

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, FEBRUARY 7, 2017**

This meeting was opened at 7:30 p.m. Supervisor Stewart presided and the Deputy Clerk called the roll. Present were:

Councilman Thomas Diviny
Councilman Paul Valentine
Councilman Gerald Bottari
Supervisor Andrew Stewart

Absent: Councilman Denis Troy

Also present: Gerri Orlik, Deputy Clerk
John Edwards, Town Attorney
Teresa Kenny, Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
Kevin Nulty, Police Chief

Pledge of Allegiance to the Flag of the United States of America was led by Esta Baitler.

Proclamation – Black History Month February 2017.

Orangetown Highway Department Wins National Safe and Sustainable Snow Fighting Award from the Salt Institute for excellence in environmental consciousness and effective management in the storage of winter road salt for the 23rd time! Only a handful of local agencies in the U.S. receive this recognition. Congratulations to our Highway Department.

Brian Quinn, Montalbano, Condon & Frank, PC and Robert Foley, Dewberry Engineers, presented the conceptual plan for a proposed datacenter (RPC campus). JPMorgan Chase, their client, will be purchasing the site, demolishing existing building, doing mediation and developing 60 acres of the land. A large building about 150,000 square feet will be constructed in the center of the parcel. There will be wooded buffer zones, high paying tech jobs and a small number of employees. A final site plan could be approved by June 15th, demolition of about 40 existing buildings would take place in July and construction would begin in November. Bill Veets, JPMorgan Chase Managing Director, thanked the Town staff for all the attention on this project. He is excited and believes this project is a good fit for the community.

Summary of Public Comments:

Nancy Antonucci, REASONS – her group helps monitor the development of the RPC campus. The group believes a datacenter is a win-win for everyone. They are concerned about the zoning where the old Children’s Center stands and suggested changing it.

Ruth Weber, Upper Grandview Association, Paul Kubarych, Tappan, Lynne Dennerlin, Nyack and Eileen Murray, Nyack, are still concerned regarding the Mountain Bikers disrupting the contaminated soil and wildlife located in Nike Park. They suggested the Town Board look at letters and documents in the Town files from the Army, Congressman Ben Gilman, Palisades Civic Association and the DEC going back to the early 1970’s.

Sherwin Harrison, and Peter Hughes, Pearl River, are concerned that the property located at 100 Buchanan St is in violation of Town Codes. The residence is being used as a multiple family dwelling and a business (repairing and selling cars), instead of a single-family dwelling.

Eileen Larkin, Palisades, wants to hear from the Town Board regarding Gov. Cuomo’s proposed share services law.

Esta Baitler, Sparkill, believes Community Development Block Grants should be for Venture. Allyson Sullivan, Blauvelt, thanked the Town Board for their continued efforts regarding Aluf and asked for Town Board to keep pressure on Aluf. There are new documents on the Town’s website and she encouraged all to read.

Chris Day, Palisades, agrees the datacenter is a win-win. There is no negative impact on the environment; it is a clean rateable, low density and minimum traffic. He is in-favor of changing the zoning of the old Children’s Center site.

Dimitri Laddis, Piermont, said Mountain Biking is passive recreation. Nike Park is being used exactly the way it was two years ago – passive recreation.

Thom Kleiner, former Town Supervisor, commented a datacenter is a great proposal and it is better than any of the proposal that were received, when he was in office. He is in-favor of Mike Mandel as chairperson of the Planning Board.

Lisa Sheridan, Pearl River, implored the Board to refrain from reappointing Kevin Garvey as Chairman of the Planning Board. She suggested the appointment of Mike Mandel.

Heather Hurley, Pearl River, is dissatisfied with the chairman of the Planning Board and supports the appointment of Mike Mandel as chairman. When was/will Aluf’s Injunctive Relief filed and who will evaluate the report that was submitted to the DEC?

Leo Werberg, Tappan, has taken scout troops and first thru third graders on tours of the parks and rail trails. He is concerned with the chemical odors. We do need any points to say Orangetown is not a great place to live.

Chris Donegan, Pearl River, supports the data center. He questioned the Zoning of the old RP Children’s Center site. He echoed Mr. Harrison’s remarks regarding 100 Buchanan St.

RESOLUTION NO. 70

CLOSE PUBLIC COMMENTS

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the public portion is hereby closed.

