



**TOWN OF ORANGETOWN REGULAR TOWN BOARD MEETING
Tuesday October 22, 2019**

This Town Board Meeting was opened at 7:30 PM.

Councilman Denis Troy _____
Councilman Thomas Diviny _____
Councilman Paul Valentine _____
Councilman Jerry Bottari _____
Supervisor Chris Day _____

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

The Pearl River Farmer's Market will be closed for 2019 Season.

There is now a worn flag collection box next to the Camp Shanks Museum (behind the Orangeburg Library) to encourage community members to retire their tattered old American Flags in a respectful manner. It has been placed there courtesy of the Raymond W. DeMeola VFW Post 1615 of Blauvelt.

Friday, October 25, 2019 at 6:00 P.M. - Orangetown Recreation Halloween Spooktacular 28th Annual Halloween Pumpkin and Costume Parade at Veterans Park, Orangeburg (The costume parade will be led by a favorite cartoon character. Pumpkin decorating participants bring their own pumpkin and we provide the decorating materials. The show will conclude with an Alien Story & Science Show.

Friday, November 8th - Brought to you by the Supervisor's Military Banner Program, there will be a complimentary "Holiday for Heroes Brunch" held from 11am - 2pm at the Tappan Firehouse, 300 Western Highway, Tappan to honor local veterans.

Sunday, November 10th at 10:00 A.M. - Annual Veterans' Day Observance sponsored by The Raymond W. DeMeola V.F.W. Memorial Post 1615 of Blauvelt, honoring men and women who have served in the armed forces, to be held at a New Location at the Orangetown Town Hall in (new) Court Room II

Sunday, November 10, 2019 at 12 Noon - Veterans Day Remembrance and Veteran of The Year Ceremony - The Rockland County Veterans Coordinating Council will honor "Roy Tschudy" as the County Veteran of the Year, to be held on the steps of the Allison-Parris Building, 11 New Hempstead Road, New City, NY

Sunday, November 10, 2019 at 5:00 P.M. - Friends of the Orangetown Museum's Annual Dinner and USO Show, celebrating the 1940's song at the closing of the Shanks Legacy, at the place our servicemen raised a glass to freedom. Music by Joel & Francine at the Tappan '76 House, Tappan, NY Clare B. Sheridan will be the recipient of the Catherine Dodge Humanitarian Award. For info/tickets call (845) 398-1302

Monday, November 11, 2019 - Veterans Day Service at 11:00 A.M. at the Tappan Memorial Triangle sponsored by the Carl A. Schelin Post 1271 American Legion, Tappan, NY

Continuation of Public Hearing / TBWS/RTBM of November 12, 2019 at 8:00 P.M. / 2020 Preliminary / Adopted Budget

Continue Public Hearing / TBWS/RTBM of November 19, 2019 at 8:00 p.m. / Proposed TOD Zoning Ordinance for Pearl River, NY

PRESENTATIONS:

Jim Elling and Margaret Grace to present on behalf of the Sparkill Creek Watershed Alliance and the Riverkeeper to discuss current conditions related to the Sparkill Creek

Jim Dean (Superintendent of Highways) and Eamon Reilly (Commissioner of D.E.M.E) to present findings related to drainage system analysis of the Cherry Brook Stream (Pearl River)

DISCUSSION:

Workshop of Agenda Items

Proposed Amendments to Chapter 12 of the Orangetown Town Code, entitled "Historical Areas Board of Review".

PUBLIC COMMENT:

1 OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

2 CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby

closed.

AGENDA ITEMS:

TOWN BOARD

3 RESOLUTION TO OPEN CONTINUATION OF PUBLIC HEARING / TBWS/RTBM OF OCTOBER 22, 2019 AT 7:45 P.M. / ADOPT NYS UNIFIED SOLAR PERMIT

RESOLVED, that the public hearing regarding Adopting the NYS Unified Solar Permit is hereby opened.

SUMMARY OF COMMENTS:

4 RESOLUTION TO CONTINUE / CLOSE PUBLIC HEARING / ADOPT NYS UNIFIED SOLAR PERMIT

RESOLVED, that the public hearing is hereby closed or continued to the TBWS/RTBM of _____.

