

TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, MARCH 15, 2016

This Town Board Meeting was opened at _____ p.m.

Councilman Denis Troy _____
Councilman Thomas Diviny _____
Councilman Paul Valentine _____
Councilman Jerry Bottari _____
Supervisor Andrew Stewart _____

Pledge of Allegiance to the Flag

PUBLIC COMMENT

ANNOUNCEMENTS

- RTBM of 4/12/2016 at 8:05 P.M. – Public Hearing Re: Local Law, Amending Chapter 18 of the Town Code, Relating to Hawking and Peddling

PRESENTATIONS:

TOWN BOARD

OPEN PH/PROPOSED TEXT AMENDMENTS TO ZONING CODE TO REQUIRE ISSUANCE OF BUILDING PERMIT AND C.O. FOR NEW OPERATOR/OCCUPANT OF COMMERCIAL BUSINESS WITHOUT CHANGE OF USE

1. **RESOLVED**, that the 8:05 P.M. public hearing to consider the proposed text amendments to the Zoning Code is hereby opened.

CLOSE PH/PROPOSED TEXT AMENDMENTS TO ZONING CODE TO REQUIRE ISSUANCE OF BUILDING PERMIT AND C.O. FOR NEW OPERATOR/OCCUPANT OF COMMERCIAL BUSINESS WITHOUT CHANGE OF USE

2. **RESOLVED**, that the public portion is hereby closed.

TOWN BOARD

**LEAD AGENCY/SEQRA/ADOPT NEGATIVE
DECLARATION**

3. (Place Holder)

**ADOPT LOCAL LAW NO. ___ OF 2016, PROPOSED
TEXT AMENDMENTS TO ZONING CODE TO
REQUIRE ISSUANCE OF BUILDING PERMIT AND
C.O. FOR NEW OPERATOR/OCCUPANT OF
COMMERCIAL BUSINESS WITHOUT CHANGE OF
USE**

4. (Place Holder)

PROPOSED TEXT AMENDMENT

TO ORANGETOWN ZONING CODE §10.221 AND §10.231 (AS OF 03/08/2016)

The proposed text amendments to the Town's Zoning Code (Chapter 43 of the Town Code) §10.221 and §10.231 are in ***bold italicized Verdana font***, and the text in New Courier font is the existing Zoning Code language.

§10.22. Permits.

§10.221. A permit is required for all zoning uses in all zones except that a permit is not required in a residential zone for fences or walls, trellis, arbor, terraces not exceeding two feet above ground level and for the type of signs set forth in Use Table, R-80, Column 5, Nos. 11 and

13. A permit is required for:

(a) all building uses, alterations and construction;

(b) a commercial or business use which has a subsisting

certificate of occupancy, or a commercial or business use that is legally existing and pre-dates adoption of the Zoning Code, the operator or proprietor of which changes from the operator or proprietor to whom the certificate of occupancy was issued, or the operator or proprietor of which changes after adoption of this §10.221(b) if the use legally existed and pre-dated adoption of the Zoning Code;
and

(c) for all other purposes as specified in all of the existing local laws and ordinances of the Town of Orangetown.

§10.23. Certificate
of occupancy.

§10.231. When
required.

(a) No building, structure or sign hereafter constructed shall be used or occupied in whole or in part nor shall any new land or building use be permitted until a certificate of occupancy shall have been issued.

(b) No building, structure, sign or nonbuilding use hereafter enlarged, reconstructed, relocated or

altered, or upon which work has been performed which required the issuance of a building permit, shall be occupied or used after the completion of the alteration of work unless a certificate of occupancy shall have been issued by the Inspector.

(c) No change shall be made in the use or type of occupancy of an existing building or change in the

use of land ("**change of use or occupancy**"), except to any use which is primarily agricultural, unless a certificate of occupancy authorizing such change in use in conformity with the regulations of this code and other applicable building laws, ordinances and regulations shall have been issued by the

Inspector. ***A change of use or occupancy, as described in the previous sentence, shall include a commercial or business use which has a subsisting certificate of occupancy, or a commercial or business use that is legally existing and pre-dates adoption of the Zoning Code, the operator or proprietor of which changes from the operator or proprietor to whom the certificate of occupancy was issued, or the operator or proprietor of which changes after adoption of this***

amendment to §10.231(c) if the use legally existed and pre-dated adoption of the Zoning Code.