- Ayes: Supervisor Stewart
Councilperson Valentine, Diviny, Bottari
- Noes: None
- Absent: Councilperson Troy

RESOLUTION NO. 71

RPC ZONE CHANGE/CONCEPTUAL DEVELOPMENT/ SALE OF TOWN OWNED LANDS/ INTENT TO BE LEAD AGENCY/SEQRA DECLARATION REFERRALS/CIRCULATION LETTER

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, the Town of Orangetown (hereinafter the “Town”) is the owner of a certain parcel of real property, formerly a part of the Rockland Psychiatric Center, located in the Town of Orangetown, County of Rockland, State of New York, consisting of approximately 60 ± acres bounded on the north by Convent Road, on the south, east and west by other Town owned lands and/or lands of New York State (the “Property”); and

WHEREAS, at the time that the Town purchased the Property, as part of Town as a part of a larger purchase of 349 ± acres, it was the Town’s intent, as reflected in the later adopted Rockland Psychiatric Center Redevelopment Plan, as thereafter periodically reviewed and modified, to see the Property developed in a manner that would revitalize and enhance both the surrounding area, in particular, and the Town, as a whole, more generally, all for the benefit of the residents of the Town of Orangetown, New York; and

WHEREAS, over the years, the Town has actively sought out and pursued potential opportunities for the sale and development of the more challenging portions of the larger parcel, including the 60 ± acres comprising Property, without success, while, at the same time, developing other portions of the larger parcel to satisfy Town recreation needs; and

WHEREAS, in recent weeks, the Town has been presented with a purchase and development proposal that, if approved and implemented, will result in low traffic impacts and low density development and otherwise be consistent with the development goals set forth in the Town’s Redevelopment Plan; and

RESOLUTION NO. 71 - Continued

WHEREAS, in order to permit the redevelopment of the Property consistent with the proposal, the Town will need to amend the Town Zoning Law applicable thereto, and take other steps, including, but not limited to, compliance with the State Environmental Quality Review Act (“SEQRA”), prior to entering into a binding Contract of Purchase and Sale; 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 a review by other interested agencies, all with a view toward the possible adoption of the necessary zoning and approval of the conceptual and, eventually, the site specific, development of the Property, as well as the execution of a binding Contract of Purchase and Sale,

NOW, THEREFORE, BE IT RESOLVED, upon review of a proposal for re-zoning and conceptual development, 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 a Type I action under SEQRA; and
3. The following are involved or interested or involved agencies in the review process for the zone change, conceptual development and Contract of Purchase and Sale:

-) Orangetown Planning Board;
-) Rockland County Department of Planning;
-) Rockland County Highway Department;
-) N.Y.S. Office of Mental Health;
-) N.Y.S. Department of Transportation and
-) Rockland County Drainage Agency

And,

BE IT FURTHER 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 shall further be for the purpose of review pursuant to General Municipal Law §§ 239- 1 & m; and

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

BE IT FURTHER RESOLVED, that the Town Supervisor shall be authorized to execute a Terms Sheet, which, though non-binding on either party, sets forth the material terms of the parties understanding regarding the description of the Property to be conveyed, the proposed sales price, the uses contemplated and the contingencies to be included in a binding Contract of Sale, if, and at such time, following the completion of SEQRA, as the parties may enter.

Ayes: Supervisor Stewart
 Councilpersons Bottari, Diviny, Valentine
 Noes: None
 Absent: Councilperson Troy

RESOLUTION NO. 72

SET PH/ZONE CHANGE/TOWN-OWNED/ROCKLAND PSYCHIATRIC CENTER (RPC)/ R-80 TO RPC-OP 73.08-1-1

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED that the Town Board will hold a public hearing on March 14, 2017, at 8 p.m., on a proposed Local Law, amending Chapter 43, § 2.1, 3.11 and 3.12, and the related Use and Bulk Tables, establishing the RPC-OP Zoning District and rezoning a portion of the Town owned lands, formerly a part of the Rockland Psychiatric Center (and a part of Tax Lot 73.08-1-1 on the Tax Map of the Town of Orangetown) from R-80 to RPC-OP.

- Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
- Noes: None
- Absent: Councilperson Troy

**PROPOSED LOCAL LAW
AMENDING CHAPTER 43, § 2.1 AND 3.11 AND 3.12
OF THE ZONING LAW OF THE TOWN OF ORANGETOWN
TO ESTABLISH A NEW RPC-OP ZONING DISTRICT AND CHANGING THE
ZONING DISTRICT OF PROPERTY, FORMERLY A PART OF THE ROCKLAND
PSYCHIATRIC CENTER (A PORTION OF TAX LOT 73.08-1-1)**

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

Section 1: Amend the Town Code of the Town of Orangetown, Chapter 43, entitled “Zoning”, at Article II §§ 2.1 and 2.2, and the Town Zoning Map, incorporated therein by reference, to create a new “RPC-OP” Rockland Psychiatric Center Office Park) zoning district.

