



## TOWN OF ORANGETOWN TOWN BOARD MEETING

**Tuesday August 05, 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:

- ◆ **August 19th Police Commission and Town Board Meeting are cancelled. Next meeting will be held on September 9th.**
- ◆ **Splashdown in Orangetown--Adult Night at the Splash Pad--Friday, September 5th from 6:00 pm - 8:30 pm. Proceeds to benefit the Penguin Plunge, \$10 per person suggested donation. Visit [orangetown.com](http://orangetown.com) for more information or to donate.**

### 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. AUTHORIZE AGREEMENT WITH LIBERTY PARKS AND PLAYGROUNDS OF NEW YORK LLC / SHADE STRUCTURES AT VETERANS MEMORIAL PARK (ORANGEBURG) AND EMILIO DIFRANCESCO PARK (SPARKILL)**

**WHEREAS**, pursuant to Town Board Resolution #2024-445, as Amended by Town Board Resolution #2025- 100, the Town Board agreed to accept a \$75,000.00 grant from the New York State and Municipal Facilities Program (SAM) to be administered by the Dormitory Authority of the State of New York (DASNY), for the delivery and installation of shade structures at Veterans Memorial Park (Orangetown) and Emilio DiFrancesco Park (Sparkill).

**WHEREAS**, pursuant to NYS General Municipal Law (“GML”) §103(16), a municipality is authorized to make purchases of apparatus, materials, equipment and supplies, or to contract for services related to the installation of apparatus, as required, through the use of a contract let by the United States, or any agency thereof, or any state or any other political subdivision or district therein, if such contract was let to the lowest responsible bidder or on the basis of best value, in a manner consistent with GML §103 and specifically made available to other municipalities.

**WHEREAS**, Sourcewell, formerly known as the National Joint Powers Alliance, is a public entity whose creation was authorized by the State of Minnesota, pursuant to Minn. Stat. §123A.21.

**WHEREAS**, Sourcewell is permitted to engage in cooperative purchasing, pursuant to Minn. Stat. §471.345, for supplies, materials and equipment based on sealed competitive bid, direct negotiation or best value, based on the estimated cost of the item.

**WHEREAS**, the TOWN is authorized by TOWN Code §1A-13(F), and GML §103(16), to “piggyback” certain purchases, including contracts for services, provided (i) the contract was available for use through the bid solicitation process, and (ii) the specific contract was issued in accordance with the provisions of GML §103.

**WHEREAS**, there is an existing contract that LIBERTY PARKS AND PLAYGROUNDS OF NEW YORK LLC (hereinafter “Liberty Parks & Playgrounds”) is a party to, with Sourcewell, a political subdivision of the State of Minnesota and a BOCES as defined under New York State law, identified as Sourcewell Contract #010521-LTS, dated 02/15/2021, which contract was extended by a Contract Extension, dated 09/23/2023, both of which referred to herein together as “Sourcewell Contract #010521 -LTS;” and Liberty Parks & Playgrounds desires to perform such services for the Town pursuant to, and under the same terms and conditions as set forth in, Sourcewell Contract #010521-LTS, and the Town Board desired to accept Liberty Parks & Playgrounds’ said services.

**WHEREAS**, the Town Board has determined that Sourcewell Contract #010521-LTS has been made available for use by other governmental entities through the bid solicitation process, and said contract has been issued in accordance with the provisions of GML §103.

**WHEREAS**, Liberty Parks & Playgrounds has provided to the Town a proposal based upon Sourcewell Contract #010521-LTS, which proposal meets the specifications and needs of the Town.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the purchase of shade structures, including their installation, from, and by, Liberty Parks & Playgrounds, under Sourcewell Contract #010521-LTS, at a total cost of seventy eight thousand six hundred sixty five thousand dollars and five cents ( \$78,665.05), and further authorizes the Supervisor to take such further action, and to execute such further documents, as may be necessary to effectuate such purchase, subject to review and approval by the Town Attorney's Office.

