



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday May 20, 2025

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

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

🌟 Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ Recognizing May 2025 as ALS Awareness Month

DISCUSSION:

- ◆ WORKSHOP OF AGENDA ITEMS

PUBLIC COMMENT:

1. OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

2. CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

AGENDA ITEMS:

TOWN BOARD

3. **RESUME PUBLIC HEARING OF APRIL 8, 2025 / 7:05 PM / PROPOSED AMENDMENT TO CHAPTER 39, "VEHICLES AND TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

RESOLVED, that the Public Hearing to on a proposed local law, amending Chapter 39 of the Town Code entitled "Vehicles and Traffic" related specifically to the time limitation on parking and prohibition on parking on Gesner Avenue in the Hamlet of South Nyack and prohibition on parking on Brandt Avenue in the Hamlet of Tappan is hereby resumed.

4. **CLOSE / CONTINUE / PROPOSED AMENDMENT TO CHAPTER 39, "VEHICLES AND TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

RESOLVED, that the Public Hearing to on a proposed local law, amending Chapter 39 of the Town Code entitled "Vehicles and Traffic" related specifically to the time limitation on parking and prohibition on parking on Gesner Avenue in the Hamlet of South Nyack and prohibition on parking on Brandt Avenue in the Hamlet of Tappan is hereby closed or continued to _____.

5. **LEAD AGENCY AND DETERMINATION OF SEQRA / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, "VEHICLES & TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

RESOLVED, that the Town Board declares itself Lead Agency in this matter and further determines that such action is a Type II action pursuant to SEQRA, that the action will not have a significant adverse environmental impact, and, therefore, no further action is necessary with respect thereto under the State Environmental Quality Review Act.

6. **ADOPT LOCAL LAW ____, 2025 / AMENDING TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, CHAPTER 39, "VEHICLES AND TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

RESOLVED, that the Town Board hereby adopts Local Law ____, 2025 to amend the Town Code, Chapter 39, Vehicles & Traffic, Article I, Vehicle and Traffic Regulations, Section 39-5 Prohibition of Stopping, Standing, or Parking in Specified Places; Section 39-6 Prohibition of Parking on Designated Highways and 39-7 Time Limitation on Parking.

LOCAL LAW NO. ____ - 2025 OF THE TOWN OF ORANGETOWN,

AMENDING CHAPTER 39 (VEHICLES AND TRAFFIC), ARTICLE I (VEHICLE AND TRAFFIC REGULATIONS) OF THE CODE OF THE TOWN OF ORANGETOWN

As amended, additions are underlined. Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1 – Legislative Findings, Objectives and Purpose of this Local Law No. ____ of 2025:

The Town of Orangetown Traffic Advisory Board, having investigated issues related to congestion and safety in the Hamlet of South Nyack, recommends the Town Board adopt the local law amending the Town Code, to prohibit parking on the north side of Gesner Avenue, from the eastern-most pavement edge extending for 102 feet west, and south side, from the eastern-most pavement edge extending for 338 feet west. Having held a public hearing on the matter, the Town Board finds the Prohibition on Parking is necessary for traffic safety. The time limitation parking on Gesner Avenue will also be removed.

Additionally, the Orangetown Traffic Advisory Board, having investigated issues related to congestion and safety in the Hamlet of Tappan, recommends the Town Board adopt the local law amending the Town Code to prohibit parking on the east side of Brandt Avenue between Old Tappan Road and Main Street.

Section 2 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-5 of the Code of the Town of Orangetown entitled “Prohibition of stopping, standing or parking in specified places”, shall be amended so as to revise the following subsection “20” to paragraph “M” of Section 39-5, and, as amended, shall read as follows:

§39-5. **Prohibition of stopping, standing, or parking in specified places.** Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic control device, no person shall, within the limits of the Town of Orangetown:

M. In the Hamlet of South Nyack, parking in the following locations is prohibited:

(20) Gesner Avenue, north side, from the eastern-most pavement edge extending for 102 feet west, and south side, from the eastern-most pavement edge extending for 338 feet west.