Section 2: The permitted uses, special permit uses, conditional uses, accessory uses, parking and additional requirements permitted and/or required in the RPC-OP Zoning District shall be as set forth on the Table of General Use Regulations, 43 Attachment 12A, RPC-OP Zoning District, attached hereto, and established hereby, and made a part of Chapter 43, § 3.11.

Section 3: The lot and bulk regulations for lots within the newly established RPC-OP Zoning District shall be as forth on the Table of General Bulk Regulations, 43 Attachment 17A, RPC-OP Zoning District, attached hereto, and established hereby, and made a part of Chapter 43, § 3.12.

Section 4: The following Town owned lands, formerly a part of the Rockland Psychiatric Center, and consisting of a portion of Tax Lot 73.08-1-1, presently zoned “R-80 (Rural Residence)” shall be re-zoned RPC-OP.

[See Schedule “A” Diagram attached / to be replaced by metes and bounds – Exhibit 02-A-17]

Section 4: This local law shall take effect immediately on filing with the Secretary of State.

RESOLUTION NO. 73

APPRAISAL/VALUATION PLUS TOWN-OWNED LAND/ROCKLAND PSYCHIATRIC CENTER (RPC) BETWEEN CONVENT ROAD, OAK STREET, FIRST AVE & THIRD AVE

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLUTION NO. 73 - Continued

RESOLVED, authorize a professional appraisal of town-owned land at the Rockland Psychiatric Center lying between Convent Rd, Oak St, First Ave and Third Ave with an assumption of office and datacenter zoning, by Valuation Plus at a cost of \$5500.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 74

**ARCHITECTURAL AND SPACE
PLANNING SERVICES/TOWN
HALL/MUSIAL GROUP/\$62,960**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

WHEREAS, the Town issued an RFP for Architectural and Space Planning Services and analysis of costs and feasibility for repair or replacement of Town Hall; and

WHEREAS, five finalists were chosen from a pool of nineteen applicants after several presentations and interviews; and

WHEREAS, after careful review and deliberation, the Town Board has chosen Musial Group as the best qualified firm;

THEREFORE BE IT RESOLVED THAT the Town Board accepts the proposal by Musial Group for Architectural and Design Services in the amount of \$62,960 and directs the Supervisor to engage the said firm, and to execute any and all documents necessary effectuate that result.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 75

**REAPPOINT/ BLYTHE YOST
ARCHITECTURE & COMMUNITY
APPEARANCE BOARD OF REVIEW
(ACABOR)/CHAIRPERSON**

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that BLYTHE YOST is hereby reappointed Chairperson to the Orangetown Architecture & Community Appearance Board of Review for a period of 1-Year, commencing January 1, 2017 and expiring on December 31, 2017.

Ayes: Councilpersons Diviny, Bottari, Valentine
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 76

**REAPPOINT/BRIAN TERRY
ARCHITECTURE & COMMUNITY
APPEARANCE BOARD OF REVIEW
(ACABOR)**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLUTION NO. 76 - Continued

RESOLVED, that BRIAN TERRY is hereby reappointed Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3-Years, commencing January 1, 2017 and expiring on December 31, 2019.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 77

**REAPPOINT/ANDREW ANDREWS
ARCHITECTURE & COMMUNITY
APPEARANCE BOARD OF REVIEW
(ACABOR)**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that ANDREW ANDREWS is hereby reappointed Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3- Years, commencing January 1, 2017 and expiring on December 31, 2019.

Ayes: Councilpersons Valentine, Diviny, Bottari
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 78

**REAPPOINT/DEBORAH
STUHLWEISSENBURG (ACABOR)
ARCHITECTURE & COMMUNITY
BOARD APPEARANCE OF REVIEW**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that DEBORAH STUHLWEISSENBURG is hereby reappointed Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3-Years, commencing January 1, 2017 and expiring on December 31, 2019.

Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 79

**REAPPOINT/REV. LOUIS SANDERS
BOARD OF ETHICS**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that REVEREND LOUIS SANDERS is hereby reappointed member of the Board of Assessment of Review for a period of 5-Years, commencing January 1, 2017 and expiring on December 31, 2021.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 80

REAPPOINT/DR. MARGARET MARY FITZPATRICK/BOARD OF ETHICS

Councilman Bottari offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that DR. MARGARET MARY FITZPATRICK is hereby reappointed member of the Board of Ethics for a period of 5-Years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Bottari, Diviny, Valentine
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 81

REAPPOINT/THOMAS HYLAND BOARD OF ETHICS

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that THOMAS HYLAND is hereby reappointed member of the Board of Ethics for a period of 5-Years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Diviny, Valentine, Bottari
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 82

REAPPOINT/MICHAEL MANDEL BOARD OF ETHICS

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, that MICHAEL MANDEL is hereby reappointed member of the Board of Ethics, for a period of 5-years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Diviny, Supervisor Stewart
Councilpersons Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 83

REAPPOINT/THANO SCHOEPEL HISTORIC AREAS BOARD OF REVIEW (HABOR)

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that THANO SCHOEPEL is hereby reappointed member of the Historic Areas Board of Review for a period of 5-Years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Diviny, Bottari, Valentine
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 84

**APPOINT/CAROL SCHELIN
HISTORIC AREAS BOARD OF
REVIEW (HABOR)**

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that CAROL SCHELIN is hereby appointed member of the Historic Areas Board of Review for a period of 5-Years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Diviny, Valentine, Bottari
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 85

**REAPPOINT/STEPHEN SWEENEY
PLANNING BOARD**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that STEPHEN SWEENEY is hereby reappointed Member to the Orangetown Planning Board for a period of 7-Years, commencing January 1, 2017 and expiring December 31, 2023.

Ayes: Supervisor Stewart
Councilpersons Diviny, Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 86

**REAPPOINT/ JOAN SALOMON
ZONING BOARD OF APPEALS (ZBA)**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that JOAN SALOMON is hereby reappointed Member to the Orangetown Zoning Board of Appeals for a period of 5-Years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Councilpersons Valentine, Diviny, Bottari
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 87

**REAPPOINT/LEONARD FEROLDI
ALTERNATE MEMBER/ZONING
BOARD OF APPEALS (ZBA)**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that LEONARD FEROLDI is hereby reappointed Alternate Member to the Orangetown Zoning Board of Appeals, for a period of 5-years, commencing January 1, 2017 and expiring December 31, 2021.

Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 88

**REAPPOINT/CHARLES VEZZETTI
SANITATION COMMISSION
CHAIRMAN**

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, that CHARLES VEZZETTI is hereby reappointed Chairman of the Sanitation Commission for a period of 1-Year, commencing January 1, 2017 and expiring December 31, 2017.

- Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Valentine, Bottari
- Noes: None
- Absent: Councilperson Troy

RESOLUTION NO. 89

**REAPPOINT KEVIN GARVEY
PLANNING BOARD/CHAIRPERSON**

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and on a roll call was adopted:

RESOLVED, that KEVIN GARVEY is hereby reappointed Chairperson to the Orangetown Planning Board for a period of 1-Year, commencing January 1, 2017 and expiring December 31, 2017.

- Ayes: Councilpersons Diviny, Valentine, Bottari
- Noes: Supervisor Stewart
- Absent: Councilperson Troy

RESOLUTION NO. 90

**REAPPOINT/DANIEL SULLIVAN
ZONING BOARD OF APPEALS (ZBA)
CHAIRPERSON**

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine Supervisor Stewart and was unanimously adopted:

RESOLVED, that DANIEL SULLIVAN is hereby reappointed Chairperson to the Orangetown Zoning Board of Appeals, for a period of 1-year, commencing January 1, 2017 and expiring December 31, 2017.

- Ayes: Councilperson Diviny, Valentine, Bottari
Supervisor Stewart
- Noes: None
- Absent: Councilperson Troy

RESOLUTION NO. 91

**TAX CERTIORARI/GISONDI FAMILY
LIMITED 66.37-2-6.2 AND 66.37-2-1**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Consent Judgment regarding the tax certiorari proceeding Gisondi Family Limited Partnership v. The Assessor of the Town of Orangetown, et al., Tax Map designations 66.37-2-6.2 and 66.37-2-1 (199 and 173 Main Street, Nyack) for the tax assessment years 2012 through 2016, for a total refund by the County of \$3,162, a total refund by the Town of \$7,176 and a total refund by the School District of

RESOLUTION NO. 91 - Continued

\$37,202. 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 Town (and Rockland County Finance Dept.).

