TOWN OF
 ORANGETOWN/ 2024 PAVEMENT PRESERVATION REPAIR / IMPROVEMENT
 PROGRAM**

WHEREAS, pursuant to the provisions of Section 284 of the Highway Law, we agree that monies bonded by the Town and received from the State for State aid for the repair & improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS, the sum of \$1,478,000 shall be set aside to be expended for primary work and general repairs upon 14.5 miles of town highways.
2. PERMANENT IMPROVEMENTS, below contains a list of roads which will be treated in the 2024 Pavement Preservation Program:

PEARL RIVER

Adams Ct
 Birch St
 Fillmore St
 Harold St
 Mercury Dr
 Plum Ct
 Stone Haven Rd

Apple Ct
 Buchanan St
 Franklin Ave
 Jay St
 Mountainview Ave
 Renee Ln
 Van Buren St

Azalea Dr
 Eric Dr
 Harding St
 Kerry Ct
 Pear Ci
 Robin St

ORANGEBURG

Bunker Hill Rd
 Jim Dean Dr
 North Queen's Ct
 Rutgers Rd E.

Deer Park Rd
 Kingswood Dr
 Prince's Gate
 Rutgers Rd W.

Fort Lee Pl
 Monmouth Ct
 Ramland Rd
 South Queen's Ct

BLAUVELT

Blauvelt Rd
 Eisenhower Ct
 Glenwood Dr
 John F Kennedy Dr
 Michael Dr
 Parkway Drive N

Burrows Ln
 Ellsworth Dr
 Holly Ct
 Johnson Ln
 Milton Grant Dr
 Paul Ct

Derfuss Ln
 Garber Hill Rd
 Hoover St
 Lapin Ln
 N Moison Rd
 Terry Ln

TAPPAN

Brandt Ave
 Rockland Park Ave

Campbell Ave
 Van Wardt Pl

Lexington Rd

SOUTH NYACK

Chase Ave
 Lowland Dr
 Upland Dr

College Ave
 Prospect St
 Washington St

Elysian Ave
 Ross Ave
 White Av

SPARKILL

William St

There will be money spent on other Town Highways as needed to maintain a safe driving surface. This agreement shall take effect when it is approved by the Town Board.

RESOLVED, approve Agreement for expenditure of Highway monies, between the Town Superintendent of Highways of the Town of Orangetown, Rockland County, New York and the undersigned members of the Town Board.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
 Noes: None

**RESOLUTION NO. 238
AWARD CONTRACT/ CURBSIDE COLLECTION, TRANSPORTATION & DISPOSAL
OF RESIDENTIAL RECYCLABLE MATERIALS / CAPASSO AND SONS, INC.**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the curbside collection of recyclables, which were publicly opened on April 25, 2024; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 05-07-C, and made a part of these minutes.

NOW THEREFORE, BE IT RESOLVED, that this bid is hereby awarded to Charles Capasso and Sons, Inc, Stony Point, NY the only qualified bidder, in the amount of \$8.50 per dwelling unit for collection once per week, every week for 2024/2025; \$9.18 per dwelling unit for collection once per week, every week for 2025/2026; \$9.91 per dwelling unit for collection once per week, every week for 2026/2027; \$10.70 per dwelling unit for collection once per week, every week for 2027/2028; \$11.56 per dwelling unit for collection once per week, every week for 2028/2029.

Work completed under this contract will be charged to Account # B.8160.457.17.

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

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 239
ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF MICHAEL
O'SULLIVAN / MAINTENANCE SUPERVISOR AUTOMOTIVE / HIGHWAY
DEPARTMENT / EFFECTIVE MAY 4, 2024**

RESOLVED, that the Superintendent of Highways and the Town Board accepts with regret, the resignation/retirement of Michael O'Sullivan, Maintenance Supervisor Automotive from the Orangetown Highway Department, after 21 years, effective May 4, 2024.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 240
ACCEPT DONATION / EAGLE SCOUT PROJECT / COMMUNICATION BOARDS**

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance accept with gratitude the donation and installation of Communication Boards by Eagle Scout Harry Mirijanian IV, Troop 55 Blauvelt, NY at the following locations:

- ❖ Freedom Park Playground at Veterans Memorial Park
- ❖ Cherry Brook Park
- ❖ Pilgrim Court Park
- ❖ Sparkill Memorial Park
- ❖ Stoughton Park
- ❖ Tappan Park

RESOLUTION NO. 240 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 241
ACCEPT / DONATION / MEMORIAL BENCH / VETERANS MEMORIAL PARK**

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance accept the donation of a Memorial Bench to be placed at Veterans Memorial Park. Engraving to read:

In Loving Memory Michael Kenneth Murray

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 242
ACCEPT / DONATION / MEMORIAL BENCH / RAIL TRAIL**

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance accept the donation of a Memorial Bench to be placed along the Rail Trail. Engraving to read:

Kathleen Whelan Knorowski
Forever in our Hearts

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 243
ACCEPT / DONATION / MEMORIAL BENCH / TAPPAN MEMORIAL PARK**

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance accept the donation of a Memorial Bench to be placed at in Tappan Memorial Park.