Section 3 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-7 of the Code of the Town of Orangetown entitled “Time limitation on parking” shall be amended so as to repeal subsection (A)(5)(i), and, as amended, shall read as follows:

§39-7

A. The parking or standing of vehicles for a period of longer than two hours is hereby prohibited in any of the following locations:

(5) In the Hamlet of South Nyack:
(i) Intentionally deleted.

Section 4 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-6 of the Code of the Town of Orangetown entitled “Prohibition of parking on designated highways”, shall be amended so as to revise the following subsection “8” to paragraph “E” of Section 39-6, and, as amended, shall read as follows:

§39-6 **Prohibition of parking on designated highways.** The parking or standing of vehicles in any of the following locations is hereby prohibited:

E. In the Hamlet of Tappan:

(8) On the east side of Brandt Avenue between Old Tappan Road and Main Street.

Section 5– Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-7 of the Code of the Town of Orangetown entitled “Time limitation on parking”, shall be amended so as to revise the following subsection “d” to paragraph “2” of Section 39-7D, and, as amended, shall read as follows:

§39-7

D. The parking or standing of vehicles for a period of longer than four hours is hereby prohibited in any of the following locations:

(2) In the Hamlet of Tappan:

(d) On the westerly side of Brandt Avenue between Old Tappan Road and Main Street.

Section 6. Authority

This proposed Local Law is enacted and adopted pursuant to NYS Municipal Home Rule Law §10, and in accordance with the procedures prescribed in NYS Municipal Home Rule §20.

Section 7. Severability

If any section, subdivision, paragraph, clause or phrase of this Local Law shall be adjudged invalid, or held to be unconstitutional, by any court of competent jurisdiction, any judgment or order made thereby shall not affect the validity of this Local Law as a whole, or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

Section 8. Effective Date

This Local Law shall take effect upon publishing and posting a copy in the manner prescribed by applicable laws, and upon filing a copy with the NYS Secretary of State

7. **SET PUBLIC HEARING / JUNE 24, 2025 AT 7:05 PM / PROPOSED AMENDMENT TO CHAPTER 43 OF THE TOWN CODE REGARDING ACCESSORY STRUCTURES**

RESOLVED, that the Town Board will hold a public hearing on June 24, 2025, at 7:05 p.m., on a proposed Local Law Amending Chapter 43 of the Zoning, with respect to additional bulk regulations and exceptions for accessory structures in the Town of Orangetown.

8. **DECLARATION / TOWN BOARD TO SERVE AS LEAD AGENCY / SEQRA / AMENDMENT TO CHAPTER 43 / ACCESSORY STRUCTURES**

WHEREAS, the Town Zoning Code currently provides for the size and location of certain accessory structures, and provides regulations for their proximity to the principal structure, and

WHEREAS, the Town Board seeks to amend and clarify the current regulations to more accurately reflect the desires of the Board and the community in the size and location of such structures, and

WHEREAS, upon review of the proposed Local Law, Short Environmental Assessment Form, and related documents and filings, the Board makes the following preliminary determinations:

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

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

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

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

HIGHWAY

9. **APPROVE SUPPLEMENT AGREEMENTS / 2019-2024 MUNICIPAL SNOW & ICE AGREEMENT CONTRACT # D014891**

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the maintenance of State Highways includes the control of snow and ice thereon, and the work of such control of snow and ice may be performed by any municipality, which includes towns, pursuant to an agreement between the governing board of a town and the State Commissioner of Transportation; and,

WHEREAS, pursuant to Resolution #2020 -239, the Town entered into an agreement with the NYSDOT for the Town of Orangetown to provide Snow and Ice Control on State highways located within the Town from 2019 to 2024, Contract # D014891; and,

WHEREAS, the agreement allows labor costs to be adjusted based on the agreement between the Town and CSEA for the 2020/2021, 2021/2022, 2022/2023 and 2023/2024 seasons; and,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Highways, the Supervisor is hereby authorized to sign Supplement Agreements to adjust the estimated expenditures for the 2019-2024 Municipal Snow & Ice Agreement, between the Town of Orangetown and the New York State Department of Transportation.