5 RESOLUTION TO DECLARE LEAD AGENCY / ADOPT NEGATIVE DECLARATION / NYS UNIFIED SOLAR PERMIT

WHEREAS, the Town Board has considered the adoption of a Local Law, amending Chapter 43, by adding Article XVII to the Town Code regarding Solar Energy Permitting; and

WHEREAS, on or about August 20, 2019 (Resolution no. 435 of 2019), the Town Board circulated among various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

WHEREAS, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

WHEREAS, acting in its capacity as Lead Agency for environmental review, and after taking a "hard look" at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed zoning text amendment,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or his designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board's responsibilities as Lead Agency.

TOWN OF ORANGETOWN, ROCKLAND
COUNTY ZONING TEXT AMENDMENT

STATE ENVIRONMENTAL QUALITY REVIEW
(SEQR) NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-

SIGNIFICANCE DATE: October ____, 2019

LEAD AGENCY:

The Town Board of the Town of Orangetown
Orangetown
Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Adoption of Local Law No. __ of 2019 of the Town of Orangetown, amending the Town Code by adding Article XVII to Chapter 43 of the Town Code to be entitled "Solar Energy Permitting", providing for the permitting of solar energy systems in the Town of Orangetown.

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of a local law amending the Town Code to provide for the definition, accommodation and permitting of Solar Energy Systems in the Town of Orangetown.

DETERMINATION:

There will be no significant adverse environmental impact(s) as a result of the proposed action.

REASONS SUPPORTING THIS DETERMINATION:

The proposed action is the approval of legislation amending existing Town Code by adoption of a Model Solar Energy Law, to advance and protect the public health, safety and welfare of the residents of the Town by creating regulations for the installation and use of solar energy generating systems and equipment. There will be no negative environmental impact as a result of this action.

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

Based on the Short Environmental Assessment Form, prepared by the Town's Director of the Office of Building, Zoning, Planning and Enforcement, and the Town Board's familiarity with the parcels and the area in which they are situated, the Town Board has concluded that there will be no significant environmental impacts by the adoption of the zoning change specifically relating to:

- Traffic;
 - Agricultural Land Resources
 - Historic and Archaeological Resources
 - Surface or Groundwater Quantity or Quality
 - Critical Environmental Areas
 - Energy
 - Public Health
 - Air Quality and Noise Levels
 - Human Health, or
 - Future Development of Adjacent and Nearby Lands
-

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact

For Further Information, Contact:

Town Supervisor Chris Day
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

6 RESOLUTION TO ADOPT LOCAL LAW NO. __ OF 2019, AMENDING CHAPTER 43 OF THE TOWN CODE ARTICLE XVII ENTITLED "SOLAR ENERGY PERMITTING" FOR THE DEFINITION, INSTALLATION AND USE OF SOLAR ENERGY GENERATING SYSTEMS AND EQUIPMENT

RESOLVED, that the Town Board hereby adopts proposed Local Law No. __ of 2019, amending Chapter 43, Article XVII entitled "Exceptions to Bulk Regulations" of the Town Code, to provide for the definition, installation and use of solar energy generating systems and equipment.

SEE ATTACHED PROPOSED LOCAL LAW

7 RESOLUTION TO OPEN CONTINUATION OF PUBLIC HEARING / TBWS/RTBM OF OCTOBER 22, 2019 AT 7:50 P.M. / PROPOSED ZONE CHANGE FOR 576 ROUTE 303 AND ADJOINING PROPERTIES / BIEBER

RESOLVED, that the public hearing regarding the proposed zone change for 576 Route 303 and adjoining properties / Bieber is hereby opened.

SUMMARY OF COMMENTS:

8 RESOLUTION TO CONTINUE PUBLIC HEARING / PROPOSED ZONE CHANGE FOR 576 ROUTE 303 AND ADJOINING PROPERTIES / BIEBER / TBWS/RTBM NOVEMBER 19, 2019 AT 7:50 P.M.