However, any normal replacement or addition of equipment and machinery not affecting the foregoing conditions or not changing the degree or nature of dangerous and objectionable elements emitted shall not be considered a change in use.

TOWN BOARD

CONTINUE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. ____ OF 2016, AMENDING THE TOWN ZONING LAW WITH RESPECT TO PROHIBITED USES AND CHANGES TO THE TABLE OF GENERAL USE REGULATIONS FOR THE "LI" ZONING DISTRICT

- 5. **RESOLVED**, that the 8:10 P.M. public hearing on a proposed Local Law that would amend the §§ 4.41, 4.42 and 4.45 of the Town Code of the Town of Orangetown, relating to "Prohibited Uses" and processes, and, further, make changes to the Table of General Use Regulations 43, Attachment 7, Column 2, Permitted Use 9, applicable to the "LI" Zoning District is hereby continued.

CLOSE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. ____ OF 2016, AMENDING THE TOWN ZONING LAW WITH RESPECT TO PROHIBITED USES AND CHANGES TO THE TABLE OF GENERAL USE REGULATIONS FOR THE "LI" ZONING DISTRICT

- 6. **RESOLVED**, that the public hearing on a proposed Local Law that would amend the §§ 4.41, 4.42 and 4.45 of the Town Code of the Town of Orangetown, relating to "Prohibited Uses" and processes, and, further, make changes to the Table of General Use Regulations 43, Attachment 7, Column 2, Permitted Use 9, applicable to the "LI" zoning district.

TOWN BOARD

ASSUME THE ROLE OF LEAD AGENCY AND ADOPT NEGATIVE DECLARATION IN CONNECTION WITH PROPOSED LOCAL LAW, AMENDING THE TOWN ZONING LAW WITH RESPECT TO PROHIBITED USES AND CHANGES TO THE TABLE OF GENERAL USE REGULATIONS FOR THE "LI" ZONING DISTRICT

7. (Place Holder)

ADOPT LOCAL LAW NO. ____ OF 2016, OR CONTINUE PUBLIC HEARING RE AMENDING THE TOWN ZONING LAW WITH RESPECT TO PROHIBITED USES AND CHANGES TO THE TABLE OF GENERAL USE REGULATIONS FOR THE "LI" ZONING DISTRICT

8. (Place Holder)

PARKS AND RECREATION

**APPROVE AID/DENNIS P. McHUGH
FOUNDATION/12TH ANNUAL RUN FOR FUN
AND FAMILY FAIR**

9. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board the rental of 6 port-o-john units (4 regular, 2 ADA Compliant) for the Dennis P. McHugh Foundation's 12th Annual Run for Fun and Family Fair on Saturday, April 30th, 2016, at 9:30 A.M. in Flywheel Park, Piermont, NY.

FINANCE

**PERMISSION GRANTED/GFOA CONFERENCE/
FINANCE DEPT**

10. **RESOLVED**, that permission is granted to the following Orangetown employees, to attend the 37th NYS Government Finance Officers' Association, Inc. Annual Conference in Albany, New York, April 5-8th, 2016, at a cost of \$3,826.00 for lodging, membership and conference fees: Jeff Bencik, Janice Ganley, Natalie Schutter, and Stephanie Tassello.

DEME

**APPROVE/SEWER WORK 2016/CERTIFICATE OF
REGISTRATION**

11. **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 2016 Sewer Work is approved to:

**Ronald Filera Landscape Contractors, LLC, 520 South Pascack Road, Chestnut Ridge, NY 10977
Hauser Brothers, Inc., 17 Old Schoolhouse Lane, Orangeburg, NY 10962**

HIGHWAY

**APPOINT STEPHEN F. MUNNO/
DEPUTY SUPERINTENDENT OF HIGHWAYS/
TOWN OF ORANGETOWN**

12. **RESOLVED**, that Stephen F. Munno, Sr. Administrative Assistant, is hereby appointed Deputy Superintendent of Highways, the Town of Orangetown.