Joan L. Coffey 1937-2020
Mom, Yiayia, Grandma, Great-grandma, Teacher

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 244
AWARD CONTRACT / TREE REMOVAL / BLUE HILL & BROADACRES GOLF
COURSES / SAVATREE**

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance award the contract for tree removals at Blue Hill and Broadacres Golf Course to Sava Tree of Northvale, NJ under Rockland County Contract #RFB-RC-2021-017, under the Article 5-a of the New York General Municipal Law and Chapter 1A, Article IV of the Orangetown Town Code, permitting “piggybacking” onto properly bid municipal contracts, in an amount not to exceed \$275,000.00.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 245
AUTHORIZE / INTERMUNICIPAL AGREEMENT WITH ROCKLAND COUNTY FOR
REIMBURSEMENT OF THE COSTS OF LAW ENFORCEMENT OVERTIME FOR
COUNTERTERRORISM TRAINING**

WHEREAS, Rockland County, in an effort to provide financial assistance to local law enforcement and make a disbursement of grant funds from the LETPP and SHSP grants to the Town for law enforcement purposes only, and

WHEREAS, the County of Rockland has agreed to reimburse the Town of Orangetown for the cost of law enforcement overtime for counterterrorism training, and

WHEREAS, the County of Rockland, pursuant to its Resolution No. 201 of 2024 has agreed to recommend to the County Executive to approve the aforesaid Intermunicipal Agreement and to reimburse the Town of Orangetown in the amount not to exceed \$30,000 for the above referenced overtime related to counterterrorism training for the period covering September 1, 2020 through August 31, 2021, and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any inter-municipal agreement be approved by each participating municipal corporation by a majority vote of its governing body, and

WHEREAS, the Town Board finds and determines that such agreement and reimbursement for training is in the best interests of the good and welfare of the Town in the operations of its governmental functions,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby approves entering into the Intermunicipal Agreement between the Town of Orangetown and County of Rockland as set forth in the County’s Resolution No. 201 of 2024 with respect to the reimbursement of the sum not to exceed \$30,000 for overtime costs incurred for counterterrorism training, and authorizes the Supervisor or her designee to execute the aforesaid Intermunicipal Agreement and any and all documents necessary to effectuate same.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 246
RECOGNIZE APPOINTMENT DEME / JOHN CURRAN / SEWAGE SYSTEM
MECHANIC I PROBATIONARY / GRADE 14, STEP 14/18 / EFFECTIVE APRIL 22, 2024**

RESOLVED, the Board recognizes and acknowledges the appointment by the Commissioner of DEME, of John Curran to Sewage System Mechanic I Grade 14, Step 14/18, Probationary at an annual salary \$104,346 effective as of April 22, 2024.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 247
RECOGNIZE APPOINTMENT DEME/ LAWRENCE GIANNETTA / MAINTENANCE
MECHANIC I / PROBATIONARY / GRADE 14, STEP 14/18 / EFFECTIVE APRIL 22, 2024**

RESOLVED, the Board recognizes and acknowledges the appointment by the Commissioner of DEME, of Lawrence Giannetta to Maintenance Mechanic I Grade 14, Step 14/18, Probationary at an annual salary \$104,346 effective as of April 22, 2024.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 248
RECOGNIZE APPOINTMENT DEME / MARTIN MURPHY / ASSISTANT
MAINTENANCE SUPERVISOR (SEWERAGE SYSTEMS) / PROVISIONAL / GRADE
18, STEP 2 / EFFECTIVE APRIL 22, 2024**

RESOLVED, the Board recognizes and acknowledges the appointment by the Commissioner of DEME, of Martin Murphy to Assistant Maintenance Supervisor (Sewerage Systems) Grade 18, Step 2, Provisional, at an annual salary \$95,180 effective as of April 22, 2024.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 249
COMBINE / APPROVE AGENDA ITEMS #32 TO #35**

RESOLVED, the Town Board hereby combines and approves agenda items #32 to #35.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 250
APPROVE/ LEND ASSISTANCE/ ROCKLAND SOLACE SUNRISE SUICIDE
PREVENTION WALK/ SATURDAY, MAY 18, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades & cones from the Highway Department and Police detail from OPD, for the Solace Sunrise Suicide Prevention Walk in Orangeburg, to be held on Saturday, May 18, 2024, from 5:30am – 7:30 am.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 251
APPROVE/ LEND ASSISTANCE /2024 GRAN FONDO NY RACE / SUNDAY, MAY 19th**

RESOLVED, upon the recommendation of the Superintendent of Highways and Parks and Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of cones, barricades, barrels and detour signs from the Highway Department, the approval of the use of the Rail Trail from the Parks Dept., and traffic control from the Police Dept., for the Gran Fondo NY Race on Sunday, May 19, 2024 from 8am-3pm.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 252
APPROVE / LEND ASSISTANCE / 2024 TAPPAN 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 and message boards from the Highway Department, and auxiliary police detail from the Police Department, for the Tappan Memorial Day Parade to be held on Monday, May 27, 2024, from 10:00am- 2:00 pm.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 253
APPROVE / LEND ASSISTANCE / PLUS POLISH FESTIVAL / SATURDAY JUNE 1 - SUNDAY
JUNE 2, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades, plastic barrels, cones, one message board, sidewalk control on road edge and plastic fencing from the Highway Department and auxiliary police from OPD, for the Plus Polish Festival to be held on Saturday, June 1, 2024 from 11am to 10pm and Sunday, June 2, 2024 from 11am to 9pm.