RESOLVED, that per the applicant's request, the public hearing is hereby continued to the TBWS/RTBM of November 19, 2019 at 7:50 p.m..

9 RESOLUTION TO OPEN PUBLIC HEARING / ONE YEAR CONTRACT / BLAUVELT VOLUNTEER FIRE COMPANY, INC. / CALENDAR YEAR 2020 / TBWS/RTBM OCTOBER 22, 2019 AT 8:00 P.M.

RESOLVED, that the 8:00 p.m. public hearing on the proposed Contract between the Town of Orangetown and the Blauvelt Volunteer Fire Company, Inc. for fire protection services in and throughout the Blauvelt Fire Protection District, within the Town of Orangetown, for calendar year 2020, is hereby opened.

PRESENTATION: Notice of Posting and Affidavit of Publication (Town Clerk):

SUMMARY OF COMMENTS:

10 RESOLUTION TO CLOSE PUBLIC HEARING / ONE YEAR CONTRACT / BLAUVELT VOLUNTEER FIRE COMPANY, INC. / CALENDAR YEAR 2020

RESOLVED, that the public hearing, on the proposed Contract between the Town and the Blauvelt Volunteer Fire Company, Inc. for fire protection services in and throughout the Blauvelt Fire Protection District within the Town of Orangetown, for calendar year 2020, is hereby closed.

11 RESOLUTION FOR SEQRA / LEAD AGENCY / NEGATIVE DECLARATION / BLAUVELT FIRE PROTECTION DISTRICT / ONE YEAR CONTRACT WITH THE BLAUVELT VOLUNTEER FIRE COMPANY, INC. / CALENDAR YEAR 2020

WHEREAS, the Town of Orangetown has within its boundaries a duly formed Fire Protection District, known as the "Blauvelt Fire Protection District" embracing territory in the Town in and about the hamlet of Blauvelt and more fully described in the Resolution establishing such Fire Protection District, as from time to time amended, and

WHEREAS, the Town is required to provide for fire protection services within such Blauvelt Fire Protection District, which services historically have been provided by contract with the Blauvelt Volunteer Fire Company, Inc., for the furnishing of fire protection in the District, which contract is subject to review under SEQRA; and

WHEREAS, the Town Board is the only involved agency under SEQRA in the approval of such contracts,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1) the Town Board hereby declares itself to be lead agency under SEQRA for the purpose of environmental review;
- 2) the within action is an "unlisted action" under SEQRA; and
- 3) the Town Board determines that a ONE (1) year contract with the Blauvelt Volunteer Fire Company, Inc. for fire protection services to and within the boundaries of the Blauvelt Fire Protection District will not have a significant adverse impact on the environment, and, therefore, issues a determination of non-significance which the Supervisor is hereby authorized to execute.

12 RESOLUTION TO APPROVE / ONE YEAR CONTRACT / FIRE PROTECTION SERVICES / BLAUVELT FIRE PROTECTION DISTRICT / BLAUVELT VOLUNTEER FIRE COMPANY, INC.

RESOLVED, that the Town Board hereby approves a ONE (1) year contract with the Blauvelt Volunteer Fire Company, Inc. for fire protection services in and throughout the Blauvelt Fire Protection District for calendar year 2020, in the sum of \$638,500.00, including \$43,500.00 for Workers Compensation insurance and otherwise in accordance with the terms of the Contract incorporated herein by reference.

**13 RESOLUTION TO OPEN PUBLIC HEARING / ONE YEAR CONTRACT /
ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE
LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY AND
THE TAPPAN FREE LIBRARY / CALENDAR YEAR 2020 / TBWS/RTBM OCTOBER 22,
2019 AT 8:10 P.M.**

RESOLVED, that the 8:10 P.M. public hearing on the proposed Contracts between the Town and the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district as contained in the Orangetown Library District, and including the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town for calendar year 2020, is hereby opened.

PRESENTATION: Notice of Posting and Affidavit of Publication (Town Clerk):

SUMMARY OF PUBLIC COMMENTS:

**14 RESOLUTION TO CLOSE PUBLIC HEARING / ONE YEAR CONTRACT /
ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE
LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY AND
THE TAPPAN FREE LIBRARY / CALENDAR YEAR 2020**

RESOLVED, that the public hearing, on the proposed Contracts, between the Town and Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district within Orangetown Library District, and including the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, for calendar year 2020, is hereby closed.