4. **APPROVE INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND, RELATING TO THE GRANTS FOR SIDEWALKS ON COUNTY ROADS**

**WHEREAS**, the Rockland County Legislature has authorized an intermunicipal agreement (IMA) to provide for a procedure for local municipalities to construct sidewalks along County roads within their respective jurisdictions, and for which each County Legislator may authorize the issuance of grants to such local municipalities to cover the costs of design, engineering and construction as set forth more fully in the IMA, in the approximate amount of \$ 1,700,000.00 per each County Legislator, to reimburse the local municipalities for the costs of such projects ; and

**WHEREAS**, the Town Board, in consultation with the Town Superintendent of Highways has determined that it is in the best interests of the Town Orangetown to participate with the County of Rockland to undertake to construct such sidewalks where appropriate and provided that only if such a grant is authorized by the appropriate Rockland County Legislator within whose district the proposed project would be located prior to the Town agreeing to undertake any such project; and

**WHEREAS**, the Town of Orangetown is not obligated to undertake any construction projects by entering into this IMA, and

**WHEREAS**, General Municipal Law Article 5-G expressly authorizes municipal governments to perform together that which each such government individually is authorized to perform by means of an inter-municipal agreement,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves a certain Intermunicipal Agreement ("IMA") by and between the County of Rockland and the Town of Orangetown identified as the "Grant for Sidewalk Construction Project" for purposes of seeking grants as per the IMA for any sidewalk projects on County roads within the Town of Orangetown, as determined by the Town Superintendent of Highways and that no such project shall proceed unless and until the Town determines, as evidenced by written confirmation from the County, that it will be reimbursed for the costs of the project as set forth in the IMA ; and

**IT IS FURTHER RESOLVED**, that the Supervisor or her designee is hereby authorized to sign such IMA and to take further steps as may be necessary to effectuate its terms.

## TOWN ATTORNEY

### 5. **ACCEPT PERFORMANCE BOND / 39 SOUTH WILLIAM STREET SITE PLAN / 39 SOUTH WILLIAM STREET, PEARL RIVER, NEW YORK**

**WHEREAS**, McNamara Construction NY, for the applicant, Edward O'Hara, owner of certain property located at 39 South William Street, Pearl River, New York (Tax Lot Section 68.20 Block 1 Lot 30.2), has applied for and received site plan approval from the Town of Orangetown Planning Board for said property for the project known as "39 South William Street Site Plan," and

**WHEREAS**, the Planning Board required in Planning Board decision #25-11 that the applicant post a Performance Bond in the amount of \$31,650.00 to ensure the construction and completion of certain public improvements pursuant to the aforesaid approvals, and

**WHEREAS**, the applicant has submitted a fully executed Performance Bond dated June 26, 2025, issued by the Western Surety Company, as Surety, on behalf of the applicant, in the amount of \$31,650.00, naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "39 South William Street Site Plan" no later than February 12, 2027, supplemented by a bond dated July 10, 2025 and signed by Edward O'Hara, and both bonds have been approved as to form and substance by the Town Attorney's Office.

**NOW THEREFORE BE IT FURTHER RESOLVED THAT**, the Town hereby formally accepts, receives and files with the Office of the Town Clerk the Performance Bond dated June 26, 2025, issued by the Western Surety Company, as Surety, on behalf of the applicant, in the amount of \$31,650.00, naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "39 South William Street Site Plan" no later than February 12, 2027, supplemented by the bond dated July 10, 2025 and signed by Edward O'Hara, and said bonds to be returned only upon satisfactory completion of said public improvements according to the terms of said bond, Planning Board decision #25-11, any Town departments having jurisdiction thereof, and formal resolution of the Town Board.

### 6. **ACCEPT SETTLEMENT / OPIATE LITIGATION / PURDUE PHARMA AND SACKLER FAMILY**

**WHEREAS**, the Town of Orangetown has sustained financial damages directly arising out of the fraudulent and negligent manufacture and distribution of opioids, including, but not limited to, increased insurance and other workplace costs; and

**WHEREAS**, in connection with the aforesaid, the Town, among other municipalities, retained the Tate Law Group, of Savannah, Georgia ("Tate"), on a contingency fee basis, to represent its interests in nationwide litigation against the major pharmaceutical and other companies principally responsible for the manufacture and distribution of opioid products over the last decade; and

**WHEREAS**, the Town has been notified by Tate of a proposed settlement (known as a Direct Settlement) reached with Purdue Pharma, L.P. and Sackler family, which were in part responsible for the proliferation of opiates throughout the United States, and which settlement is part of the Purdue Pharma L.P. bankruptcy action pending in the United States Bankruptcy Court for the Southern District of New York Case No. 19-23469, and;

**WHEREAS**, the Town's share of the settlement will be finally determined upon the global settlement of all municipalities that participated in the action,

**NOW, THEREFORE, BASED ON THE AFORESAID, BE IT RESOLVED**, that upon the recommendation of the Tate Law Group, the Town Board hereby agrees to participate in the Purdue Pharma, LP and Sackler family nationwide Direct Settlement Agreement and authorizes the Town Supervisor or Town Attorney to execute appropriate documents to effectuate the purposes of this resolution.