RESOLUTION NO. 253 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 254
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: April 2, 2024 Police Commission; April 2 & 16, 2024 Regular Town Board Meeting.
2. Agreement & Contracts:
 - Dormitory Authority of the State of New York (DASNY) Grant Disbursement Agreement for the purchase of a Combination Sewer Cleaning Truck.
 - Pearl River Farmers Market Agreement with The Valley Area Network, Inc.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 255
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 four (4) warrants (attached) for a total of \$4,259,790.73.

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

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 256
ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session were Supervisor Kenny, Deputy Supervisor Troy, Councilpersons Jerry Bottari, Paul Valentine, Dan Sullivan and Brian Donohue, Robert Magrino, Jeff Bencik and Roberto Urban.

RESOLVED, at 9:36 pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 257
RE-ENTER RTBM / ADJOURNED / MEMORY**

RESOLVED, at 10:00 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: *Matthew Duffy*, Resident of Tappan and Brother of Orangetown Employee Hugh Duffy; *Richard Gurniak*, Resident of Pearl River; *Philip Lane*, Resident of Pearl River; *Ed McPherson*, Retired Code Enforcement Officer for the Town of Orangetown; *Casimira Pakola*, Mother of Orangetown Employee Rick Pakola; *John Buck*, Resident of Pearl River; and *Louis Laureano*, Bay Shore, NY.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentinine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None



Rosanna Sfraga, Town Clerk

WARRANT

Warrant Reference
 Approved for payment in the amount of

Warrant #	Amount
041924	\$ 35,374.00 Sewer Backup Claim
042524	\$ 7,000.00 Memorial Day program
042624	\$ 440,009.77
050724	\$ 3,777,406.96
	\$ 4,259,790.73

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

APPROVAL FOR PAYMENT

Councilman Gerald Bottari

Councilman Daniel Sullivan

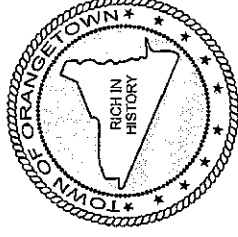
Supervisor Teresa M. Kenny

Councilman Paul Valentine

Councilman Brian Donohue

AUDITING BOARD

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**



TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 05/2/24
CC: DEPARTMENT HEADS

The audit for the Town Board Meeting of 05/7/2024 consists of 4 warrants for a total of \$4,259,790.73.

The first warrant had 3 vouchers for \$35,374 and was for sewer backup claims.

The second warrant had 7 vouchers for \$7,000 and Memorial Day support to American Legions.

The third warrant had 77 vouchers for \$440,009 and had the following items of interest.

1. CSEA Employee Benefit Fund (p5) - \$33,663 for dental benefits.
2. NYPA (p10) - \$21,278 for streetlight project.
3. State Comptroller (p13) - \$72,403 for Justice fines.

The fourth warrant had 224 vouchers for \$3,777,406 and had the following items of interest.

1. A+ Technology & Service (p2) - \$34,346 for security cameras in new town hall.
2. Arthur J. Gallagher (p10) - \$1,657,920 for insurance renewals.
3. Axon Enterprise (p12) - \$25,052 for Police supplies.
4. Bolkema Fuel Co. (p16) - \$10,969 for diesel fuel.
5. Capital Industries (p18) - \$14,725 for demolition of old town hall.
6. Dutra Excavating (p23) - \$9,200 for manhole installation S. Nyack.
7. Fanshawe (p25) - \$8,002 for new town hall electrical.
8. FST-HEA (p28) - \$17,825 for new town hall commissioning services.
9. Global Montello (p31) - \$24,270 for fuel.
10. Holland Co. (p35) - \$7,170 for sewer chemicals.

11. Kuehne Chemical Co. (p42) - \$8,248 for sewer chemicals.
12. Lothrop Associates (p43) - \$23,644 for new town hall architectural services.
13. MediaStar (p44) - \$39,846 for IT work in new town hall.
14. MEGA Fabrication (p45) - \$16,323 for Highway equipment.
15. NYS Dept. of Civil Service (p49) - \$1,032,470 for H/C benefits.
16. Rockland Paramedic Services (p54) - \$127,642 for May services.
17. S & L Plumbing & Heating (p55) - \$43,628 for new town hall HVAC.
18. Sherwin Williams (p57) - \$14,195 for Highway paint.
19. Slack Chemical Co. (p57) - \$17,095 for sewer chemicals.
20. Troon Golf LLC (p67) - \$198,047 for GC management fees.
21. Vanas Construction Co. (p69) - \$154,219 for GC new town hall.
22. Virtuit Systems (p71) - \$8,158 for IT equipment.

