

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 18, 2017**

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

Councilman Denis Troy
Councilman Paul Valentine
Councilman Gerald Bottari
Supervisor Andrew Stewart

Absent: Councilman Thomas Diviny

Also present: Geraldine 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 DEMA
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Kevin Nulty, Police Chief

Pledge of Allegiance to the Flag of the United States of America: Esta Baitler.

Alex Betke, Brown & Weinraub, introduced himself and spoke about his lobbying efforts (for the Town) with Albany. He has been the Town's lobbyist for the past several years.

Summary of Public Comments:

Seth Reichlin, Nyack, It is a shame that the State closed the very popular trail, between Nike and Tackamac Parks. It would be lovely to keep it open for walkers.

Eileen Larkin, Palisades – the RPC campus (where a dog shelter existed) is a better site for Hi-Tor Animal Shelter and suggested a volunteer program with patients to assist with the animal shelter.

Esta Baitler, Sparkill, is against the 3 minute clock. She requested an update on the street light and bus shelter projects.

Mike Mandel, Pearl River – the Pearl River Park's Committee wants to keep fundraising for the fireworks rather than take funds from the Pearl River Parking account. The Director of OBZPAE position is very important and an engineer is needed.

Chris Sweeny, Pearl River, the Director of OBZPAE definitely is an engineering position. An architect and engineer are completely two different jobs. How does this job opening get advertised?

Allyson Sullivan, Blauvelt – requested an update on Aluf's installation of new equipment. She has concerns regarding the proposed warehouse to be built, between Murphy Ct. and Aluf Plastics.

Carol Baxter, Palisades, excited that the Palisades Community Center has received the Rockland County Executive Historic Preservation Award. She wants a public meeting, not just a drive thru, with the DOT, regarding safety issues along Route 9W and Oak Tree Road.

Don Simmons, Blauvelt – requested help in getting the trail between Nike Park and Tackamac Park opened.

Allan Ryff, Tappan, urged the Town Board to support the resolution in opposition of the proposed garbage recycling /biofuel plant. This plant will disrupt our quality of life and environmental safety.

Heather Hurley, Pearl River – supports the resolution in opposition of the recycling/biofuel plant. Wants to know why the Building Director's job was not posted on any bulletin boards and where it is posted. Why is it including architect experience? The notification of land use boards meeting should be extended to 500 feet.

RESOLUTION NO. 381

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Ayes: Supervisor Stewart
Councilpersons Bottari, Troy, Valentine

Noes: None

Absent: Councilman Diviny

RESOLUTION NO. 382

**CONTRACT / PARKS AND TRAILS NY
BIKE STUDY**

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

WHEREAS, with Town Board approval, the Town sought, and won, a grant from the Tappan Zee Bridge Community Benefits Fund for \$40,000 to pay a consultant to guide the Town in identifying opportunities to enhance the bicycle safety and accommodation in Orangetown, in recognition of the growth in cycling due to the new shared use path on the new NY Bridge/Tappan Zee Bridge, the community interest in bike safety for children and adults, and the need to better harmonize and accommodate all users of local roads and paths, and later issued a Request for Proposals for this professional service, and received several qualified responses; therefore, be it

RESOLVED, that upon the recommendation of Superintendents of Highway and Parks, and of administrative staff, the Town Board selects as a consultant Parks and Trails New York, a leader in the field of bike safety issue analysis, public engagement and project funding feasibility analysis, and directs the Supervisor to execute any documents as appropriate and with proper legal review to implement this project.

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

RESOLUTION NO. 383

**TAPPAN ZEE BRIDGE COMMUNITY
BENEFITS FUND / BIKE STUDY
\$40,000 / FUND BALANCE
B.3120.457.16 / B.3120.457.16**

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

WHEREAS, the Town received a grant of \$40,000 from the Tappan Zee Bridge Community Benefits Fund for a study of bike use in Orangetown; and

WHEREAS, the terms of the grant require that the Town be reimbursed for its expenses; and

WHEREAS, the cost of the bike study would be charged to account B.3120.457.16; be it

RESOLVED, that upon the recommendation of the Director of Finance, the Town Board authorizes an increase to budget line B.3120.457.16 by \$40,000 FROM Fund Balance to cover the cost of the survey.

