



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday September 30, 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:

- ◆ **Orangetown Shredding Event at Town Hall - Saturday, October 18, 2025 / 8:00 a.m. - 11:30 a.m. Hosted by Orangetown Town Clerk, Rosanna Sfraga, Rockland Green and People to People. Please bring non-perishable food items for a donation to People to People.**

PRESENTATIONS:

- ◆ **Meritorious Service Awards**
 - ★ **Kevin O'Connell, DEME**
 - ★ **Larry Giannetta, DEME**
 - ★ **Ryan Bosco, Highway**
- ◆ **Town Supervisor's Tentative 2026 Budget Presentation**

DISCUSSION:

- ◆ **Litigation Update for 4 Hobbs Drive, Blauvelt**
- ◆ **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. **2026 TOWN SUPERVISOR'S TENTATIVE BUDGET DISTRIBUTED / RECEIVED / FILED**

RESOLVED, that the 2026 Supervisor's Tentative Budget is hereby distributed to the Town Board for review; filed with the Town Clerk and the Finance Department is authorized to make it available on the Town's website (www.orangetown.com).

4. **SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 14, 2025 AT 7:05 P.M. / INTENT TO BE LEAD AGENCY / SEQRA / 2026 ONE-YEAR CONTACT / BLAUVELT FIRE PROTECTION DISTRICT**

RESOLVED, that pursuant to Town Law 184, the Town Board will hold a Public Hearing at 7:05 P.M. at the own Board meeting of October 14, 2025, to consider a contract with the Blauvelt Volunteer Fire Company, Inc., for Fire Protection Services in and throughout the Blauvelt Fire Protection District, within the Town, for year 2026 and authorizes the Town Clerk to publish the meeting notice.

BE IT FURTHER RESOLVED, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA and makes the preliminary determination that the action in an "unlisted" action under SEQRA.

5. **SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 14, 2025 AT 7:10 P.M. / INTENT TO BE LEAD AGENCY / SEQRA / 2026 ONE-YEAR CONTRACT / ORANGETOWN LIBRARY DISTRICT AGREEMENTS (BLAUVELT, ORANGEBURG, TAPPAN AND PALISADES LIBRARIES)**

RESOLVED, that the Town Board hereby sets October 14, 2025 at 7:10 P.M. for a public hearing on the proposed Contracts between the Town of Orangetown and the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district as contained in the Orangetown Library District (and including the residents of Sparkill) as delineated in subdivision (c) of Section 1 of Chapter 494 of the Laws of 2012 within the Town) for calendar year 2026; and authorizes the Town Clerk to publish the meeting notice.

BE IT FURTHER RESOLVED, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA and makes the preliminary determination that the action is an “unlisted” action under SEQRA.

6. **SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 14, 2025 AT 7:15 P.M. / 2026 PRELIMINARY BUDGET**

RESOLVED, that the Town Board hereby sets October 14, 2025 at 7:15 P.M. for a public hearing on the 2026 Preliminary Budget, and authorize the Town Clerk to publish the meeting notice, and authorizes the Finance Department to publish it on the Town's website (www.orangetown.com) and file in the Town Clerk's office for public viewing.

7. **APPROVE / REAPPOINT BRIAN KENNEY/ ASSESSOR / 6-YEAR TERM / EFFECTIVE OCTOBER 1, 2025**

WHEREAS, the position of Assessor for the Town of Orangetown, County of Rockland, State of New York, is currently due for reappointment; and

WHEREAS, it is necessary for the Town Board to appoint a qualified individual to serve as the Town Assessor pursuant to the applicable provisions of the Real Property Tax Law 310 and Town Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orangetown hereby reappoints Brian Kenney to the position of Assessor for the Town of Orangetown, effective October 1, 2025, at the current salary of \$146,020.00, for a term of Six (6) years, expiring on September 30, 2031, unless otherwise terminated or reappointed in accordance with law; and

BE IT FURTHER RESOLVED, that compensation and other terms of employment for said position shall be in accordance with the Town’s adopted budget and personnel policies; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the New York State Office of Real Property Services and any other required governmental agencies.

8. **AUTHORIZE / CHRISTMAS LIGHTING COMPANY / HOLIDAY LIGHTS / DOWNTOWN PEARL RIVER**

RESOLVED, that the Town Board hereby authorizes up to \$16,000 to Christmas Lighting Company to supply holiday lights for display in Downtown Pearl River, to be paid from the Pearl River Parking District budget line item SP 3320.457, and further authorizes the Supervisor or her designee to execute any and all documents for the installation of the holiday lights, subject to review and approval by the Town Attorney's Office.