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

Jeffrey W. Bencik, CFA
845-359-5100 x2204

At a regular meeting of the Town Board of the Town of Orangetown, Rockland County, New York, held at the Town Hall, in Orangeburg, New York in said Town, on May 7, 2024, at 7:05 o'clock P.M., Prevailing Time.

PRESENT:

Teresa M. Kenny
Supervisor

Paul Valentine
Councilman

Jerry Bottari
Councilman

Brian Donohue
Councilman

Dan Sullivan
Councilman

In the Matter of the Increase and Improvement of the Facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Orangetown, Rockland County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles; and

WHEREAS, at a meeting of said Town Board duly called and held on April 16, 2024, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Orangetown Sewer District in said Town at a maximum estimated cost of \$1,597,575 and to hear all persons interested in the subject May 7, 2024, at 7:05 P.M. o'clock, Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles for the Orangetown Sewer District, at a maximum estimated cost of \$1,597,575.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

Councilman Paul Valentine VOTING AYE
Councilman Jerry Bottari VOTING AYE
Councilman Brian Donohue VOTING AYE
Councilman Dan Sullivan VOTING AYE
Supervisor Teresa M. Kenny VOTING AYE

The order was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF ROCKLAND)

I, the undersigned Clerk of the Town of Orangetown, Rockland County, New York (the "Issuer"),
DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 7th day of May, 2024.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR

THEREIN in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)


Rockland Journal News April 22, 2024

POSTING (here insert place(s) and date(s) of posting)

Town of Orangetown, Town Hall Bulletin Board April 22, 2024

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 10th
day of May, 2024.

(CORPORATE
SEAL)



Town Clerk

At a regular meeting of the Town Board of the Town of Orangetown, Rockland County, New York, held at the Town Hall, in Orangeburg, New York, in said Town, on May 7, 2024, at 7:05 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Teresa M. Kenny, and upon roll being called, the following were

PRESENT:

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

ABSENT: None

The following resolution was offered by Councilman Dan Sullivan who moved its adoption, seconded by Councilman Jerry Bottari to-wit:

BOND RESOLUTION DATED MAY 7, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,597,575 SERIAL BONDS OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT IN THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated May 7, 2024, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, at a maximum estimated cost of \$1,597,575; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE

IT

RESOLVED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. For the object or purpose of paying the cost of the increase and improvement of the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles for the Orangetown Sewer District, there are hereby authorized to be issued \$1,597,575 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of (i) the aforesaid sewer system related improvements, including equipment (being a class of objects or purposes) is \$1,429,575, and (ii) the purchase of vehicles (being a class of objects or purposes) is \$168,000, and that the plan for the financing thereof is by the issuance of \$1,597,575 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid (i) sewer system related improvements is forty years, and (ii) the purchase of vehicles is ten years, pursuant to subdivisions 4 and 28, respectively, of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon all the taxable real property within said Orangetown Sewer District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor.

Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution which takes effect immediately shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>Councilman Paul Valentine</u>	VOTING	<u>AYE</u>
<u>Councilman Jerry Bottari</u>	VOTING	<u>AYE</u>
<u>Councilman Brian Donohue</u>	VOTING	<u>AYE</u>
<u>Councilman Dan Sullivan</u>	VOTING	<u>AYE</u>
<u>Supervisor Teresa M. Kenny</u>	VOTING	<u>AYE</u>

The resolution was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
) ss:
COUNTY OF ROCKLAND)

I, the undersigned Clerk of the Town of Orangetown, Rockland County, New York (the "Issuer"),

DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 7th day of May, 2024.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR

THERE TO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

Rockland Journal News April 22, 2024

POSTING (here insert place(s) and date(s) of posting)

Town of Orangetown, Town Hall Bulletin Board April 22, 2024

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this
10th day of May, 2024.

(CORPORATE
SEAL)



Town Clerk

LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on May 7, 2024, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Orangetown, Rockland County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Orangeburg, New York,
May 7, 2024.

/s/ Rosanna Sfraga
Town Clerk

BOND RESOLUTION DATED MAY 7, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,597,575 SERIAL BONDS OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT IN THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK.

Objects or purposes:

- (i) sewer system related improvements and equipment, 40-yr. period of probable usefulness, class of objects or purposes, \$1,429,575 maximum estimated cost; \$1,429,575 bonds; and
- (ii) vehicles, 10-yr. period of probable usefulness, class of objects or purposes, \$168,000 maximum estimated cost; \$168,000 bonds.