Ayes: Supervisor Stewart
Councilpersons Diviny, Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 92

**SET PH/PROPOSED LOCAL LAW
VEHICLE WEIGHT LIMITS ON OAK
TREE ROAD/HAMLET OF TAPPAN**

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, that upon the recommendation of the Town Attorney set a date of March 7, 2017 at 8:00 P.M. for a public hearing to consider a local law regarding vehicle weight limits on Oak Tree Road in the Hamlet of Tappan.

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 93

**APPLICATION AND ACCEPTANCE
OF NY BRIDGE PROJECT
COMMUNITY BENEFIT FUND
AWARD/NEW SHOWMOBILE**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, New NY Bridge Project Community Benefit Fund (CBF) provides grants to eligible governmental entities and not-for-profit corporations located in Westchester and Rockland Counties; and

WHEREAS, the Town of Orangetown previously had submitted an application to the CBF in the amount of \$145,000.00 for the purchase of a new Showmobile; and

WHEREAS, the NY State Thruway Authority has informed the Town that it supports the Town’s application under the CBF,

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Town of Orangetown hereby, and with gratitude, accepts the grant of \$145,000 from the New NY Bridge Community Benefits Fund for the purchase of a new Showmobile, subject to the execution, and terms, of the grant agreement; and
2. That the Town Supervisor, or his designated representative, is authorized to act in behalf of the Town in all matters related to the New NY Bridge Community Benefits Fund award, including but not limited to the filing of the Town’s application, the execution of the Community Benefits Fund Contract, the submittal of all Project documentation, and otherwise as may be required to effect the award.
3. That this Resolution takes effect immediately.

Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 94

**PERMISSION GRANTED/2017
GRASSROOTS ADVOCACY
CAMPAIGN**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that permission is granted for the Superintendent of Highways to attend the 2017 Grassroots Advocacy Campaign for Local Roads and Bridges, Albany, NY, March 7-8, 2017, at a cost of \$196.00 to be charged to Account #A5010.441 and \$30.00 to be charged to Account # A5010.480, for a total amount of \$226.00.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 95

**OWNERSHIP AND MAINTENCE
GREENBUSH ROAD/ HIGHVIEW TO
STEPHENS WAY/ HIGHWAY**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that the Town Board hereby affirms that the Town of Orangetown owns and maintains Greenbush Road in Orangeburg, from Route 303 to Highview Avenue (road section length 0.19 miles & pavement width 26') & Greenbush Road from Highview Avenue to Stevens Way (road section length 0.18 miles & pavement width 31'). The total length of the road owned and maintained is 0.37 miles.

Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 96

**SHOWMOBILE/ ANCIENT ORDER OF
HIBERNIANS/ST. PATRICK'S DAY
PARADE/SUNDAY, MARCH 19, 2017**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Ancient Order of Hibernians for the St. Patrick's Day Parade on Sunday, March 19, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town OF Orangetown as additionally insured.

Ayes: Supervisor Stewart
Councilpersons Diviny, Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 97

**SHOWMOBILE/ PENGUIN PLUNGE,
INC./SUNDAY, MARCH 5, 2017**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLUTION NO. 97 - Continued

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks and Recreation has forwarded for approval by the Town Board, use of the Showmobile by Penguin Plunge, Inc., for the Penguin Plunge on Sunday, March 5, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 98

AWARD BID/PLUMBING & REPAIR SERVICES/HAUSER BROTHERS, INC. PARKS & RECREATION

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Plumbing and Repair Services, which were received and publicly opened on January 25, 2017; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 02-B-17. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance, award the contract for Plumbing and Repair Services to Hauser Bros. Inc. of Orangeburg, NY, the lowest qualified bidder.

Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 99

AWARD BID/KEVIN DOWNES TREE SERVICE/TREE PRUNING AND REMOVAL/ PARKS & RECREATION

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Town Wide Tree Pruning and Removal projects within Town-Owned properties, which were received and publicly opened on January 25, 2017; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 02-C-17. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance, award the contract for Tree Pruning and Removal to KEVIN DOWNES TREE SERVICE of Hawthorne, New Jersey, the lowest qualified bidder.