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

RESOLUTION NO. 384

**TERMINATE 2017 AGREEMENT
GOVERNMENT RELATIONS
REPRESENTATION / JACKSON
LEWIS**

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

WHEREAS, per resolution 621 of 2017 the Town of Orangetown approved an Agreement for Government Relations Representation in New York State with the lobbying firm Jackson Lewis, effective January 1, 2017, through December 31, 2017; and

RESOLUTION NO. 384 – Continued

WHEREAS, the Town's lead contact at Jackson Lewis, Alex Betke, who has represented the Town for several years, has resigned from the firm and the Town wishes to have Mr. Betke continue to represent its interests;

BE IT RESOLVED, that upon recommendation of the Supervisor, the Town Board does hereby cancel its Agreement for Government Relations Representation in New York State with the lobbying firm Jackson Lewis, effective immediately.

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

RESOLUTION NO. 385

**AGREEMENT/GOVERNMENT
RELATIONS REPRESENTATION
BROWN AND WEINRAUB / ALEX
BETKE**

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

WHEREAS, per Resolution 621 of 2017 the Town of Orangetown approved an Agreement for Government Relations Representation in New York State with the lobbying firm Jackson Lewis, effective January 1, 2017, through December 31, 2017; and

WHEREAS, the Town's lead contact at Jackson Lewis, Alex Betke, who has represented the Town for several years, has resigned from the firm and the Town wishes to have Mr. Betke continue to represent its interests;

WHEREAS, Mr. Betke has joined the firm of Brown and Weinraub, in Albany NY; and

WHEREAS, Brown and Weintraub has proposed that Mr. Betke shall remain the Town's lead contact and proposes an Agreement for Government Relations Representation for the period of July 1, 2017 through June 30, 2018 at a monthly fee of \$4000 per month (no change to costs); therefore

BE IT RESOLVED, that upon recommendation of the Supervisor and the Town Attorney, the Town Board does hereby accept its Agreement for Government Relations Representation in New York State with the lobbying firm Brown and Weintraub, for the period of July 1, 2017 through June 30, 2018 at a monthly fee of \$4000 per month.

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

RESOLUTION NO. 386

**MEMORIALIZING RESOLUTION
OPPOSITION / PROPOSED NEW
PLANET WASTE TO FUEL FACILITY
STONY POINT, NY**

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

WHEREAS, the NYS Department of Environmental Conservation is currently acting as lead agency under the State Environmental Quality Review Act (“SEQRA”) in the environmental review of a proposed garbage recycling plant, known as the “New Planet Waste to Fuel Facility” located on Holt Drive in the Town of Stony Point, County of Rockland; and

RESOLUTION NO. 386 – Continued

WHEREAS the plant proposes to use a gasification process to convert garbage into fuel; and

WHEREAS, the proposal will generate approximately 400 trucks each day, carrying 4,800 tons of garbage each day, from New York City and areas south of Rockland County by entering Rockland County and proceeding through portions of Orangetown via Routes 9W and 303, and upon depositing such municipal garbage barely into Stony Point, returning, thereafter, through Orangetown via the same route; and

WHEREAS, the applicant’s proposal states that they will need still additional trucks to remove recyclables, hazardous material (that cannot be processed), the byproduct of the gasification process (ash), and 100,000 gallons of diesel fuel each day; and

WHEREAS, large freight containers of highly combustible Bakken crude oil will traverse to and through this site every day via the CSX rail line – thousands of rail freight cars on a yearly basis – in addition to which, a new Champlain Hudson Power Express Project 1000 mega-watt (which runs hot and needs cooling stations) will be placed parallel to the CSX rail line; and

WHEREAS, a measurement of the impacts of having hundreds of trucks traveling both ways with their air pollutants, as well as the pollutants emitted through the gasification process itself will surely inhibit this green process, and actually increase the degradation of the air quality; and