NOTICE OF PUBLIC HEARING
ORANGETOWN SEWER DISTRICT


NOTICE IS HEREBY GIVEN that the Town Board of the Town of Orangetown, Rockland County, New York, will meet at the Town Hall, in Orangetown, New York, on May 7, 2024, at 7:05 o'clock P.M., Prevailling Time, for the purpose of conducting a public hearing upon the increase and improvement of the Orangetown Sewer District, in said Town, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles, at a maximum estimated cost of \$1,597,575.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Orangetown, New York,

April 16, 2024.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
ORANGETOWN, ROCKLAND COUNTY, NEW YORK



Town Clerk

EXHIBIT

05-07-A

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF ROCKLAND)

I, the undersigned Clerk of the Town of Orangetown, Rockland County, New York, DEPOSE AND

SAY:

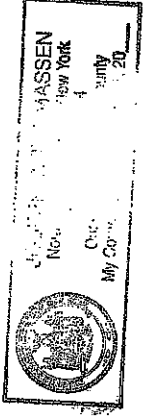
That on the 18 day of April, 2024, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public Hearing which was a part of an Order adopted by the Town Board of said Town on April 16, 2024.

A true and correct copy of such Notice of Hearing is attached hereto.

[Signature]
Town Clerk

Sworn to before me this 18th day
of April, 2024.

[Signature]
Notary Public



AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Marcia Vecheva being duly sworn, deposes and says she is the Principal Clerk of The Journal News, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

04/22/2024

Marcia Vecheva

Subscribed and sworn to before me this 22 day of April, 2024

Keegan Moran
exp 2/14/28

KEEGAN MORAN
Notary Public
State of Wisconsin

Notary Public
State of Wisconsin, County of Brown

**NOTICE OF PUBLIC HEARING
ORANGETOWN SEWER DISTRICT**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Orangetown, Rockland County, New York, will meet at the Town Hall, in Orangetown, New York, on May 7, 2024, at 7:05 o'clock P.M., Prevaling Time, for the purpose of conducting a public hearing upon the increase and improvement of the Orangetown Sewer District, in said Town, consisting of the construction of various sewer system related improvements and the acquisition of equipment and vehicles, at a maximum estimated cost of \$1,597,575.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Orangetown, New York,
April 16, 2024.

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF
ORANGETOWN, ROCKLAND COUNTY, NEW YORK**

Rosanna Strago
Town Clerk
April 22 2024
LNY50089449

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING: ADJUST THE ZONING DISTRICT LINE
636 N GREENBUSH RD, BLAUVELT

EXHIBIT

05-07-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 5th day, April, 2024, 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.

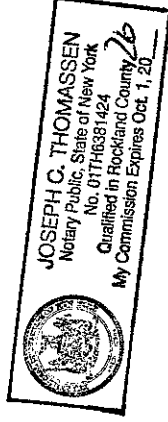
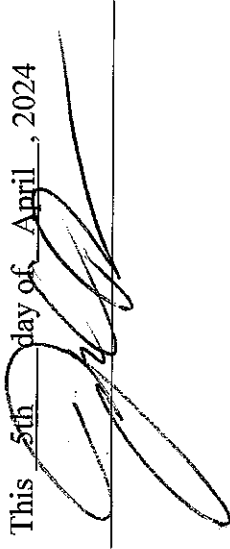
1. Town Hall Bulletin Boards
2. Town's Website
- 3.
- 4.
- 5.



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 5th day of April, 2024



**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on April 2, 2024, a public hearing will be held by the Town Board on a proposed Local Law, 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, (65.15-1-1), which lies partially in the R-40 and LO zoning districts. This public hearing is scheduled for the 7th day of May 7, 2024 at 7:10 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: April 2, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

**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.

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Marcia Verheggen being duly sworn, deposes and says she is the Principal Clerk of The Journal News, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

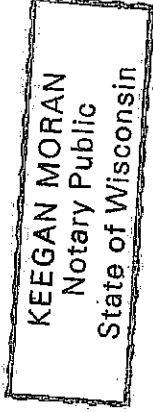
04/22/2024

Marcia Verheggen

Subscribed and sworn to before me this 22 day of April, 2024

Keegan Moran
Exp. 7-14-28

Notary Public
State of Wisconsin, County of Brown



**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on April 2, 2024, a public hearing will be held by the Town Board on a proposed Local Law, 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, (65.15-1-1), which lies partially in the R-40 and LO zoning districts. This public hearing is scheduled for the 7th day of May 7, 2024 at 7:10 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: April 2, 2024

Rosanna Straga, Town Clerk
Robert Magrino, Town Attorney
April 22 2024
LNY50084180

**TOWN OF ORANGETOWN
AFFIDAVIT OF POSTING AND MAILING NOTICES
FOR SPECIAL PERMIT / ZONE CHANGE**

Project Name: Rathmaggurry Realty, Inc. - Verification of Zone Line on Lot 1

Address: 636 N. Greenbush Road, Blauvelt, New York 10913

Donald Orfani _____ being duly sworn, deposed that he/she is the applicant
(Name) herein, or is representing the applicant herein:

That he/she resides at 4 Retz Road, Pearl River, New York 10965

That heretofore and the 26th day of April, 20 24

Postings

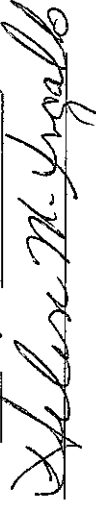
He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article 10.44 by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5-days immediately preceding the hearing date. The sign was not set back more than 10 feet from any property or street line, was not less than two feet or more than six feet above grade at the property line and was clearly visible from the property line.