9. **APPROVE / AMEND RESOLUTION 2025-356 / AGREEMENT WITH MIRACLE RECREATION / SHADE STRUCTURES AT VETERANS MEMORIAL PARK (ORANGEBURG) AND EMILIO DIFRANCESCO PARK (SPARKILL)**

WHEREAS, pursuant to Town Board Resolution #2025-356, the Town Board agreed to purchase, using grant funds, shade structures at Veterans Memorial Park (Orangeburg) and Emilio DiFrancesco Park (Sparkill) from Liberty Parks & Playgrounds, under Sourcwell Contract #010521-LTS at a cost of \$78,665.05; and,

WHEREAS, upon review of the agreement, Liberty Parks & Playgrounds could not meet the Town's insurance requirements; and,

WHEREAS, Miracle Recreation, the manufacturer for Liberty Parks & Playgrounds, has provided a proposal based upon the same Sourcwell Contract #010521-LTS and is able to meet the Town's insurance requirements; and,

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby amends resolution #2025-356 and authorizes the purchase of shade structures, including their installation, from and by, Miracle Recreation under Sourcwell 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.

10. **SET PUBLIC HEARING / OCTOBER 28, 2025 AT 7:05 PM / PROPOSED CHANGE TO TOWN CODE, AMENDING CHAPTER 41A AND OTHER SECTIONS OF THE TOWN CODE REGARDING PENALTIES**

RESOLVED that the Town Board will hold a public hearing on October 28, 2025 at 7:05 p.m., on a proposed Local Law, to Town Code, Chapter 41A entitled "Violations and Penalties", to increase the maximum fines, remove an authorized sentence of jail for first time violators, and centralizing fine amounts throughout the Town Code.

11. **ACCEPT PETITION/REQUEST FOR ZONING TEXT AMENDMENT / CHAPTER 43 – MULTIFAMILY DWELLING COMMUNITY FLOATING ZONE-LI/ DIRECT CIRCULATION OF PROPOSED LOCAL LAW**

WHEREAS, the owner of premises located at 155 South Greenbush Road, Orangeburg, New York, (Tax Lot 74.07 Block 1 Lot 15.2) being located in the "LI" (Light Industrial) zoning district, has petitioned the Town Board to change the text of the Zoning Code by Amending Chapter 43, Articles IV to permit multi family dwelling community on parcels of 10 acres or more as a "floating zone" in the LI zoning district; and

WHEREAS, upon preliminary review, the Town Board is favorably disposed to such a zoning text amendment, because such a floating zone would provide for a transitional use between industrial and residential areas, provide for a range of housing types, is consistent with the Town Comprehensive Plan in that it provides for alternatives to warehouse uses in this district, and is limited to parcels that are 10 acres or more; and

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

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

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Type I" action; and
3. The following are involved or interested or involved agencies in the review process:
4. Orangetown Planning Board;
5. Rockland County Department of Planning;
6. Rockland County Department of Health;
7. Town of Clarkstown
8. Town of Ramapo
9. Village of Piermont
10. Village of Nyack
11. Village of Chestnut Ridge
12. New York State Department of Transportation

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

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning and the agencies listed above 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 Chapter 43, Article IV of 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.

12. **SET PUBLIC HEARING / NOVEMBER 18, 2025 AT 7:05 PM / PROPOSED ZONE TEXT AMENDMENT FOR LI DISTRICT / MULTI FAMILY DWELLING COMMUNITY FLOATING ZONE-LI**

RESOLVED that the Town Board will hold a public hearing on November 18, 2025 at 7:05 p.m., on a proposed Local Law, as follows, amending Chapter 43 "Zoning" Article IV "Additional Use Regulations" to establish a new §4.7 entitled "Multifamily Dwelling Community -LI Floating Zone".

TOWN ATTORNEY

13. ACCEPT AND EXECUTE A RELEASE AND DEFENSE, INDEMNIFICATION AND HOLD HARMLESS AGREEMENT/ ROOPA AWAL AND ASHOOK AWAL / 50 WOODS ROAD, PALISADES, NEW YORK (S/B/L: 78.18-1-37)

WHEREAS, Roopa Awal and Ashook Awal (“Awal”) made application to the Town Building Department and the Zoning Board of Appeals (“ZBA”) to install and erect fencing along certain boundaries of their real property located at 50 Woods Road, Palisades, New York (S/B/L: 78.18 -1 -37), requiring variances from: (1) Town Code Chapter 43 §5.226 Fence Height as a 4 ½ foot fence is permitted in the front yard with six (6’) foot and eight (8’) 8 foot proposed; and (2) Town Code Chapter 43 §5.226 Fence Setback as fences over six (6’) foot must be set back from the property lot line a distance equal to two-thirds (2/3) its’ height with the fence being proposed on the property line; and