WHEREAS, it takes 24 operational hours to process 4,000 tons of garbage each day, meaning there will be a constant flow of trucks, presenting serious noise, emissions and lighting concerns to the surrounding areas. In addition to which, there will be 800 tons of garbage each day that will have to be stock piled, awaiting processing; and

WHEREAS, it is highly inappropriate that an unknown entity with the potential to be extremely hazardous to the public health, safety and welfare, and to the surrounding environment, should be permitted in a dense residential area,

NOW, THERFORE, BE IT RESOLVED that the Town Board of the Town of Orangetown unanimously expresses its fervent opposition to the proposal of the “New Planet Waste to Fuel Facility”; and, be it further

RESOLVED, that the Town be and is hereby authorized and directed to send a copy of this resolution to all elected representatives of Rockland County and the NYS Department of Environmental Conservation.

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

RESOLUTION NO. 387

**LEAD AGENCY DESIGNATION
COORDINATED REVIEW
SPARKILL- PALISADES FIRE
DISTRICT / CONSTRUCTION OF AN
ADDITION**

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

WHEREAS, that Town has received a request from the Sparkill-Palisades Fire District for consent for the Board of Fire Commissioners to declare Lead Agency Status for Coordinated review of the proposal to construct a 6000 sf addition to the existing fire house, located at 520 Route 340, Sparkill; be it

RESOLVED, that the Town Board hereby consents to the Board of Commissioners of the Sparkill-Palisades Fire District as lead agency for their application for coordinated review for

RESOLUTION NO. 387 – Continued

construction of a proposed addition to the existing fire house and directs the Town Attorney to write a letter to that effect.

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

RESOLUTION NO. 388

**AGREEMENT / MEDAIR / UPDATE
PERFORMANCE STANDARDS**

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

WHEREAS, Orangetown’s town code for performance standards review, measurement and compliance monitoring is in many ways outdated, for example, the odor-related code is based in a 1951 air pollution abatement manual that is no longer an industry standard and is actually unavailable, and the noise and vibration standard used by the town dates to 1944 and 1953 and is similarly outdated, and

WHEREAS, the community is concerned about issues of air, soil and water pollution, public health and supporting clean economic development, and through petitions, activism and advocacy has called for increased investment by the Town in environmental quality of life; therefore be it

RESOLVED, the Town Board accepts the professional services scope of work proposal for “Advisory Services for Upgrading Environmental Management Town Performance Standards,” dated July 11, 2017, from Sander Bonvell of MedAir Associates, an expert in environmental permitting, compliance and chemistry, to provide technical update recommendations to the town’s performance standards codes, in collaboration with town staff in engineering, code enforcement and law, and the town board, at a rate of \$90/hour, not to exceed \$18,000, and directs the Supervisor to coordinate and implement this project.

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

RESOLUTION NO. 389

**STATE AND MUNICIPAL (“SAM”)
GRANT / \$150,000 / SENATOR DAVID
CARLUCCI / OAK TREE ROAD
SIDEWALKS**

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

WHEREAS, the Town’s current highest priority sidewalk project is to provide safe pedestrian access along Oak Tree Rd between residential and commercial areas near Rte 303 in Tappan, east to the parking area for the J.B. Clarke Rail Trail, one of the few remaining gaps in otherwise continuous sidewalks along Oak Tree Rd between Rte 303 and Rte 9W; therefore, be it

RESOLVED, the Town Board directs the Supervisor to make a State and Municipal (“SAM”) grant request for \$150,000 to Senator David Carlucci to pay for this sidewalk project, and execute any related documents as necessary to obtain this funding.

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

RESOLUTION NO. 390

AGREEMENT / DEPT OF HOMELAND SECURITY / CYBERSECURITY EVALUATION

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

WHEREAS, through its National Cybersecurity and Communications Integration Center (NCCIC), the Department of Homeland Security offers free, voluntary and collaborative resources for cyber threat prevention, protection, response and recovery for the nation’s State, Local, Tribal and Territorial governments, and

WHEREAS, the NCCIC provides a multitude of services to monitor information technology infrastructure and resources and also provides advisories and education to participating organizations; be it

RESOLVED, that upon the recommendation of the Director of Information Technology, the Town Board hereby authorizes the Supervisor to execute any and all documents as appropriate and with proper legal review relating to the NCCIC/DHS Cyber Hygiene Agreement.