**APPOINT JAMES J. DEAN/RECYCLING
COORDINATOR/TOWN OF ORANGETOWN**

13. **RESOLVED**, that James J. Dean, Superintendent of Highways, is hereby appointed Recycling Coordinator for the Town of Orangetown, as per Chapter 26B of the Town Code.

**APPOINT STEPHEN J. MUNNO/DEPUTY
RECYCLING COORDINATOR/TOWN OF
ORANGETOWN**

14. **RESOLVED**, that Stephen F. Munno, Sr. Administrative Assistant, is hereby appointed Deputy Recycling Coordinator, for the Town of Orangetown.

PERSONNEL

**CREATE POSITION/PRINCIPAL CLERK
TYPIST/POLICE ADMINISTRATION**

15. **RESOLVED**, that upon the recommendation of Rockland County Personnel, create the position of Principal Clerk Typist, Grade 10 in Police Administration.

**APPOINT PATRICIA QUINN/
PRINCIPAL CLERK TYPIST/POLICE
ADMINISTRATION**

16. **RESOLVED**, to appoint Patricia Quinn to the position of Principal Clerk Typist, provisional, in Police Administration, Grade 10, Step 6/7, at a salary of \$65,831.00, effective March 16, 2016.

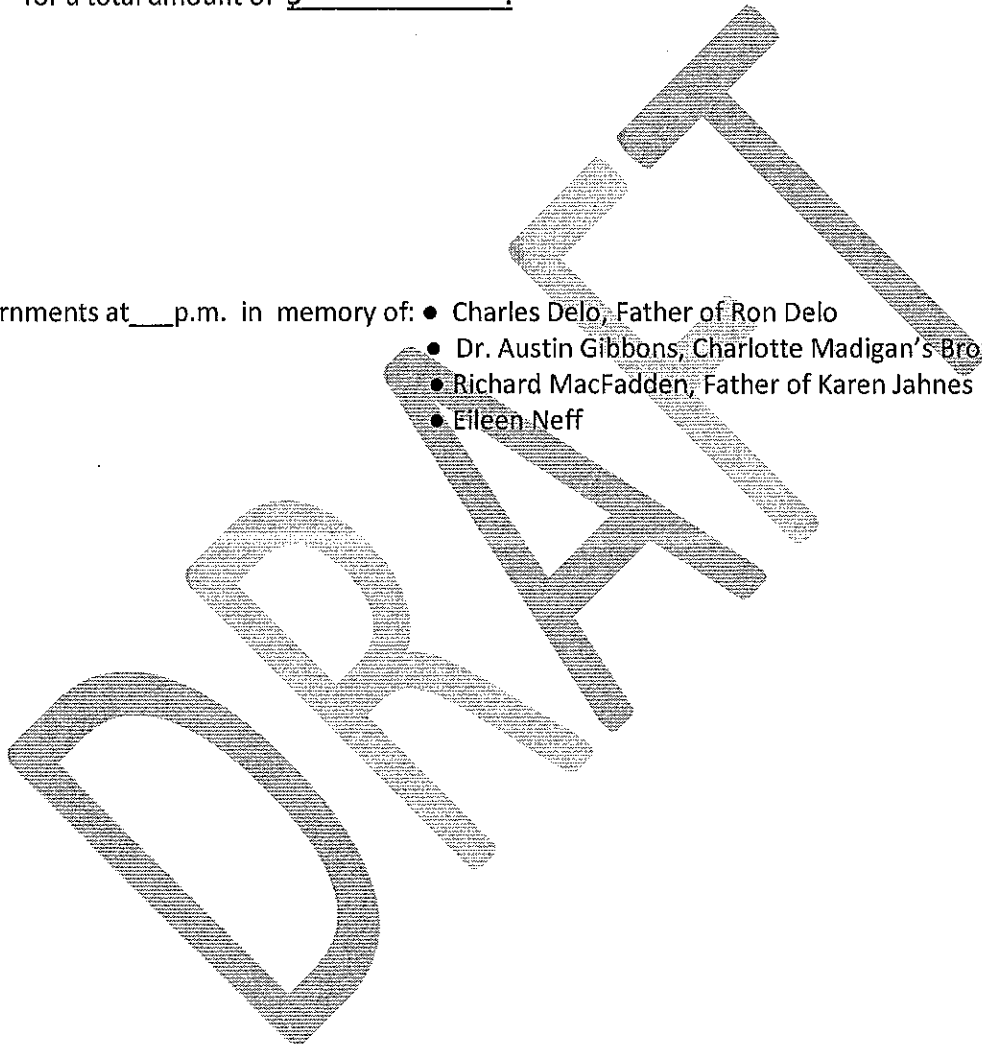
AUDIT

PAY VOUCHERS

1. **RESOLVED**, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds for a total amount of \$_____.