15 **RESOLUTION FOR SEQRA / DECLARE LEAD AGENCY / NEGATIVE DECLARATION / ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY AND THE TAPPAN FREE LIBRARY / CALENDAR YEAR 2020**

WHEREAS, the Town of Orangetown has within its boundaries a duly formed Library District known as the "Orangetown Library District", embracing territory in the Town, and including as well as to the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, as from time to time amended; and

WHEREAS, the Town is required to provide for library services within such Orangetown Library District, which services historically have been provided by contracts with the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library for services within the boundaries of their district contained therein, as well to the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town; and

WHEREAS, it is proposed that the Town of Orangetown enter into a 1-year contract with the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for the furnishing of library services within the boundaries of their individual district as delineated within the Orangetown Library District, and including as well as to the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, which contract is subject to review under SEQRA; and

WHEREAS, the Town Board is the only involved agency under SEQRA in the approval of such contracts,

NOW, THEREFORE, BE IT RESOLVED, as follows:

1) the Town Board hereby declares itself to be lead agency under SEQRA for the purpose of environmental review;

2) the within action is an "unlisted action" under SEQRA; and

3) the Town Board determines that a ONE (1) year contract with the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, within the

Orangetown Library District for library services to and within the boundaries of their district as set forth in within the Orangetown Library District, and including as well as to the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, will not have a significant adverse impact on the environment, and, therefore, issues a determination of non-significance which the Town Supervisor is hereby authorized to execute.

16 RESOLUTION TO DECLARE / TOWN BOARD REVIEW COMPLETION / 2020 PRELIMINARY BUDGET / FILE WITH TOWN CLERK / FINANCE TO PUBLISH ON TOWN WEBSITE

RESOLVED, that the Town Board has completed their review of the 2020 Tentative Budget; and be it

FURTHER RESOLVED, that the 2020 Preliminary Budget shall be filed with the Town Clerk and the Finance Department is authorized to publish it on the Town's website.

17 RESOLUTION TO OPEN PUBLIC HEARING / 2020 PRELIMINARY BUDGET / TBWS/RTBM OF OCTOBER 22, 2019 AT 8:20 P.M.

RESOLVED, that the public hearing regarding the 2020 Preliminary Budget is hereby opened.

PRESENTATION: Notice of Posting and Affidavit of Publication

SUMMARY OF COMMENTS:

18 RESOLUTION TO CONTINUE / PUBLIC HEARING / PRELIMINARY BUDGET / TBWS/RTBM OF NOVEMBER 12, 2019 at 8:00 P.M.

RESOLVED, that the public hearing regarding the adoption of the proposed preliminary budget is hereby continued to TBWS/RTBM November 12, 2019 at 8:00 P.M.

19 RESOLUTION TO APPROVE ADJUSTMENTS / 2020 PRELIMINARY BUDGET

RESOLVED, that the Town Board hereby approves adjustments to the 2020 preliminary budget , amended as in accordance with the information enclosed within the attached schedule and the Public Hearing conducted, which was opened tonight, on October 22, 2019 at 8:20 P.M., in accordance with the Town Budget Calendar as duly adopted, and ordered, filed in the Office of the Town Clerk;

SEE PRELIMINARY BUDGET ATTACHMENT

20 RESOLUTION TO OPEN CONTINUATION OF PUBLIC HEARING / TBWS/RTBM OCTOBER 22, 2019 AT 8:25 P.M. / ADOPT LOT AND BULK CONTROLS FOR PAC DEVELOPMENTS

RESOLVED, that the public hearing regarding the proposed local law to adopt lot and bulk controls for PAC is hereby opened.

SUMMARY OF COMMENTS:

21 **RESOLUTION TO CONTINUE / CLOSE PUBLIC HEARING / PROPOSED LOCAL LAW / ADOPT LOT AND BULK CONTROLS FOR PAC DEVELOPMENTS**

RESOLVED, that the public hearing is hereby closed or continued to TBWS/RTBM of _____ .

