

TOWN OF ORANGETOWN REGULAR TOWN MEETING
Tuesday, January 23, 2018

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

Councilman Denis Troy _____

Councilman Thomas Diviny _____

Councilman Paul Valentine _____

Councilman Jerry Bottari _____

Supervisor Christopher Day _____

Pledge of Allegiance to the Flag

ANNOUNCEMENTS :

Public Hearing at Workshop of February 6, 2018 at 8:05 P.M. Re: Chapter 43 §4.1-
Performance Standards – Relating to Odor, Particulate Matter, and Opacity/Declare

- Town Board's Intent to
Serve as Lead Agency/Direct Circulation

Continuation of Public Hearing at Workshop of February 6, at 8:15 P.M. Re: Proposed

- Local Law Amending Town Code Chapter 43, entitled Zoning – Regulations of Devices
in Public Right-of-Ways and Easements (Adjourned from RTBM 12/19/17 Res. 616)

PRESENTATIONS:

PUBLIC COMMENT: N/A

AGENDA ITEMS:

TOWN BOARD

RESOLUTION TO SET DATE/FEBRUARY 13, 2018, 8:05 PM/PUBLIC HEARING/AMEND TOWN CODE/CHAPTER 26 OF THE CODE OF THE TOWN OF ORANGETOWN ENTITLED "PARKING METERS"

1. 1. RESOLVED, the Town Board hereby sets a public hearing date of February 13, 2018 at 8:05 PM to consider the following proposed local law:

LOCAL LAW NO. ___, 2018 OF THE TOWN OF ORANGETOWN

A LOCAL LAW AMENDING LOCAL LAW NO. 3, 2006 (CHAPTER 26 OF THE CODE OF THE TOWN OF ORANGETOWN ENTITLED "PARKING METERS").

Be it enacted by the Town Council of the Town of Orangetown that the Local Law No. 3, 2006 (Chapter 26 of the Code of the Town of Orangetown entitled "Parking Meters") adopted on July 23, 1956, as amended on January 23, 2006, be and hereby is amended by this Local Law No. ___, 2018, so as to add a new sub-section "F" to §26.4, as follows:

F. Certain parking zones shall be designated as "30 Minute Parking Zones" and shall be so marked by green meters (these meters will require payment of \$0.25 per thirty-minute period).

This Local Law No. ___, 2018, shall take effect immediately upon filing in the Office of the Secretary of State in accordance with §27 of the Municipal Home Rule Law.

RESOLUTION TO SET DATE/MARCH 13, 2018 AT 8:00 P.M./PUBLIC HEARING/ ORANGEBURG COMMONS MIXED USE ZONING APPLICATION

2. 2. RESOLVED, that the Town Board set the date of March 13, 2018 at 8:00 P.M. for a public hearing for Orangeburg Commons Mixed Use Application.

**RESOLUTION TO DECLARE LEAD AGENCY STATUS
AND ISSUE NEGATIVE DECLARATION UNDER SEQRA
/ RTE. 303 AT GREENBUSH ROAD BICYCLE-
PEDESTRIAN PATH COOPERATIVE LICENSE
AGREEMENT**

3. 3. WHEREAS, the Palisades Interstate Park Commission and the Town of Orangetown have determined to enter into a Cooperative License Agreement, allowing the Town to construct a paved bicycle/pedestrian path, on the east side of Rte. 303, that, when complete, will connect the two ends of Greenbush Road in Blauvelt bypassing the dangerous condition that presently exists at the intersection of Route 303 at Greenbush Road; and WHEREAS, the License Agreement and the work proposed thereunder constitute an Unlisted Action under the NYS Environmental Quality Review Act ("SEQRA"); and

WHEREAS, by resolution 285, duly adopted May 16, 2017, the Town Board expressed its intent to act as lead agency in a coordinated review project, and directed that notice of such intent be circulated to the various involved and interested agencies; and

WHEREAS, by letter dated October 5, 2017, the Town circulated notice of its intent to act as lead agency to the following agencies and departments, including a Short Environmental Assessment Form with narrative, conceptual plan and related documents:

- Palisades Interstate Park Commission;
- N.Y.S. Department of Transportation;
- N.Y.S. Department of Environmental Conservation;
- New York State Division for Historic Preservation;
- Dormitory Authority of the State of New York
- Rockland County Highway Department

And,

WHEREAS, no such agency or department has objected to the Town Board's decision to so act,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares that it shall serve as lead agency for environmental review under SEQRA; and

BE IT FURTHER RESOLVED, the Town Board, acting in such capacity, having taken a hard look at the various potential impacts associated with the approval of the project, including the funding thereof, concludes that there will be no significant adverse environmental impact as a result of the approval and construction of the proposed trail, or the execution of the Cooperative License Agreement with the Palisades Interstate Park Commission, and, according authorizes the Supervisor to sign the Declaration on Non-significance incorporated herein, and made a part hereof.