Ayes: Councilpersons Troy, Bottari, Valentine
Supervisor Stewart

Noes: None

Absent: Councilman Diviny

RESOLUTION NO. 391

AGREEMENT / CENTER FOR INTERNET SECURITY MULTI-STATE ISAC / CYBER SECURITY

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

WHEREAS, the Multi-State Information Sharing and Analysis Center (MS-ISAC) is a free, voluntary and collaborative effort designated by the Department of Homeland Security as the key resource for cyber threat prevention, protection, response and recovery for the nation’s State, Local, Tribal and Territorial governments, and

WHEREAS, the MS-ISAC provides a multitude of services to monitor information technology infrastructure and resources and also provides advisories and education to participating organizations; be it

RESOLVED, that upon the recommendation of the Director of Information Technology, the Town Board hereby authorizes the Supervisor to execute any and all documents as appropriate and with proper legal review relating to the MS-ISAC Membership Agreement.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Bottari

Noes: None

Absent: Councilman Diviny

RESOLUTION NO. 392

ACCEPT / RECEIVE / FILE / TOWN CLERK’S OFFICE

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

RESOLVED, that the following documents are accepted, received and filed in the Town Clerk’s Office:

1. NY Power Authority – Energy Services Program/Master Cost Recovery Agreement; Capital Program Agreement; Advisory Services Program Agreement and Authorization to Proceed.

RESOLUTION NO. 392 – Continued

- 2. Cooperative License Agreement with the Palisades Interstate Park Commission, for the Route 303 Bike Bypass – Blauvelt State Park.
- 3. Community Benefits Program with The New NY Bridge Project for a new showmobile.
- 4. TRC Environmental Corporation: Air Monitoring near Aluf Plastics.
- 5. Town Board minutes: June 6th and June 20th Regular Town Board Meeting minutes; June 13th Workshop minutes; and June 20th Special Town Board Meeting minutes.

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

RESOLUTION NO. 393

**POLICE / DECLARE SURPLUS
VEHICLES/DESTRUCTION**

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

RESOLVED, that upon the recommendation of the Chief of Police, the Town Board hereby declares the following vehicles are to be declared as surplus:

- 1997 Dodge Van 2B7HB21Y9VK562143 - Body Rust Issues
- 1999 Ford Crown Vic 2FAFP71W1XX207712 - Body Rust Issues/90,000+ miles.
- 2008 Ford Crown Vic Blk 2FAHP71V68X166303 - 90,000+ miles
- 2009 Ford Crown Vic B/W 2FAHP71V39X145488 - 90,000+ miles
- 2011 Ford Crown Vic B/W 2FABP7BV1BX135844 - 90,000+ miles;

and

BE IT FURTHER RESOLVED that upon the recommendation of the Chief of Police, the following vehicles be declared as "surplus for destruction," and the Town will donate these vehicles to local fire departments for training purposes.

- 1995 Chevrolet Caprice - Blue - 4DSD - 1G1BL52P6SR161841
- 1996 Ford Crown Vic - Blue - 4DSD - 2FALP71W0TX167541
- 1997 Ford Crown Vic - Blue - 4DSD - 2FALP71WXVX139099
- 1997 Ford Crown Vic - Blue - 4DSD - 2FALP71W4VX139096

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

RESOLUTION NO. 394

**GRANT PERMISSION / P.O.
MADDALENA / ATTEND BASIC
JUVENILE POLICE COURSE / 2017
SNYPJOA TRAINING**

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

RESOLVED, that upon the recommendation of the Chief of Police, approve P.O. Maddalena to attend the State of New York Police Juvenile Officer's Association (SNYPJO) training conference in Geneva, NY August 28-Sept 1, 2017, at a combined cost of \$1,027.00 for tuition, lodging and meals to be charged to the Police Department's Federal Asset Forfeiture account (B.3120.408.16).