Adjournments at ___p.m. in memory of:

- Charles Delo, Father of Ron Delo
- Dr. Austin Gibbons, Charlotte Madigan's Brother-In-Law
- Richard MacFadden, Father of Karen Jahnes
- Eileen Neff



#9

RECEIVED FEB 12 2016



FOUNDATION

P.O. Box 302
Sparkill, NY 10976
www.dennispmchugh.org

February 4, 2016

Andy Stewart, Town Supervisor
Town of Orangetown
Town Hall
26 Orangeburg Road
Orangeburg, NY 10962

Dear Andy Stewart and the Town Board:

The Dennis P. McHugh Foundation's 12th Annual Run for Fun and Family Fair will be held April 30, 2016, at 9:30 AM at Fly Wheel Park in Piermont, New York. The run has established itself as a significant community event. The town donated portable toilets for last year's event, and we would like to request them again for this year's event. We are requesting a total of 6 units (2 of which are ADA compliant).

Please let me know if you have any questions or need further information.

Sincerely,

Una McHugh
Una McHugh
845-359-9110

#10

37TH | NYS GOVERNMENT FINANCE OFFICERS' ASSOCIATION, INC. ANNUAL CONFERENCE

WEDNESDAY, APRIL 6 - FRIDAY, APRIL 8, 2016 PRE-CONFERENCE SEMINARS BEGIN APRIL 5, 2016
ALBANY MARRIOTT HOTEL | ALBANY, NEW YORK

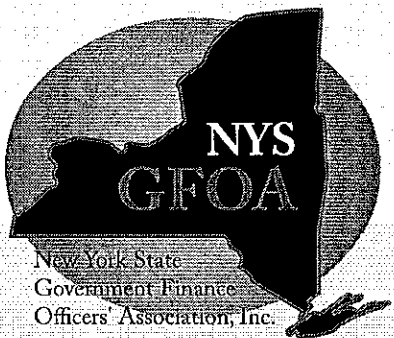


SHARE

GROW

CELEBRATE

EDUCATE



New York State
Government Finance
Officers' Association, Inc.
Responsible. Knowledgeable. Accountable.

WWW.NYSGFOA.ORG | 518.465.1512

SCHEDULE AT A GLANCE

TUESDAY, APRIL 5
Pre-Conference Training

7:00am – 6:00pm Pre-Conference Registration

8:30am – 12:00pm GFI Internal Control (4 CPE) **FDN**

9:00am – 4:30pm GFI Governmental Accounting & Financial Reporting – Day 1 of 2 (7 CPE) **FDN**

1:30pm – 5:00pm GFI Cash Management (4 CPE) **FDN**

10:30am – 10:45am Morning Break (pre-conf seminar attendees only)

12:15pm – 1:15pm Lunch (pre-conf seminar attendees only)

3:00pm – 3:15pm Afternoon Break (pre-conf seminar attendees only)

WEDNESDAY, APRIL 6
Pre-Conference Training

7:00am – 2:00pm Pre-Conference Registration

8:30am – 12:00pm 2016 GAAP Update (4 CPE) # **ADV**

9:00am – 3:00pm GFI Governmental Accounting & Financial Reporting – Day 2 of 2 (5 CPE) **FDN**

1:30pm – 5:00pm GFI Ethics and Professional Conduct for New York State CPAs (4 CPE) **ADV**

1:30pm – 5:00pm GFI Internal Control Best Practices Workshop (4 CPE) **ADV**

10:30am – 10:45am Morning Break (pre-conf seminar attendees only)

12:15pm – 1:15pm Lunch (pre-conf seminar attendees only)