WHEREAS, the Awal submission to the ZBA revealed the existence of a twenty-five (25’) foot easement for “future road widening” at the northeast side and at the east side of the premises; yet the Awal’s title company has not found any recorded road widening easements to the Town of Orangetown or to the County of Rockland; and

WHEREAS, as a condition of granting approval for the fencing, as set forth in ZBA Decision #25- 54 dated April 16, 2025, the Town has required Awal to provide a hold harmless and indemnification agreement in favor of the Town to protect the Town in the event that any recorded or unrecorded easement is later discovered, or any claims are asserted against the Town with respect thereto;

WHEREAS, the Release, and Defense, Indemnification and Hold Harmless Agreement has been reviewed by the Town Attorney’s Office, and the Town Attorney’s Office recommends that the owner execute and file with the Rockland County Clerk the Release, and Defense, Indemnification and Hold Harmless,

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby receives the Release, and Defense, Indemnification and Hold Harmless Agreement executed by Roopa Awal and Ashook Awal; and

BE IT FURTHER RESOLVED, that the Supervisor, or her designee, is hereby authorized to execute the Release, and Defense, Indemnification and Hold Harmless Agreement, and any and all other documents necessary for same to be recorded, at the expense of the owners, in the Rockland County Clerk’s Office.

14. APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING LYNN & JEFFREY SANDHAUS V. THE ASSESSOR OF THE TOWN OF ORANGETOWN, et al. (78.18-1-44 and 78.18-1-45)

RESOLVED, upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Lynn & Jeffrey Sandhaus v. The Assessor of Town of Orangetown, et al., tax map designation 78.18-1 -44 and 78.18 -1- 45 (201 Route 9W, Nyack), for the tax assessment years 2020 - 2024 for a total refund by the County of \$1,139, a total refund by the Town of \$3,211, and a total refund by the School District of \$6,785. Interest on the Town’s liability as a result of assessment decrease or refund is waived if payment is made

within sixty (60) days after a copy of the order based upon the settlement is served on the Rockland County Finance Department.

15. **APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING SEMBER REALTY LLC V. THE ASSESSOR OF THE TOWN OF ORANGETOWN, et al. (74.10-1-59./2 and 59./4)**

RESOLVED, upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Sember Realty LLC v. The Assessor of Town of Orangetown, et al., tax map designation 74.10-1-59./2 and 74.10-1-59./4 (103 and 107 Dutch Hill Road, Orangeburg), for the tax assessment years 2021 - 2025 for a total refund by the County of \$3,207, a total refund by the Town of \$13,419, and a total refund by the School District of \$45,506 for 74.10 -1-59./2; a total refund by the County of \$3,658 a total refund by the Town of \$15,219, and a total refund by the School District of \$52,698 for tax lot 74.10-1-59./4. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Rockland County Finance Department.

16. **ACKNOWLEDGE NOTICE OF DISCIPLINE/APPOINT HEARING OFFICER/ EMPLOYEE NO. 3490**

BE IT RESOLVED, that the Town Board hereby acknowledges the service of a Notice of Discipline, containing certain charges and specifications, preferred by the Commissioner of the Department of Environmental Management and Engineering as against Employee No. 3490.

BE IT FURTHER RESOLVED, that the Town Board hereby appoints, Hearing Officer Honorable William E. Sherwood 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 August 22, 2025, preferred against employee number 3490;

BE IT FURTHER RESOLVED, that the Town Board hereby acknowledges that a Designation be served on Hearing Officer Honorable William E. Sherwood, by the Commissioner of Department of Environmental Management and Engineering;

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

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 Commissioner of the Department of Environmental Management and Engineering for decision and determination.

HIGHWAY

17. APPROVE / RENAME PRIVATE RIGHT OF WAY/ FROM NICE PAK PARK TO PICKER LANE / ORANGEBURG

RESOLVED, that upon recommendation of Superintendent of Highways with review and approval by Rockland County Office of Fire & Emergency Services and the Town Attorney's Office, and based upon a request by the owner of the only property located on the private right of way currently known as "Nice Pak Park," the Town Board hereby authorizes and approves the renaming of the private right of way currently known as "Nice Pak Park" to the new name of "Picker Lane."