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

RESOLUTION NO. 395

**RESIGNATION / RETIREMENT / DET.
MICHAEL P. MCPADDEN**

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

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Det. Michael P. McPadden from the Orangetown Police Department effective June 30, 2017.

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

RESOLUTION NO. 396

AID / 2017 COLONIAL DAY

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

RESOLVED, that the Town Board hereby authorizes the Highway and Police Depts., to lend assistance, which includes recycling kiosks and no parking signs, for Colonial Day, Tappan, on Saturday, September 23, 2017, from 8 am to 6 pm.

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

RESOLUTION NO. 397

**ADOPT-A-SPOT AGREEMENT
LINDA LANE GARDENS / 12 LINDA
LANE / PEARL RIVER**

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

RESOLVED, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which Town has a place of business at 26 Orangeburg Road, Orangeburg, NY, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization with Ouseph George as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at 12 Linda Lane, Pearl River, NY, otherwise known as the "SPOT," by performing necessary and/or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Linda Lane Gardens" Adopt-A-Spot Committee, Dated: June 26, 2017.

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

RESOLUTION NO. 398

**ADOPT-A-SPOT AGREEMENT
(COMMERCIAL) / COUNTRY DELI
661 ORANGEBURG RD / PEARL
RIVER**

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

RESOLUTION NO. 398 - Continued

RESOLVED, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which Town has a place of business at 26 Orangeburg Road, Orangeburg, New York, 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a Commercial Sponsor with George Nokaj, Owner of The Country Deli, as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at 661 Orangeburg Road, Pearl River, NY, otherwise known as the "SPOT," by performing necessary and/or desired clean-up, activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Commercial Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Country Deli" Commercial Adopt-A-Spot Committee, Dated: June 28, 2017.

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

RESOLUTION NO. 399

HIGHWAY / DECLARE SURPLUS VEHICLES

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, declare the following four (4) vehicles for surplus:

2008 Ford Escape	FMCU59H38KA60518
2008 Ford Escape	FMCU59H18KA60517
2008 Ford Ranger	1FTYR15E38PA69240
2004 Jeep Grand Cherokee	1J4GW48S74C423408

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

RESOLUTION NO. 400

AID / 2017 ROCKLAND COUNTY GAA BAGPIPE & DRUM COMPETITION

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

RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Highway, Parks and Police Dept., to lend assistance which includes the use of barricades from the Highway Department, the Baseball Field Parking lots from the Parks Dept, and Auxiliary Police from the Police Dept., for the RC GAA Bagpipe & Drum Competition on Saturday, July 22, 2017, from 9 am to 9 pm.

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

RESOLUTION NO. 401

AWARD BID / HEATING, VENTILATION AND MECHANICAL SERVICES / JOHNSON CONTROLS

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

RESOLUTION NO. 401 - Continued

WHEREAS, the Superintendent of Parks, Recreation and Building Maintenance duly advertised for sealed bids for Heating, Ventilation and Mechanical Services at Town Hall, which were received and publicly opened on July 6, 2017; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 07-C-16, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, this bid is hereby awarded to Johnson Controls of Hawthorne, NJ, for a term of one year, with two one-year options, in the amount of; \$18,295.00 for preventative maintenance and \$3,259.00 for Automation Services.

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

RESOLUTION NO. 402

**GHD ENGINEERS / ENGINEERING
REPORT / NYSDEC REQUIREMENT
TOTAL RESIDUAL CHLORINE
FINAL EFFLUENT**

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

WHEREAS, the NYSDEC has revised the requirement in the Orangetown Sewer District #2 SPDES permit of final effluent limitation for Total Residual Chlorine: and

WHEREAS, an engineering report was required to be submitted detailing the design basis, treatment unit type and sizing that will be used to comply with said requirement; and

WHEREAS, GHD Engineers were previously retained to write this report; and,

WHEREAS, the NYSDEC responded to said report requesting a revised report; NOW,

THEREFORE, BE IT RESOLVED, that the Town Board approves an agreement with GHD Engineers to write and submit a revised engineering report to comply with the latest NYSDEC requirement regarding Total Residual Chlorine in the final effluent for \$2,850.00.