22 **RESOLUTION TO DECLARE LEAD AGENCY / SEQRA / LOCAL LAW AMEND CHAPTER 43 / PAC DEVELOPMENTS / NEGATIVE DECLARATION**

WHEREAS, the Town Board has considered the adoption of a Local Law, amending Chapter 43, Article IV, § 4369(B), of the Town Code regarding modifications to lot and bulk controls for PAC developments; and

WHEREAS, on or about August 20, 2019 (Resolution No. 422 of 2019), the Town Board circulated amongst various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

WHEREAS, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

WHEREAS, acting in its capacity as Lead Agency for environmental review, and after taking a "hard look" at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed zoning text amendment,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or his designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board's responsibilities as Lead Agency.

TOWN OF ORANGETOWN, ROCKLAND
COUNTY ZONING TEXT AMENDMENT

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

DATE: September ____, 2019

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Adoption of Local Law No. ___ of 2019 of the Town of Orangetown, amending Article IV of Chapter 43 of the Town Code entitled "Zoning", §4.69 (B) providing for Lot and Bulk controls for PAC developments.

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of amending the Town Code with respect to Planned Adult Community (PAC) developments, and circumstances upon which the Town Board may modify lot and bulk controls as part of its consideration of a rezoning to PAC.

DETERMINATION:

There will be no significant adverse environmental impact(s) as a result of the proposed action.

REASONS SUPPORTING THIS DETERMINATION:

The proposed action is the approval of legislation amending existing Town Code with respect to PAC developments, and circumstances under which the Town Board may modify lot and bulk controls for such developments in a Community Shopping (CS) district to ensure compatibility with the building context and areas adjacent to the proposed sites. All such applications will undergo SEQRA review as part of their application for a zone change.

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

Based on the Short Environmental Assessment Form, prepared by the Town's Director of the Office of Building, Zoning, Planning and Enforcement, and the Town Board's familiarity with the parcels and the area in which they are situated, the Town Board has concluded that there will be no significant environmental impacts by the adoption of the zoning change specifically relating to:

- Traffic;
 - Agricultural Land Resources
 - Historic and Archaeological Resources
 - Surface or Groundwater Quantity or Quality
 - Critical Environmental Areas
 - Energy
 - Public Health
 - Air Quality and Noise Levels
 - Human Health, or
 - Future Development of Adjacent and Nearby Lands
-

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact

For Further Information, Contact:

Town Supervisor Chris Day
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

23 **RESOLUTION TO ADOPT LOCAL LAW NO. __ OF 2019, AMENDING CHAPTER 43, OF THE TOWN CODE ARTICLE IV, SECTION 4.69 TO PROVIDE FOR TOWN BOARD DISCRETION FOR MODIFICATION OF LOT AND BULK CONTROLS OF PAC DEVELOPMENTS IN CS DISTRICT**

WHEREAS, the Town Board adopted the Planned Adult Community (PAC) Floating Zone on January 12, 2004 via Local Law #1 of 2004 to address certain senior citizen housing needs in the Town by encouraging the development of a range of housing types for active senior citizens consistent with the Town's Comprehensive Plan and

WHEREAS, several projects have been developed pursuant to the PAC zoning regulations in various forms as provided for in the law, and

WHEREAS, the law provides for certain lot, bulk and parking requirements, which under certain circumstances may be modified by the Town Board as part of its consideration of rezoning properties to PAC, and

WHEREAS, the Town Board has found that it would be consistent with the intentions of the law, and the practice of granting zone changes to PAC for the Board to have further contextual flexibility to provide further the intentions of the original zoning law with respect to PAC developments with certain procedural safeguards as put forth in the proposed local law to amend the PAC zone requirements, and

WHEREAS, the Town Board has distributed copies of the proposed local laws to neighboring municipalities and the Rockland County Planning Department as part of its General Municipal Law review, and no objections being filed,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby adopts proposed Local Law No. __ of 2019, amending Chapter 43 of the Town Code, entitled "Zoning", Article IV entitled "Additional Use Regulations", §4.6 entitled "Planned Adult Community (PAC) floating zone" subsection 4.69(B) entitled "Potential redevelopment sites within a CS District", to provide for circumstances under which the Town Board may modify lot and bulk controls regarding PAC developments within a CS zoning district.