**RESOLUTION TO APPROVE/CONSULTANT
SERVICES/GRANT WRITING/SYLVIA
WELCH/CALENDAR YEAR 2018**

4. 4. RESOLVED, that the Town of Orangetown shall engage the services of Sylvia Welch, Ph.D., Piermont, NY, for the purposes of providing professional services at a rate of \$60/hour, cap at \$6,000.00 for a maximum of 100 hours, for the period January 1, 2018 through December 31, 2018. The Consultant agrees to perform the following:
1. Assist the Town to identify potential funding sources for parks and recreation, equipping town services, records management and other programs and capital projects as directed by the Town.
 2. Prepare funding applications as directed by the Town relevant to the above projects and programs.
 3. Assist the Town in grants administration as requested.
 4. Perform other planning and coordination services as requested.
 5. Expenses incurred in the preparation and submission of applications and grant documents, such as copying, will be billed separately; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute any documents related to this agreement and directs the Supervisor to obtain Town Board approval for specific grant applications before engaging Welch.

**RESOLUTION TO AUTHORIZE SIGNING OF
CONTRACT FOR AUDITING SERVICES**

5. Based on the recommendation of the Finance Director, RESOLVED, that the Town of Orangetown Board authorizes the Supervisor to sign a contract with O'Connor Davies to perform auditing services for the Town for CY 2017 and CY 2018. The cost of services is to remain flat at \$98,900.00 per year.

TOWN CLERK

APPOINTMENT OF 1st DEPUTY TOWN CLERK

6. The Town Clerk, Charlotte Madigan hereby appoints Joseph Thommason as First Deputy Town Clerk, Collector

**RESOLUTION TO RESCIND RESOLUTIONS NUMBER
567 AND 568 OF 2017**

7. RESOLVED, that the Town Board hereby rescinds Resolutions Number 567 and 568 of 2017 regarding establishment of a Deputy Town Clerk for Taxes and associated funding for the position.

**AFFIRMATION/FUNDING OF 1st DEPUTY TOWN
CLERK APPOINTMENT**

8. RESOLVED, that the Town Board hereby affirms the appointment of Joseph Thommason as First Deputy Town Clerk, Collector, and modifies the annual salary for First Deputy Town Clerk position to \$65,000.

**RESOLUTION TO RESCIND RESOLUTION NUMBER 9
OF 2018**

9. RESOLVED, that the Town Board hereby rescinds Resolution Number 9 of 2018 regarding appointments of Deputy Registrars of Vital Statistics.

**RESOLUTION TO APPOINT DEPUTY REGISTRARS OF
VITAL STATISTICS**

10. RESOLVED, that upon the recommendation of the Town Clerk, that Teresa Accetta-Pugh and Rima DelVecchio are hereby appointed Deputy Registrars of Vital Statistics at an annual stipend of \$4,000 each, which shall supersede and replace any such stipends previously associated with said position.

TOWN ATTORNEY

**RESOLUTION TO APPROVE/SEWER WORK 2018/
CERTIFICATE OF REGISTRATIONS**

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 2018 Sewer Work is approved to:

Michael Sasso Plumbing, Inc., P.O. Box 507, New City, NY
Kevin Stokes Excavating, Inc., 52 Grotke Road, P. O. Box 812, Pearl River, NY
Ronald Tarigo, 5 Crosscreek Lane, Stony Point, NY
Rino Paving, 20 Viola Road, Suffern, NY

POLICE

**POLICE/PAUL VALENTINE/TEMPORARY
APPOINTMENT TO POLICE OFFICER (PROPOSED
RESOLUTION/PERSONNEL)**

12. PROPOSED TEXT:

RESOLVED, that upon the recommendation of the Chief of Police, and per the authorization of Rockland County Department of Personnel, appoint Paul Valentine, from Rockland County Civil Service List # 16097/69-233 to the position of "Temporary" "Police Officer/Resident of the Town of Orangetown", for the sole purpose of allowing him to attend the February 5, 2018, DCJS Basic Police Officer Training Class at Rockland County Police & Public Safety Academy, at a salary consistent with the labor agreement between the Town of Orangetown and the Orangetown PBA.