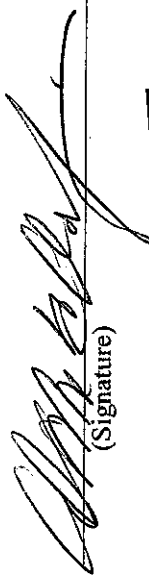
Notices

He/She mailed the required ~~Notice of Public Hearing as required~~ pursuant to Orangetown Code, Chapter 43, Article 10.44, by mailing the ~~Notice to property owners within at least 500 feet of the subject property as measured from the front side and rear lot lines of the subject parcel (excluding public roadways; rights of way, and property owned by any public utility or public entity in measuring the 500 feet) as well as all properties within 500 feet of the subject parcel along both sides of parcel, along both sides of any street or roadway on which the subject parcel abuts, at least 10-days prior to the public hearing.~~

Subscribed and sworn to before me

This 26th day of April, 2024




(Signature)

HELEN M. INGALLS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01IN6129380
Qualified in Rockland County
Commission Expires June 20, 2025

Please Note that this affidavit shall be notarized with the "Notice" & list of abutting property owners to whom the notices were sent and shall be submitted to the Town Clerk before or at the commencement of the Public Hearing.

**TOWN OF ORANGETOWN
AFFIDAVIT OF POSTING AND MAILING NOTICES
FOR SPECIAL PERMIT / ZONE CHANGE**

Project Name: Rathmaggurly Realty, Inc. - Verification of Zone Line on Lot 1
Address: 636 N. Greenbush Road, Blauvelt, New York 10913

Helen Ingalls being duly sworn, deposed that he/she is the applicant
(Name)
herein, or is representing the applicant herein:

That he/she resides at 91 Riverside Terr., Blauvelt, New York 10913

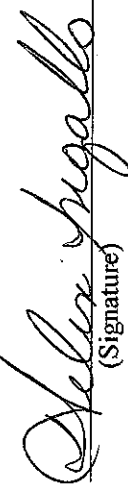
That heretofore and the 17th day of April, 20 24

Postings

He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article ~~10.44~~ by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5-days immediately preceding the hearing date. The sign was not set back more than 10 feet from any property or street line, was not less than two feet or more than six feet above grade at the property line and was clearly visible from the property line.

Notices

He/She mailed the required Notice of Public Hearing as required pursuant to Orangetown Code, Chapter 43, Article 10.44, by mailing the Notice to property owners within at least 500 feet of the subject property as measured from the front, side and rear lot lines of the subject parcel (excluding public roadways, rights of way, and property owned by any public utility or public entity in measuring the 500 feet) as well as all properties within 500 feet of the subject parcel along both sides of parcel, along both sides of any street or roadway on which the subject parcel abuts, at least 10-days prior to the public hearing.


(Signature)

Subscribed and sworn to before me

This 17 day of April, 2024


DONALD BRENNER
NOTARY PUBLIC, State of N.Y.
No. 02BR4510200
Qualified in Rockland County
Commission Expires May 31, 20 22

Please Note that this affidavit shall be notarized with the "Notice" & list of abutting property owners to whom the notices were sent and shall be submitted to the Town Clerk before or at the commencement of the Public Hearing.

TIME RECEIVED

April 10, 2024 at 4:14:27 PM EDT

04-10-24 16:08 FROM-

REMOTE CSID
5343463548

DURATION
51

PAGES
1

STATUS
Received
T-351 P0001/0001 F-008

Town of Orangetown Town Board

Date: April 5, 2024

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amending Chapter 43, § 2.2 to Adjust the Zoning District of parcel know as
636 N Greenbush Rd, Blauvelt (65.15-1-1)**

The Rockland County Planning Dept agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

4/10/24
Date

Jake Palant
(Signature)

Jake Palant, Associate Planner
(Print Name and Title)

Rockland County Planning Dept
(Name of Agency)

Encl.

TOWN OF ORANGETOWN
2024 APR 10 P 4: 34
TOWN CLERK'S OFFICE

Town of Orangetown Town Board

Date: April 5, 2024

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amending Chapter 43, § 2.2 to Adjust the Zoning District of parcel know as
636 N Greenbush Rd, Blauvelt (65.15-1-1)**

The Orangetown Planning Board agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

04/24/24
Date

[Signature]
(Signature)

Thomas C. Warren Chairman
(Print Name and Title)

PLANNING BOARD
(Name of Agency)

Encl.