SEE ATTACHED PROPOSED LOCAL LAW

24 **RESOLUTION TO REQUEST / NYSDOT / IMMEDIATE EVALUATION OF
GUARDRAILS / NYS ROUTE 304 / PEARL RIVER**

WHEREAS, on Sunday October 12th, 2019, three young lives were taken far too early in a car crash on NYS Route 304, along the curve above the railroad tracks, which resulted in the vehicle in question falling great distance through the gap between the northbound and southbound lanes to the tracks below; and

WHEREAS, this stretch of roadway has long been considered hazardous by residents of the area due to the combination of its elevation, curvature, and highway-speed limit; and

WHEREAS, Supervisor Chris Day, on October 14th, did directly reach out to the local New York State Department of Transportation point of contact to request an investigation into potential improvements that could be made to the guardrail system in that area; and

WHEREAS, though the investigation into the cause of the crash is ongoing, it is responsible to quickly begin a separate process of analyzing the overall effectiveness of those guardrails regardless; now, therefore, be it hereby

RESOLVED, that the Town Board of the Town of Orangetown formally requests that the New York State Department of Transportation immediately begin an investigation into potential improvements to that stretch of Route 304 in order to prevent such a tragedy from occurring again and improve overall safety; and be it

FURTHER RESOLVED, that this analysis should consider guardrail improvements, closing the opening between the northbound and southbound lanes, pavement markings, speed limits and signage, and any other process or method by which overall safety conditions should be improved; and be it

FURTHER RESOLVED, that this analysis should cover similar such overpasses on NYS Route 304 in order to ensure that no other similar areas are left unaddressed, and be it further

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to send a copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators; Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; Marie Therese Dominguez, Commissioner of the New York State Department of Transportation; Ron Epstein, NYS DOT Policy and Planning Division Director; Wahid Albert, NYS DOT Engineering Division Director; Janice McLachlan, NYS DOT Division of Legal Affairs Director; and to such other persons as the Clerk, in her discretion, may deem proper in order to effectuate the purpose of this resolution.

25 RESOLUTION TO ACCEPT RESIGNATION / ANDREW ANDREWS / MEMBER OF ACABOR / EFFECTIVE OCTOBER 21, 2019

RESOLVED, that upon approval of the Town Board, accept resignation of Andrew Andrews as a member of ACABOR effective October 21, 2019.

26 RESOLUTION TO APPOINT ANDREW ANDREWS / MEMBER TO THE PLANNING BOARD / TO FILL THE UNEXPIRED TERM

RESOLVED, that upon approval of the Town Board, appoint Andrew Andrews as a member to the Orangetown Planning Board to fill the unexpired term of Blythe Yost, effective October 22, 2019 through December 31, 2024.

27 RESOLUTION TO SET PH / PROPOSED AMENDMENT TO CHAPTER 12 / HISTORICAL AREAS BOARD OF REVIEW / NOVEMBER 12, 2019 AT AT 8:10 P.M.

RESOLVED, that the public hearing regarding proposed amendments to Chapter 12 of the Orangetown Town Code, entitled "Historical Areas Board of Review" is hereby scheduled for November 12, 2019 at 8:10 P.M.

28 RESOLUTION TO AUTHORIZE ADOPT-A-SPOT / LANDSCAPING AND PLANTINGS DONATION / WALKWAY OF AMERICAN HEROES TAPPAN / SUNRISE LANDSCAPING INC.

RESOLVED, that upon acceptance of the applicant's insurance documentation naming the Town as additionally insured, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which has a place of business at 26 W. Orangeburg Road, Orangeburg, New York 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization with Sunrise Landscaping Inc. as part of the Adopt-A-Spot Committee to contribute the donation of plantings and landscaping services for the improvement and maintenance of the designated spot. The cost of a portion of the plantings (to be less than \$720.00) will be charged back to the Town of Orangetown.