**POLICE/MARK MEYERS/TEMPORARY APPOINTMENT
TO POLICE OFFICER (PROPOSED
RESOLUTION/PERSONNEL)**

13. PROPOSED TEXT:

RESOLVED, that upon the recommendation of the Chief of Police, and per the authorization of Rockland County Department of Personnel, appoint Mark Meyers, from Rockland County Civil Service List # 16097/69-233 to the position of "Temporary" "Police Officer/Resident of the Town of Orangetown", for the sole purpose of allowing him to attend the February 5, 2018, DCJS Basic Police Officer Training Class at Rockland County Police & Public Safety Academy, at a salary consistent with the labor agreement between the Town of Orangetown and the Orangetown PBA.

**POLICE/LUKE GRANEY/TEMPORARY APPOINTMENT
TO POLICE OFFICER (PROPOSED
RESOLUTION/PERSONNEL)**

14. PROPOSED TEXT:

RESOLVED, that upon the recommendation of the Chief of Police, and per the authorization of Rockland County Department of Personnel, appoint Luke Graney, from Rockland County Civil Service List # 16097/69-233 to the position of "Temporary" "Police Officer/Resident of the Town of Orangetown", for the sole purpose of allowing him to attend the February 5, 2018, DCJS Basic Police Officer Training Class at Rockland County Police & Public Safety Academy, at a salary consistent with the labor agreement between the Town of Orangetown and the Orangetown PBA.

**POLICE/JAMES SCACCIA/TEMPORARY
APPOINTMENT TO POLICE OFFICER (PROPOSED
RESOLUTION/PERSONNEL)**

15. PROPOSED TEXT:

RESOLVED, that upon the recommendation of the Chief of Police, and per the authorization of Rockland County Department of Personnel, appoint James Scaccia, from Rockland County Civil Service List # 16097/69-233 to the position of "Temporary" "Police Officer/Resident of the Town of Orangetown", for the sole purpose of allowing him to attend the February 5, 2018, DCJS Basic Police Officer Training Class at Rockland County Police & Public Safety Academy, at a salary consistent with the labor agreement between the Town of Orangetown and the Orangetown PBA.

POLICE/TOWN ATTORNEY

HIGHWAY/POLICE

HIGHWAY

**RESOLUTION TO AUTHORIZE HIGHWAY DEPT/HOST
AMERICAN PUBLIC WORKS ASSOCIATION ANNUAL
EQUIPMENT SHOW/WEDNESDAY, MAY 23, 2018**

16. RESOLVED, that the Highway Department is hereby authorized to host the American Public Works Association Annual Equipment Show on Wednesday, May 23, 2018, from 10:00 a.m. to 3:00 p.m. at the Highway Department Facility.

**RESOLUTION TO AUTHORIZE HIGHWAY DEPT/HOST
22ND ANNUAL OPEN HOUSE/SATURDAY, MAY 19,
2018/AT HIGHWAY FACILITY**

17. RESOLVED, that the Highway Department is hereby authorized to host their 22nd Annual Open House on Saturday, May 19, 2018, from 10:00 a.m. to 12:00 p.m. at the Highway Department Facility.

HIGHWAY/PARKS/POLICE

BUILDING

PARKS AND RECREATION

DEME

**RESOLUTION TO APPOINT MARTIN MURPHY/MOTOR
EQUIPMENT OPERATOR II/GRADE 12,STEP
1/\$61,742.64/
PROBATIONARY/ EFFECTIVE JANUARY 20, 2018**

18. RESOLVED, that upon recommendation of the Commissioner of DEME, appoint Martin Murphy to the position of Motor Equipment Operator II CSEA Grade 12 Step 1 at a salary of \$61,742.64 (probationary). This position was vacated due to the incumbent being promoted and is funded in the budget. This appointment is effective January 20, 2018.

PERSONNEL

**RESOLUTION TO APPOINT CHRISTINE
FULLER/SENIOR CLERK TYPIST/PERMANENT/GRADE
5, STEP 1/\$43,655.00/EFFECTIVE JANUARY 8, 2018**

19. RESOLVED, that upon the recommendation of the Town Justices, appoint Christine Fuller from Rockland County EL#17025 to the position of Senior Clerk Typist, permanent, Grade 5, Step 1, at a salary of \$43,655.00, effective January 8, 2018.