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

April 30, 2024

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data: 65.15-1-1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date: 02/22/2024

Date Review Received: 04/05/2024

Item: 636 NORTH GREENBUSH ROAD (O-952P)

A zoning map amendment to adjust the zoning district boundary on a 17.31-acre split-zoned parcel within the LO (Laboratory-Office) and R-40 (Low-Density Residence) districts. The petitioner wants to adjust the district boundary on the official zoning map so that it is contiguous with the split on the property to the south. The petitioner is proposing to use the LO portion of the site to construct a 120,000 square foot self-storage building.

South side of the Clarkstown Town Line, east side of NYS Route 303, west side of North Greenbush Road, opposite Birchwood Drive

Reason for Referral:

Town of Clarkstown, NYS Route 303, North Greenbush Road (CR 11), Buttermilk Falls County Park
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 According to the Zoning Line Confirmation Survey, the proposed zone line to be confirmed is based on the approximate zone line as per the Preliminary "Palladino" Subdivision. The petition will relocate the LO zoning district boundary approximately 354.33 feet away from the eastern property line along southern property line. The Town Board must be satisfied that the change in the district boundary does not negatively impact the nearby residences across North Greenbush Road to the east of the subject site.
- 2 The County of Rockland Department of Highways shall have the opportunity to review the proposal and any of their concerns addressed.
- 3 The County of Rockland Division of Environmental Resources shall have the opportunity to review the proposal and any of their concerns addressed.

TOWN OF ORANGETOWN
2024 MAY - 3 AM 10:53
TOWN CLERK'S OFFICE

636 NORTH GREENBUSH ROAD (O-952P)

4 The Town of Clarkstown is one of the reasons this proposal was referred to this department for review. The Municipal boundary for Clarkstown adjoins the northern property line of the site. New York State General Municipal Law states that the purposes of Sections 239-j, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations with respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards to predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Town of Clarkstown must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Clarkstown must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

5 We request the opportunity to review the site plan of the proposed self-storage building, as required by New York State General Municipal Law.

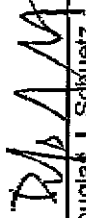
6 Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

7 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

cc: Supervisor Teresa Kenny, Orangetown
New York State Department of Transportation
Rockland County Highway Department
Rockland County Division of Environmental Resources
Town of Clarkstown Planning Board

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the County of Rockland Department of Planning is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*



Douglas J. Schuetz

Acting Commissioner of Planning

636 NORTH GREENBUSH ROAD (O-952P)

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action if has taken with the County of Rockland Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

**Planning Board
Town of Orangetown**

TO: Town Board

FROM: Planning Board

DATE: April 24, 2024

RE: Referral- Proposed Local Law Amending Chapter 43, Section 2.2 to Adjust the Zoning District of parcel known as 636 North Greenbush Road, Blauvelt (65.15-1-1)

At the April 24, 2024 Planning Board Meeting, the Board reviewed the submitted Referral and had no comment. The Board made a motion to consent to the Town of Orangetown Town Board to be Lead Agency.

The motion was made by Michael Mandel, Vice Chairman and seconded by Andrew Andrews and carried as follows:
Thomas Warren – Chairman, aye; Denise Lenihan, aye;
Michael Mandel, Vice Chairman, aye; Kevin Farry, aye;
Michael McCrory, aye; Lisa DeFeciani, aye, Bruce Bond, (alternate member), not voting; and Andrew Andrews, aye.

Teresa Pugh

From: Robert Magrino
Sent: Tuesday, May 7, 2024 7:03 PM
To: Town Board
Cc: Rosanna Sfraga; Teresa Pugh
Subject: Fwd: Referral / Proposed Local Law / Adjust the Zoning District / 636 N Greenbush Rd, Blauvelt

Robert V. Magrino
Town Attorney
Town of Orangetown
(845) 359-5100 Ext 2247

Get [Outlook for iOS](#)

From: Kevin Conway <k.conway@clarkstown.gov>
Sent: Tuesday, May 7, 2024 3:23:24 PM
To: Robert Magrino <RMagrino@orangetown.com>
Subject: Re: FW: Referral / Proposed Local Law / Adjust the Zoning District / 636 N Greenbush Rd, Blauvelt

Rob, You are good to proceed. No comment from Town of Clarkstown. Regards, Kevin

On Mon, May 6, 2024 at 2:32 PM Robert Magrino <RMagrino@orangetown.com> wrote:

Kevin

As discussed, see attached. Thanks.