3:00pm – 3:15pm Afternoon Break (pre-conf seminar attendees only)

WED 4/6

CONFERENCE OPENS

2:00pm – 6:00pm Registration Open

6:00pm – 7:30pm Welcome Reception For All

THURSDAY, APRIL 7

7:00am – 6:00pm Registration Open

7:15am – 8:15am Breakfast

8:00am – 5:30pm Exhibits Open

8:30am – 8:35am President's Welcome

8:35am – 11:10am GENERAL SESSIONS

8:35am – 10:15am Keynote Presentation (*Extreme Government Makeover*) A-HR

10:15am – 10:40am Resource Exhibits Break

10:40am – 11:10am NYS Comptroller Thomas P. DiNapoli (Invited) **V#**

11:10am – 11:45am Annual Business Meeting (All Invited)

12:00pm – 1:15pm Lunch

1:30pm – 2:20pm CONCURRENT SESSIONS

- Pension and OPEB Reporting F-FR
- Putting EMMA to Work for You F-DM
- Local Government Investment Options A-GE

See SESSION CREDIT KEY on page 4

THURSDAY, APRIL 7

2:30pm – 3:20pm CONCURRENT SESSIONS

- Private Placement Financing F-DM
- Best Practices in Budgeting A-GE
- The Latest from the State Retirement System F-HR

3:20pm – 3:40pm Resource Exhibits Break

3:40pm – 4:30pm CONCURRENT SESSIONS

- Prevailing Wage Rules and Procedures Compliance F-FR
- Benefits of Preparing a CAFR A-AU
- Cyber Security Update A-GE

4:40pm – 5:30pm CONCURRENT SESSIONS

- Cooperative Purchasing Alliances A-GE
- Raising Agency Update F-DM
- Avoiding Common Financial Statement Deficiencies F-FR

6:00pm – 6:45pm Reception (Compliments of the Albany Marriott)

6:45pm Dinner

8:30pm – 11:30pm After Dinner Entertainment (to benefit the Schoenfeld Memorial Scholarship Fund)

FRIDAY, APRIL 8

7:30am – 11:00am Registration Open

7:15am – 8:15am Breakfast

8:00am – 12:30pm Exhibits Open

8:30am – 9:20am CONCURRENT SESSIONS

- LEAN Principles: Creating More Efficient Government Processes A-HR
- Tips for Effectively Managing Capital Assets A-GE
- FOIL and Open Meetings Law: Keeping Compliant F-HR

9:30am – 10:20am CONCURRENT SESSIONS

- Affordable Care Act (ACA) Update F-HR
- The Latest from the NYS Environmental Facilities Corporation F-DM
- Practical Tips for Speeding Up the Year-End Closing Process F-FR

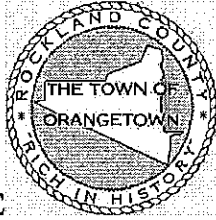
10:20am – 10:40am Resource Exhibits Break

10:40am – 12:30pm GENERAL SESSIONS

10:40am – 11:30am Federal Legislative Update A-GE

11:40am – 12:30pm State Budget Update A-GE

12:30pm Thank you for coming!



TOWN ATTORNEY'S OFFICE

INTER-OFFICE MEMORANDUM

DATE: March 3, 2016

TO: Charlotte Madigan, Town Clerk (with originals)

cc: Town Board Members (w/o encl.)
Kimberly Allen, Administrative Secretary to the Supervisor (w/o encl.)
Ellie Fordham, Secretarial Assistant II, DEME (w/o encl.)

FROM: Dennis D. Michaels, Deputy Town Attorney

RE: Certificate of Registration (Sewer Work) 2016

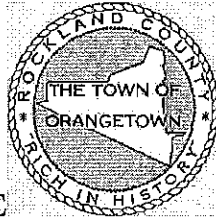
The following applicant is qualified, pursuant to the qualification certificate received from Joe Moran, P.E., Commissioner of the Department of Environmental Management and Engineering (original attached), and the bond and insurance certificates having been reviewed and approved (originals attached), from a legal standpoint, by the Office of the Town Attorney.