10. **AUTHORIZE EXTENSION / MUNICIPAL SNOW & ICE AGREEMENT WITH NYS DOT / 5 YEARS / 2024-2029**

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the maintenance of State Highways includes the control of snow and ice thereon, and the work of such control of snow and ice may be performed by any municipality, which includes towns, pursuant to an agreement between the governing board of a town and the State Commissioner of Transportation; and,

WHEREAS, pursuant to Resolution #2020 -239, the Town entered into an agreement, Contract #D014891, with the NYSDOT for the Town of Orangetown to provide Snow and Ice Control on State highways located within the Town from 2019 to 2024; and,

WHEREAS, the agreement provides that the parties may at the end of each 5-year term of the agreement extend such term for an additional five years up to a maximum contract life of twenty years; and,

NOW THEREFORE BE IT RESOLVED, that upon recommendation of the Superintendent of Highways, the Town Board is hereby authorized to extend the Snow & Ice Agreement, between the Town of Orangetown and New York State Department of Transportation for the Town to provide snow and ice control services for 62.5 lane miles of State roads located within the Town of Orangetown from July 1, 2024 through June 30, 2029.

11. **APPROVE SUPPLEMENT AGREEMENT / 2024-2029 MUNICIPAL SNOW & ICE AGREEMENT CONTRACT # D014891**

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the maintenance of State Highways includes the control of snow and ice thereon, and the work of such control of snow and ice may be performed by any municipality, which includes towns, pursuant to an agreement between the governing board of a town and the State Commissioner of Transportation; and,

WHEREAS, pursuant to Resolution #2025 - ____, the Town extended an agreement with the NYSDOT for the Town of Orangetown to provide Snow and Ice Control on State highways located within the Town from 2024 to 2029, Contract # D014891; and,

WHEREAS, the agreement allows labor costs to be adjusted based on the agreement between the Town and CSEA for the 2024/2025 season; and,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Highways, the Supervisor is hereby authorized to sign a Supplement Agreement to adjust the estimated expenditures for the 2024-2025 Municipal Snow & Ice Agreement, between the Town of Orangetown and the New York State Department of Transportation.

12. **AUTHORIZE/ AGREEMENT/ NYSDOT/ PIN 8762.34/ MOUNTAINVIEW AVENUE OVER SPARKILL CREEK CULVERT REPLACEMENT**

WHEREAS, a project for the Mountainview Avenue over Sparkill Creek Culvert Replacement, Town of Orangetown, Rockland County, P.I.N. 8762.34 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the Town of Orangetown will design, let, and administer all phases of the Project.

WHEREAS, the Town of Orangetown desires to advance the Project by making a commitment of 100% of the costs of Construction work for the Project or portions thereof.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the Project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Orangetown to pay 100% of the cost of Construction work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of \$100,000 is hereby appropriated from H.5110.200.06 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Town Board hereby agrees that the Town of Orangetown shall be responsible for all costs of the Project, including costs which exceed the amount of

reimbursement available from the NY Bridge Funding awarded to the Town of Orangetown; and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Town of Orangetown shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof, and it is further

RESOLVED, that the Town Board hereby agrees that the Town of Orangetown hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Town Supervisor of the Town of Orangetown be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the Town of Orangetown in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that in addition to the Supervisor, the following municipal titles: Highway Superintendent, Commissioner of DEME, Director of Finance, are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that the Town of Orangetown will be responsible for all maintenance of the Project; and it is further

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.

13. ACCEPT WITH REGRET / RESIGNATION/RETIREMENT OF DOMINIC LIMANDRI /MOTOR EQUIPMENT OPERATOR III / HIGHWAY DEPARTMENT / EFFECTIVE MAY 24, 2025

RESOLVED, that the Superintendent of Highways and the Town Board accepts with regret, the resignation/retirement of Dominic Limandri, Motor Equipment Operator III, from the Orangetown Highway Department, after 30 years, effective May 24, 2025.