Robert V. Magrino
Town Attorney
Town of Orangetown
26 W. Orangeburg Road
Orangeburg, NY 10962
Tel (845) 359-5100 Ext. 2247
Fax (845) 359-2715

NOTICE OF POSTING: NOTICE TO BIDDERS: CURBSIDE COLLECTION, TRANSPORTATION & DISPOSAL OF RESIDENTIAL RECYCLABLE MATERIALS

EXHIBIT

05-07-C

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 10th day, April, 2024, 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 10th day of April, 2024

Rima A. DelVecchio

RIMA A. DELVECCHIO
 Notary Public, State of New York
 No. 01DE622835
 Qualified in Rockland County
 Commission Expires June 1, 2026

**REQUEST FOR SEALED BIDS
FOR THE
COLLECTION, TRANSPORTATION AND DISPOSAL OF RESIDENTIAL
RECYCLABLES WITHIN IN THE UNINCORPORATED PORTION OF THE
TOWN OF ORANGETOWN**

The Town Board of the Town of Orangetown will be receiving Request for Sealed Bids for the Curbside Collection, Transportation and Disposal of Residential Recyclable Materials within the unincorporated portions of the Town of Orangetown until 10:30 A.M. on, April 25, 2024 in the Office of the Town Clerk of the Town of Orangetown, 26 Orangeburg Road, Orangeburg, New York. Sealed bids will be opened and read aloud at 11:00 A.M. this same day. No bids shall be accepted after 10:30 A.M. A Request for Sealed Bids and all relevant documents are available at the Town Clerk's Office of the Town of Orangetown and on the internet at Bidnet.com.

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED BY THE TOWN BOARD of the Town of Orangetown at the Town Clerk's Office, Town Halls, No. 26 Orangeburg Road, Orangeburg, New York 10962, until 10:30 A.M. on April 25, 2024 for the Curbside Collection, Transportation and Disposal of Residential Recyclable Materials within the unincorporated portion of said Town, and will be opened and read aloud at 11:00 A.M. on that day. The bid must include information relating to the experience of the bidder on the basis of which said bidder purports to be qualified to carry out all work required by the proposed contract; a list of clients for the past five (5) years, including a contact name and telephone number; bids for project staffing, implementation of work tasks, and carrying out all responsibility required by the proposed contract; Proof of Insurance; Non-Collusion Statement; and submitted prices for five (5) years from the date of the Agreement.

The specifications for performing the above work and a Non-Collusion Statement may be obtained at the Town Clerk's Office for all parties interested in submitting a bid. No bids will be accepted without a Non-Collusion Statement as required pursuant to § 103d of the General Municipal Law.

The Superintendent of Highways will submit a report to the Town Board of all bids received and the recommendation concerning the award of an Agreement at a meeting of the Town Board to be held on May 21, 2024.

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 annual contract price.

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 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 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.

No contract is deemed created until approved by a Town Board Resolution and the Town Attorney and until after it has been executed by the Supervisor of the Town of Orangetown at the direction of the Town Board.

Dated: April 10, 2024
Orangeburg, NY

James J. Dean
Superintendent of Highways

Rosanna Sfraga
Town Clerk

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Linda Tuttle

being duly sworn, deposes and says she is the Principal Clerk of **The Journal News**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

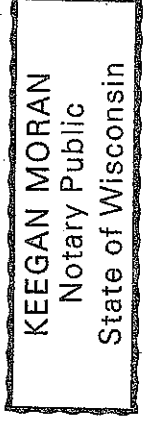
04/10/2024

Linda Tuttle

Subscribed and sworn to before me this 10 day of April, 2024

Keegan Moran exp. 2-14-28

Notary Public
State of Wisconsin, County of Brown



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Dated: April 10, 2024
Orangeburg, NY

James J. Dean
Superintendent of Highways
10048326

Rosanna Sfraga
Town Clerk

BID ITEM CURBSIDE COLLECTION, TRANSPORTATION & DISPOSAL OF RESIDENTIAL RECYCLABLE MATERIALS

BID OPENING 11:00AM

DATE 25-Apr-24

CONTRACTOR NAME & ADDRESS

*Charles Lawrence & Sons Contracting Inc
221 West 10th Street
St Paul, MN 55102*

DATE RECEIVED	4/21/2024		
TIME RECEIVED	2:59 pm		
NON COLLUSION STATEMENT	✓		
BID BOND or CERTIFIED CHECK	✓		

June 1, 2024 - May 31, 2025

Per Unit	\$ 8.50	\$	\$	\$
Per Month	\$ 102,926.50	\$	\$	\$
Per Year	\$ 1,235,118.00	\$	\$	\$

June 1, 2025 - May 31, 2026

Per Unit	\$ 9.18	\$	\$	\$
Per Month	\$ 111,160.62	\$	\$	\$
Per Year	\$ 1,333,927.44	\$	\$	\$

June 1, 2026 - May 31, 2027

Per Unit	\$ 9.91	\$	\$	\$
Per Month	\$ 120,000.19	\$	\$	\$
Per Year	\$ 1,440,002.28	\$	\$	\$

June 1, 2027 - May 31, 2028

Per Unit	\$ 10.70	\$	\$	\$
Per Month	\$ 129,566.30	\$	\$	\$
Per Year	\$ 1,554,795.60	\$	\$	\$

June 1, 2028 - May 31, 2029

Per Unit	\$ 11.56	\$	\$	\$
Per Month	\$ 139,980.04	\$	\$	\$
Per Year	\$ 1,679,760.48	\$	\$	\$