## **HIGHWAY**

- 7. APPROVE CHANGE ORDER #1/DS MEYER ENTERPRISES/ FRANKLIN AVENUE CURB AND SIDEWALK IMPROVEMENT PROJECT**

**RESOLVED**, upon the recommendation of the Superintendent of Highways, the Town Board hereby approves DS Meyer Enterprises Change Order #1, for unforeseen field changes and revisions to the scope of work which consisted of the removal of 950 sq. ft. of sidewalk and curb in poor condition and the installation of 950 sq. ft. of new sidewalk and curb in the amount of \$25,130 for the Franklin Avenue Curb and Sidewalk Improvement Project to be charged to Account # H.5410.200.08.

## **BUILDING**

- 8. APPOINT KATE BELFIGLIO / SENIOR CLERK-TYPIST / PERMANENT / GRADE 5, STEP 1 / EFFECTIVE AUGUST 6, 2025**

**RESOLVED**, that upon the recommendation of the Acting Director of OBZPAE and Rockland County Personnel, Kate Belfiglio is hereby appointed to the position of Senior Clerk-Typist, Permanent, from list # 25118010 Grade 5, Step 1 effective August 6, 2025, no change in salary.

## **JUSTICE COURT**

- 9. APPOINT MARIA CAMUS / SENIOR CLERK-TYPIST / PERMANENT / GRADE 5, STEP 1 / EFFECTIVE AUGUST 6, 2025**

**RESOLVED**, that upon the recommendation of the Justice Court Clerk and Rockland County Personnel, Maria Camus is hereby appointed to the position of Senior Clerk-Typist, Permanent, from list # 25118010 Grade 5, Step 1 effective August 6, 2025, no change in salary.

## **LEND ASSISTANCE**

- 10. COMBINE / APPROVE AGENDA ITEMS #11 TO 13**

**RESOLVED**, the Town Board hereby combines and approves agenda items #11 to 13.

**11. APPROVE / LEND ASSISTANCE / SOUTH NYACK 10- MILER / SEPTEMBER 7, 2025**

**RESOLVED**, that upon completion of all necessary paperwork and the recommendation from the Superintendent of Highways & Chief of Police, the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades from the Highway Dept., and police detail from OPD, for the South Nyack Road Race to be held on Sunday, September 7, 2025.

**RESOLVED**, that upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board the rental of porto-jons (10 regular) for use at the South Nyack 10 Miler on September 7, 2025. With the organization providing a certificate of insurance, naming the Town of Orangetown as being an additional insured.

**12. APPROVE / LEND ASSISTANCE / TAPPAN 9/11 MEMORIAL DAY SERVICE / SEPTEMBER 11, 2025**

**RESOLVED**, that upon completion of all necessary paperwork and the recommendation from the Superintendent of Highways, the Town Board hereby authorizes the Highway Department to lend assistance which includes the use of two message boards from August 18th to September 11th for the Tappan 9/11 Memorial Service, to be held on Thursday, September 11, 2025 from 8:30am- 10am.

**13. APPROVE / LEND ASSISTANCE / 2025 PEARL RIVER HIGH SCHOOL PEP RALLY & BONFIRE / OCTOBER 17, 2025**

**RESOLVED**, that upon the recommendation of the Superintendent of Highways and Chief of Police, the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades, barrels and sand from the Highway Department & the presence of Auxiliary Police from the Police Department for the Pearl River High School Pep Rally & Bonfire to be held on Friday, October 17, 2025 at 7pm.

**TOWN CLERK**

**14. 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: July 8, 2025 Police Commission Meeting; July 8 & July 22, 2025 Regular Town Board Meeting.

2. Agreements:

- DASNY – SAM GRANT CONTRACTS (Water Refilling Stations and Shade Structures).
- Cornell Cooperative Extension, 2025 Stormwater II Education Program.
- RCIC & RIRC Intermunicipal Agreement.

## **AUDIT**

### **15. 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 \$790,244.26.

## **EXECUTIVE SESSION**

### **16. ENTER EXECUTIVE SESSION**

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

## **ADJOURNMENTS**

### **17. RE-ENTER RTBM / ADJOURNED / MEMORY**

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

- ❖ **Dr. Edward FitzPatrick**, *Resident of Blauvelt*
- ❖ **Mary Catherine "May" Kreider**, *Resident of Pearl River*