TRAFFIC ADVISORY BOARD

**PROPOSED RESOLUTION TO APPROVE RESOLUTION
TO APPROVE INSTALLATION OF A "STOP" SIGN ON A
COUNTY ROAD WITHIN THE TOWN OF
ORANGETOWN.**

20. Proposed text: RESOLVED, the Town of Orangetown Traffic Advisory Board (TAB) received a request from a member of the public that it review a request to install a "Stop" sign on Old Mountain Road (Rockland County Route #28) at the intersection of South Boulevard in Upper Grandview, Town of Orangetown. The TAB, after considering traffic and safety issues in a public meeting resolved to recommend to your office that a "Stop" sign be installed at this location.

NEW BUSINESS

**RESOLUTION TO EXTEND LICENSE AGREEMENT FOR
USE OF THE TOWN OF RAMAPO FIRING
RANGE/CALENDAR YEAR 2018**

21. RESOLVED, that upon the recommendation of the Town Attorney, the Town Board hereby extends the License Agreement for calendar year 2018 with the Town of Ramapo Police Firing Range, at "NO COST" to the Town of Orangetown subject to provision of insurance and indemnification as in the past years.

**APPROVE AND AUTHORIZE/DENNIS MICHAELS TO
SIGN SETTLEMENT DOCUMENTS/TAX
CERTIORARI/FB ORANGETOWN HOTEL LLC, FB
ORANGETOWN HOTEL TWO LLC, FB ORANGETOWN
RETAIL LLC, ET AL. v. TOWN OF ORANGETOWN, et
al., Tax Map designation 74.15-1-12./1 (1 Stevens Way,
Tappan)**

22. RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding FB Orangetown Hotel LLC, FB Orangetown Hotel Two LLC, FB Orangetown Retail LLC, et al. v. Town of Orangetown, et al., Tax Map designation 74.15-1-12./1 (1 Stevens Way, Tappan) for the tax assessment year 2017 for a total refund by the County of \$0, a total refund by the Town of \$0 and a total refund by the School District of \$27,093. 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.).

**RESCIND RESOLUTION NO. 629, 2017, APPROVING
AND AUTHORIZING 2018 AGREEMENT/HI TOR
ANIMAL CARE CENTER**

23. RESOLVED, that the Town Board hereby rescinds Resolution No. 629 of 2017, authorizing and approving a contract with Hi-Tor Animal Care Center for the 2018 calendar year.

**RESOLUTION TO APPROVE 2018 INTERMUNICIPAL
AGREEMENT/
ROCKLAND COUNTY WITH TOWN OF ORANGETOWN
CONCERNING HI-TOR ANIMAL CARE CENTER, INC.**

24. RESOLVED, that the Town Board authorizes, ratifies and approves an Inter-Municipal Agreement with the County of Rockland, regarding an animal shelter to be managed by Hi-Tor Animal Care Center Inc., in the amount of FORTY THREE THOUSAND SEVEN HUNDRED SEVENTY SEVEN AND 00/100 (\$43,777.00) DOLLARS, to be paid to the County of Rockland by the Town by way of quarterly payments, for calendar year 2018, for the statutory shelter/pound services required to be provided by the Town, in accordance with the terms of said Inter-Municipal Agreement, a copy of which is expressly incorporated herein by reference, and the Supervisor is hereby authorized to sign same. The subject Inter-Municipal Agreement is attached.

**RESOLUTION TO GRANT PERMISSION/FINANCE
DEPT/GFOA CONFERENCE 2018/ALBANY, NEW YORK**

25. RESOLVED, that permission is granted to the following Orangetown employees, to attend the 39th NYS Government Finance Officers' Association, Inc. Annual Conference in Albany, New York, March 20-23, 2018, at a cost of \$3,748.00 for lodging, membership and conference fees: Janice Ganley, Natalie Schutter, and Stephanie Tassello. (Jeff Bencik, Membership cost only)

**RESOLUTION TO SET DATE/STBM ON JANUARY 30,
2018 AT 6:00 P.M./INTERVIEWS FOR CANDIDATES
FOR COMMITTEES AND LAND USE BOARDS**

26. RESOLVED, that the Town Board will meet in Executive Session at a Special Town Board Meeting on Tuesday, January 30, 2018, at 6:00 P.M., to interview candidates for 2018 Committees and Land Use Boards

MISCELLANEOUS ITEMS:

- The Town Board will discuss matters related to employment and/or discipline of
- specific personnel

SUPERVISOR:

AUDIT

PAY VOUCHERS

27. RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of fiver (5) warrants for a total of \$2,093,290,57

ADJOURNMENTS:

- Richard Huber, Resident Pearl River

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- Robert Nicholas Vitale, Resident of Pearl River