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

RESOLUTION NO. 403

**CREATE POSITION / REAL
PROPERTY APPRAISER ASSISTANT
ASSESSOR'S OFFICE**

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

RESOLVED, that upon the recommendation of Rockland County Personnel Department and the Labor Management Committee, create the position of Real Property Appraiser Assistant, Grade 12 in the Assessor's Office.

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

RESOLUTION NO. 404

**RECLASSIFY HUGH DAVIES / REAL
PROPERTY APPRAISER ASSISTANT
ASSESSOR'S OFFICE**

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

RESOLVED, that upon the recommendation of Rockland County Personnel and the Labor Management Committee, reclassify Hugh Davies' from Real Property Valuation Assistant to Real Property Appraiser Assistant, provisional, Grade 12, Step 5, at a salary of \$69,135.00, effective July 10, 2017.

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

RESOLUTION NO. 405

**AMEND RESOLUTION 173-2017
STEPHEN FORDHAM / SALARY
FROM \$92,003 TO \$96,396**

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

RESOLVED, that upon the recommendation of the Human Resources Coordinator, amend Resolution 173 from the RTBM of March 21, 2017 and change Stephen Fordham's salary to \$96, 396.00, effective March 22, 2017. (This is due to an error in the salary schedule that the Town Attorney and CSEA are aware of and will be corrected when new contract is approved and printed).

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

RESOLUTION NO. 406

**PAYMENT / SYLVIA WELCH
GRANT WRITER/CLIMATE SMART
GRANT REQUEST / ROUTE 303 &
MOUNTAINVIEW AVE CULVERT**

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

WHEREAS, the Town Board, by Resolution 356/2016 dated July 19, 2016, has previously approved the application to the NYS DEC Estuary Management Grant Program for funding to construct a culvert in the vicinity of Mountainview Avenue and 400 Route 303 to address flooding of the Sparkill Creek, which was not granted; and

WHEREAS, the Town Board wishes to now apply for this funding through the 2017 Climate Smart Communities Grant Program

RESOLVED, the Town Board authorizes the Supervisor to pay Sylvia Welch up to \$650 (10 hours X \$65/hour), for the research, writing and submission of this Climate Smart Communities grant request, and to sign any related documents to obtain these funds.

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

RESOLUTION NO. 407

**APPLICATION / NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION / CLIMATE SMART
COMMUNITIES GRANT PROGRAM**

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

WHEREAS, flooding of the Sparkill Creek on Rte 303 in the vicinity of Mountainview Ave contributes to pollutant load in the Sparkill Creek, and is a longstanding safety problem impacting traffic, infrastructure and property; and

WHEREAS, a contributing factor to the flooding in this area of Orangeburg and the consequent closing of roads, water damage to property, and the transportation of pollutants to the Sparkill Creek from standing water in adjacent commercial and industrial areas and from New York State Route 303 is an undersized and deteriorating culvert located at 400 Rte 303; and

WHEREAS, the Town Board the Town Board determined that a project to improve water quality in the Sparkill Creek and address the other problems resulting from the regular flooding due to inadequate and deteriorating drainage in the area should be implemented, and to this end secured funding from the New York State Department of Environmental Protection Estuary Management Grant Program 2015 for Local Stewardship Planning to prepare an engineering design for drainage improvements, including a new culvert sized to provide drainage during heavy rainfall, and stream clearance and restoration; and

WHEREAS, the Town Board has determined that the project to construct the Rte 303 culvert and improve stream flow of the Sparkill Creek in the project area is desirable and in the public interest and should be implemented; and

WHEREAS, State assistance is available to municipalities from the Climate Smart Communities Grant Program to implement projects that advance the work of municipalities in addressing climate change, and the Municipality deems it to be in the public interest and benefit to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE ORANGETOWN TOWN BOARD

1. That the Town Supervisor is authorized to act in behalf of the Municipality's governing body in all matters related to State assistance. The representative is also authorized to make application to the New York State Department of Environmental Conservation, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund at least 50% (\$225,000) of the project cost of \$445,000, and that funds will be available to initiate the Project's field work upon contract execution with the Department of Environmental Conservation;
3. That this Resolution takes effect immediately.