Ronald Filera Landscape Contractors, LLC
520 South Pasack Road
Chestnut Ridge, NY 10977
Tel.: (845) 215-5007

Please place this Certificate of Registration request on the next Workshop agenda scheduled for March 8, 2016 and the Regular Town Board Meeting agenda scheduled for March 15, 2016. Should you have any questions, please do not hesitate to contact this Office.

/mf
encl.

#11



TOWN ATTORNEY'S OFFICE

INTER-OFFICE MEMORANDUM

DATE: March 3, 2016

TO: Charlotte Madigan, Town Clerk (with originals)

cc: Town Board Members (w/o encl.)
 Kimberly Allen, Administrative Secretary to the Supervisor (w/o encl.)
 Ellie Fordham, Secretarial Assistant II, DEME (w/o encl.)

FROM: Dennis D. Michaels, Deputy Town Attorney

RE: Certificate of Registration (Sewer Work) 2016

The following applicant is qualified, pursuant to the qualification certificate received from Joe Moran, P.E., Commissioner of the Department of Environmental Management and Engineering (original attached), and the bond and insurance certificates having been reviewed and approved (originals attached), from a legal standpoint, by the Office of the Town Attorney.

Hauser Brothers, Inc.
 17 Old Schoolhouse Lane
 Orangeburg, NY 10962
 Tel.: (845) 359-1881

Please place this Certificate of Registration request on the next Workshop agenda scheduled for March 8, 2016 and the Regular Town Board Meeting agenda scheduled for March 15, 2016. Should you have any questions, please do not hesitate to contact this Office.

/mf
 encl.

#12

JAMES J. DEAN
Superintendent of Highways
Roadmaster II

Orangetown Representative
R.C. Soil & Water Conservation Dist.-Chairman
Member:
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
Hwy. Superintendents' Association of Rockland County



**HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN**
119 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-mail - highwaydept@orangetown.com

Memorandum

DATE: March 4, 2016
TO: Town Board
FROM: James J. Dean, Superintendent of Highways
RE: Deputy Superintendent of Highways

I am requesting the creation of an additional position of Deputy Superintendent of Highways. This position is provided for under New York State Town Law Article 3, Section 32. Under New York State Town Law, "During the absence or inability of the town superintendent of highways to act, such deputy shall act and be vested with all the powers and duties of the town superintendent as provided by law".

Based on the above is my recommendation that Stephen F. Munno, Sr. Administrative Assistant, be appointed Deputy Superintendent of Highways for the Town of Orangetown.

Kj



JAMES J. DEAN
Superintendent of Highways
Roadmaster II

Orangetown Representative
R.C. Soil & Water Conservation Dist.-Chairman
Member:
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
Hwy. Superintendents' Association of Rockland Country



HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN

119 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-mail - highwaydept@orangetown.com

Memorandum

DATE: March 4, 2016
TO: Town Board
FROM: James J. Dean, Superintendent of Highways
RE: Recycling Coordinator

Please be advised that as per Chapter 26B. Recycling, the Town Board shall appoint a Recycling Coordinator to oversee the Town's mandatory recycling law of the Town of Orangetown.

As the Highway Department has the responsibility for oversight and maintenance of the Town's Recycling Program, it is my recommendation that the Superintendent of Highways be appointed Recycling Coordinator for the Town of Orangetown.

Kj



#14

JAMES J. DEAN
Superintendent of Highways
Roadmaster II

Orangetown Representative
R.C. Soil & Water Conservation Dist.-Chairman
Member:
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
Hwy. Superintendents' Association of Rockland County



**HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN**

119 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-mail - highwaydept@orangetown.com

Memorandum

DATE: March 4, 2016
TO: Town Board
FROM: James J. Dean, Superintendent of Highways
RE: Deputy Recycling Coordinator

I am requesting the creation of Deputy Recycling Coordinator. This position will ensure that in the absence or inability of the Town's Recycling Coordinator to act, such deputy shall act and be vested with all the powers and duties of the Recycling Coordinator as provided by law.

It is my recommendation that Stephen F. Munno, Sr. Administrative Assistant, be appointed Deputy Recycling Coordinator for the Town of Orangetown. The funding for this position was included in the Approved 2016 Budget, under line item, "B.8160.011.017 (Refuse and Garbage, Permanent Staff, other than police)

Kj