POLICE

14. ACCEPT WITH REGRET / RESIGNATION/RETIREMENT OF DET/SGT DANIEL COSTELLO / POLICE DEPARTMENT/EFFECTIVE MAY 31, 2025

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Detective Sergeant Daniel Costello, from the Orangetown Police Department effective May 31, 2025.

15. ACCEPT WITH REGRET / RESIGNATION/RETIREMENT OF POLICE OFFICER ANDREW YOUNG/POLICE DEPARTMENT/EFFECTIVE MAY 31, 2025

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Police Officer Andrew Young, from the Orangetown Police Department effective May 31, 2025.

LEND ASSISTANCE

16. COMBINE / APPROVE AGENDA ITEMS #17 TO 23

RESOLVED, the Town Board hereby combines and approves agenda items #17 to 23.

17. APPROVE / LEND ASSISTANCE/ 2025 PALISADES MEMORIAL DAY CEREMONY / MAY 26, 2025

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Palisades Memorial Day Parade to be held on Monday, May 26, 2025 from 8:45 am - 9:45 am.

18. APPROVE / LEND ASSISTANCE / 2025 SPARKILL MEMORIAL DAY PARADE / MAY 26, 2025

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Sparkill Memorial Day Parade to be held on Monday, May 26, 2025, from 11:30 am - 12:30 pm.

19. APPROVE/ LEND ASSISTANCE/ CLAUSLAND MOUNTAIN WATCHFIRE/ MAY 30, 2025

RESOLVED, upon the recommendation of the Superintendent of Highways, that the Town Board hereby authorizes these departments to lend assistance which includes the use of a 500 gallon tank from the Highway Department for the Clausland Mountain Watchfire at Nike Park, to be held on Thursday, May 30, 2025.

20. APPROVE/ LEND ASSISTANCE/ SANTACRUZAN HOLY CROSS PROCESSION / MAY 31, 2025

RESOLVED, upon the recommendation of the Superintendent of Highways and the Chief of Police that the Town Board hereby authorizes these departments to lend assistance which includes road use from the Highway Department and police assistance from the

Police Department for the Santacruzán Holy Cross Procession on Saturday, May 31, 2025 from 9:50am- 10:30am.

21. ******PLACEHOLDER**** APPROVE / LEND ASSISTANCE / PLUS POLISH FESTIVAL / FRIDAY MAY 30 - SUNDAY JUNE 1, 2025**

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 Friday, May 30, 2025 from _____ Saturday, May 31, 2025 from _____ and Sunday, June 1, 2025 from _____.

22. *****PLACEHOLDER***APPROVE/ LEND ASSISTANCE / 2025 GREEK FESTIVAL / ST. CONSTANTINE'S CHURCH / JUNE 5-8, 2025**

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 cones, barricades, trash cans, recycling kiosks, directional & no parking signs from the Highway Dept., and Auxiliary police from OPD, for the Greek Festival to be held from Thursday, June 5 – Sunday, June 8, 2025.

23. *****PLACEHOLDER*** APPROVE/ LEND ASSISTANCE/ 2025 TAPPAN MEMORIAL DAY PARADE / MAY 26, 2025**

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 26, 2025, from 10:00am- 2:00 pm.

AUDIT

24. **PAY VOUCHERS**

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of three (3) warrants (attached) for a total of **\$2,636,799.76**.

EXECUTIVE SESSION

25. **ENTER EXECUTIVE SESSION**

RESOLVED, at _____ pm, the Town Board entered Executive Session to discuss_____.

ADJOURNMENTS

26. RE-ENTER RTBM / ADJOURNED / MEMORY

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

❖ **Corporal Eugene Niminski**, *Uncle of Supervisor Teresa M. Kenny*