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

RESOLUTION NO. 408

**HISTORIC AREAS / DIRECT
CIRCULATION OF PROPOSED
LOCAL LAW AMENDING THE TOWN
CODE**

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

RESOLUTION NO. 408 - Continued

RESOLVED, that with regard to the Public Hearing set by the Town Board for Tuesday, August 15, 2017 at 8:05 p.m., in Resolution No. 353 of 2017, concerning a proposed local law amending Sections 12-3, 12-4.(H), 12-5.(A)(3) and 12-6.(A)(3), and to amend Chapter 34, Article III, Section 3.11 and the related General Use Regulations thereto, that in connection therewith, the Town Board declares its intent to be lead agency for environmental review, and directs the circulation thereof to all interested and involved agencies; and, further, directs the circulation of the proposed law for review and comment to the Rockland County Department of Planning, pursuant to GML § 239, and to the Town Planning Board, pursuant to § Town Code Chapter 43, § 10.5.

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

RESOLUTION NO. 409

ADOPT/ENTITY DISCLOSURE FORM

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

WHEREAS, on June 13, 2017, the Town Board enacted Chapter 43, Article 16 of the Town Code entitled "Entity Disclosure" identified as Local Law #2017-7, which local law in sum and substance, requires entities seeking land use application approval from the Town's land use boards to disclose the names of persons having interests in said entities, as set forth more fully in such local law and

WHEREAS, said local law provides for the Town Board to approve by resolution, from time to time as may be required, the form to be utilized by the Town for entities to provide such information as is consistent with the aforesaid Local Law #2017-7, and

WHEREAS, the Town Board has reviewed a proposed form which has been reviewed and approved by the Town Attorney's Office and the Office of Building, Zoning, Planning, Administration and Enforcement, and identified as (TAO/ds/rm July, 2017) and finds said form is in accordance and compliance with the Town Board's adoption of Local Law #2017-7, Chapter 43, Article XVI,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby approves and adopts an "Entity Disclosure Form" in the form annexed (TAO/ds/rm July, 2017), which form is in accordance and compliance with the adoption of Local Law #2017-7, Chapter 43, Article 16 of the Town Code entitled "Entity Disclosure" for use by the Town in furtherance of the review of land use applications consistent with the requirements of said Local Law.

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

RESOLUTION NO. 410

**SET DATE/PUBLIC MEETING
SEPTEMBER 9, 2017 / ORANGETOWN
DEPT HEADS /2018 BUDGET
PRESENTATIONS**

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

RESOLVED, that a public meeting is scheduled on Saturday, September 9th, at 8:00 a.m., to hear 2018 Budget Presentations, by Town Department Heads, which meeting is expected to continue through 12:00 P.M., and directs the Town Clerk to notify the public of this meeting.

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

RESOLUTION NO. 411

PAY VOUCHERS

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

RESOLVED, upon the recommendation of the Finance Director, the Finance Office is hereby authorized to pay vouchers for six (6) warrants, for a total of \$1,231,330.97.

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

RESOLUTION NO. 412

**ENTER EXECUTIVE SESSION
JP MORGAN CHASE/SALE OF RPC
PROPERTY**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Valentine and Bottari, John Edwards and Teresa Kenny.

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

RESOLVED, at 8:38 p.m. the Town Board entered Executive Session to discuss the sale of RPC property to JP Morgan Chase. Supervisor Stewart said no further votes will be taken.

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

RESOLUTION NO. 413

RE-ENTERED RTBM/ADJOURNED

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

RESOLVED, at 9:55 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Bob Wolff, South Nyack; Michael Kisfalvi, Orangeburg; William Theodore (Ted) de Bary, Tappan; and Reverend Henry (Hank) Beukema, Upper Grandview.

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

Geraldine Orlik, Deputy Clerk