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 100

ACCEPT DONATION/ TWO TRADITIONAL RECYCLED PLASTIC MEMORIAL BENCHES/IN MEMORY OF JOSEPH SHAPIRO/PARKS

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLUTION NO. 100 - Continued

RESOLVED, to accept with gratitude the donation of two Traditional Recycled Plastic Plank Benches engraved as follows: “In Memory of Joseph Shapiro” to be placed along the phase II section of the Rail Trail, exact location to be determined by the Park staff. This donation is being made by Ms. Ruth Craft and family.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 101

APPOINT/ PETER STALLONE SEWER INSPECTOR II/ DEME

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that upon the recommendation of the Commissioner of DEME (Department of Environmental Management and Engineering) the Town Board affirms and acknowledges the appointment of Peter Stallone to the position of Sewer Inspector II, Grade 18, Step 1 at a salary of \$75,835.00, effective February 27, 2017. This is a funded position that was created due to a retirement. The salary difference results in a net savings of \$42,530.00.

Ayes: Councilpersons Valentine, Diviny, Bottari
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 102

APPOINT/GREGORY MICHEL LABORER/DEME

Councilman Bottari offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, that upon the recommendation of the Commissioner of DEME (Department of Environmental Management and Engineering) the Town Board affirms and acknowledge the appointment of Gregory Michel to the position of Laborer, Grade 9, Step 6 at a salary of \$63,977.00, effective February 13, 2017. This is a funded position that was created due to a transfer. The salary difference results in a net savings of \$9,214.00.

Ayes: Councilperson Bottari, Supervisor Stewart
Councilpersons Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 103

APPOINT/ CHRISTOPHER FEROLDI GROUNDWORKER/PARKS AND RECREATION

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, appoint Christopher Feroldi to the position of Groundworker in the Parks and Recreation Department, Grade 9, Step 30 at a salary of \$80,060.00, effective February 17, 2017.

Ayes: Supervisor Stewart
Councilpersons Diviny, Valentine, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 104

**APPOINT/BLAUVELT FIRE DEPT
BRIAN T. BERMINGHAM**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, upon the recommendation of the Blauvelt Fire Dept., Brian Thomas Bermingham is hereby appointed to the position of Firefighter, with the Blauvelt Volunteer Fire Company.

Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 105

**PERMISSION GRANTED/JOSEPH
MORAN/WATER & WASTEWATER
EQUIPMENT, TREATMENT &
TRANSPORT CONFERENCE/DEME**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that permission is granted for the Commissioner of DEME, Joseph Moran, to attend the Water & Wastewater Equipment, Treatment & Transport (WWETT) conference at the Indiana Convention Center in Indianapolis, IN from February 22 – 24, 2017, at a cost of \$683.00, to be charged to Account No. G.8130.441.

Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 106

**APPROVE/SEWER WORK 2017
CERTIFICATE OF REGISTRATION**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

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 2017 Sewer Work is approved to:

American Minutemen	J D Backhoe
Belleville Landscaping	Pearl River Plumbing, Heating & Electric
Calmart Enterprises	Rino Paving & Construction
Coppola Services	Michael Sasso Plumbing
Dutra Excavating & Sewer	Carmelo Scaffidi & Sons
Environmental Construction	Kevin Stokes Excavating
Ronald Filera Landscaping	Ronald Tarigo
First Rate Landscaping	Tobar Excavating
W. Harris & Son	Travcon, Inc.
William King & Son	Victor Zugibe, Inc.

Ayes: Councilpersons Valentine, Diviny, Bottari
Supervisor Stewart
Noes: None
Absent: Councilperson Troy

RESOLUTION NO. 107

PAY VOUCHERS

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers (5 warrants) for a total of \$1,572,305.01.

- Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Valentine, Bottari
- Noes: None
- Absent: Councilperson Troy

RESOLUTION NO. 108

**ENTER EXECUTIVE SESSION
SECURITY/ST. PATRICK’S DAY
PARADE**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Diviny, Valentine and Bottari and Chief Nulty.

Supervisor Stewart offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, at 9:30 p.m. the Town Board entered Executive Session to discuss security at the St. Patrick’s Day parade.

- Ayes: Supervisor Stewart
Councilpersons Bottari, Diviny, Valentine
- Noes: None
- Absent: Councilperson Troy

RESOLUTION NO. 109

RE-ENTERED RTBM/ADJOURNED

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, at 9:53 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Frank Luciano, Sr., Pearl River (father to employees Frank & Joe Luciano; Helen Morahan, New City; June Reilly Groll, Orangeburg (former Town Councilwoman & mother of employee Kimberly Allen); Teresa Surace, Bardonia (grandmother to employee Elizabeth Decort); and Ernest Morvay, father to employee Robin Goldsmith.

- Ayes: Supervisor Stewart
Councilpersons Valentine, Diviny, Bottari
- Noes: None
- Absent: Councilperson Troy

Charlotte Madigan, Town Clerk