BUILDING

18. APPROVE / PURCHASE OF SMARTGOV PROGRAM / SOFTWARE FOR THE BUILDING DEPARTMENT

WHEREAS, pursuant to General Municipal Law § 103(16), a municipality is authorized to make purchases of apparatus, materials, equipment and supplies, 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; and

WHEREAS, the Region 14 Education Service Center is a public entity whose creation was authorized by the State of Texas, pursuant to Texas Education Code 8.001(a); and

WHEREAS, Region 14 Education Service Center is permitted to engage in cooperative purchasing, for supplies, materials and equipment based on sealed competitive bid, direct negotiation or best value, based on the estimated cost of the item, and has partnered with National Cooperative Purchasing Alliance (NCPA) to make such contracts available for "piggybacking" by other public entities and municipalities; and

WHEREAS, the Town of Orangetown, as a municipal entity, may "piggyback" off of contracts available through NCPA, which is now known as OMNIA,

WHEREAS, in or about October 2020 Region 14 Education Service Center issued a Request for Bids for the procurement of Software and Saas Solutions on behalf of itself and other government agencies, and made available through NCPA RFP#39-20; and

WHEREAS, the responses to the RFP were publicly opened; and

WHEREAS, as a result thereof, a contract was awarded to Granicus, LLC, which provides a program known as SmartGov, and which contract was expressly made available to member agencies, including the Town of Orangetown; and

WHEREAS, the Acting Director of the Office of Building Zoning Planning Administration and Enforcement (OBZPAE) Rick Oliver has identified need for and requested that the Town of Orangetown enter into an agreement with Granicus, LLC for the purchase of software known as SmartGov, for use by OBZPAE and to assist in its mission for the Town, as set forth more fully in a proposal from Granicus, LLC dated July 25, 2025 and which proposal is incorporated by reference herein,

NOW, THEREFORE, BE IT RESOLVED , that the Town Board hereby authorizes the purchase of SmartGov Program from Granicus, LLC pursuant to NCPA Contract #01-115 at a total cost of Ninety One Thousand Seven Hundred Twenty Nine and 83/100 Dollars(\$97,729.83) in installation fees and first year subscription, with yearly subscription fees in the approximate amount of Fifty Thousand Dollars (\$50,000.00) per year from years 2 through 5 as set forth more fully in the contract, and further authorizes the Supervisor, Director of Finance and/or Acting Director of OBZPAE to take such further action, and to execute such further documents, as may be necessary to effectuate such purchase.

JUSTICE COURT

19. AUTHORIZE / ORANGETOWN TOWN COURT/ JCAP GRANT

RESOLVED, that the Town Board hereby authorizes the Orangetown Town Court to apply for a JCAP grant in the 2025-26 grant cycle up to \$30,000.00.

PARKS AND RECREATION

20. APPROVE / MEMORIAL BENCH DONATIONS / RAIL TRAIL

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance accept with gratitude the donation of memorial benches to be placed along the rail trail. Engravings to read:

To our ol' buddy and pal, Grandpa
Anthony Concannon
November 28, 1940 - January 9, 2025

and

In Loving Memory of Jim and Kathy Larkin

LEND ASSISTANCE

21. COMBINE / APPROVE AGENDA ITEMS #22 TO 24

RESOLVED, the Town Board hereby combines and approves agenda items #22 to 24.

22. APPROVE/ LEND ASSISTANCE/ BEST BUDDIES BIKE RUN/ OCTOBER 4, 2025

RESOLVED, 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 road use from the Highway Department and police assistance from the Police Department for the Best Buddies Bike Run on Saturday, October 4, 2025.

23. APPROVE / LEND ASSISTANCE / NOBLE NINTH, INC. / TRAUBENFEST / SUNDAY, OCTOBER 5, 2025

RESOLVED, upon the recommendation of the Superintendent of Highways, Chief of Police and Superintendent of Parks, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades and barrels from the Highway Department, and auxiliary police from OPD, and the showmobile from Parks for the Noble Ninth Traubenfest to be held on Sunday, October 5, 2025 from 10am-9pm.,

24. APPROVE/ LEND ASSISTANCE / 2025 PEARL RIVER DAY FESTIVAL / CENTRAL AVENUE, PEARL RIVER / OCTOBER 18, 2025

RESOLVED, upon the recommendation from the Superintendent of Highways, Chief of Police & Superintendent of Parks, that the Town Board hereby authorizes these departments to lend assistance which includes the use of trash cans, barricades, electronic message board and detour signs; the distribution of green waste bags and recycling bins to residents from the Highway Department; a police detail provided by OPD, porta-johns and showmobile from Parks, and a Highway Department event perimeter for the annual Pearl River Day Festival to be held on Saturday, October 18, 2025, from 8 am to 7 pm.

AUDIT

25. 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 \$3,063,744.53.

EXECUTIVE SESSION

26. ENTER EXECUTIVE SESSION

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

ADJOURNMENTS

27. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Jean Carroll**, *Resident of Pearl River*
- ❖ **Gus Filter**, *Former Pearl River Resident, Teacher and Coach*