29 RESOLUTION TO AUTHORIZE / APPROVE STREETLIGHT DIMMING PILOT PROGRAM / NYPA

WHEREAS, during the 2019 Orange & Rockland Utilities, Inc. (ORU, Inc.) rate case the New York Power Authority ("NYPA") proposed a pilot program that would evaluate the accuracy of Network Lighting Control (NLC) nodes for dimming streetlights, and

WHEREAS, NYPA is proposing to install approximately 25 dimming nodes on Orangetown owned streetlights along the following Orangetown roadways: Henry Street, Howard Ave, and Western Highway South; and

WHEREAS, by request from the Town, ORU, Inc. would then install their meters on affected streetlights, and NYPA would dim the streetlights to a safe level during early morning hours when vehicular traffic flow is at its slowest, for an evaluation period which will last approximately the next six (6) months; and

WHEREAS, participation in this program would be of minimal effort and at no monetary cost to Orangetown and the dimming nodes can be kept at the end of the pilot period, and

WHEREAS, based on the comparison of the consumption data produced by this pilot study NYPA plans to work with the Public Service Commission to create a new statewide dimming tariff so municipalities statewide that can generate cost savings based upon reduced energy consumption; and

RESOLVED, upon the recommendation of the Chief of Police and the Superintendent of Highways the Town Board hereby approves the Town's participation in NYPA's Streetlight Dimming Pilot and authorizes the Supervisor or his designee to sign any documents necessary to effectuate the Town's participation in the program.

30 RESOLUTION TO AUTHORIZE / USE OF NIKE PARK / FILMING PERMIT / CETERI PRODUCTIONS LLC / OCTOBER 21-30

RESOLVED, upon the recommendation of the Director of Economic Development, in accordance with Town Code Section 14C-6E, the Town Board hereby grants a license to Ceteri Productions LLC for use of Nike Overlook Park for ten days in October (10/21, 22, 23, 24, 25, 27, 28, 29, 30/2019) for purposes of filming in accordance with a validly issued film permit, and said license fee shall be in the amount of \$29,800.00.

TOWN BOARD / IT

31 RESOLUTION TO ACCEPT / GRANT AWARD / NEW YORK STATE DHSES / FY2018 CYBER SECURITY GRANT PROGRAM

WHEREAS, the Town of Orangetown has been awarded a grant by the New York State Department of Homeland Security and Emergency Services (DHSES), for the purposes of enhancing and sustaining the Town of Orangetown's cyber security posture through equipment, training and planning projects,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Grant from the NYS DHSES in the amount of \$45,000.00, and

BE IT FURTHER RESOLVED, that the Supervisor or his designee is authorized to execute any and all documents necessary to accept and administer the grant in accordance with the FY2018 Cyber Security Grant Program, subject to review and approval of the Town Attorney's Office.

32 RESOLUTION TO APPROVE AGREEMENT / ORANGE AND ROCKLAND UTILITIES, INC. / NYACK TRAFFIC CAMERA

RESOLVED, upon the recommendation of the Director of Automated Systems and the Chief of Police, the Town Board hereby approves the agreement with Orange and Rockland Utilities, Inc. for Pole Attachment and Electrical Usage in relation to the use of the traffic camera. The related equipment is to be purchased with New NY Bridge Project Community Benefit grant funding.

TOWN ATTORNEY

33 RESOLUTION FOR APPROVAL OF 2019 CERTIFICATE OF SEWER REGISTRATION

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 2019 Sewer Work is approved to:

Angel Landscaping, Inc., P.O. Box 35, Tappan, NY 10983, Tel.: 845-627-5296

34 RESOLUTION TO APPROVE / SETTLEMENT CLAIM / LARA v. TOWN OF ORANGETOWN

WHEREAS, a matter has been commenced by Lara against the Town of Orangetown, identified in the Southern District of New York as Case No. 17-cv-9201, arising out of a police incident alleged to have occurred on August 23, 2016; and

WHEREAS, the parties have agreed to compromise and settle the claim in the amount of \$17,000.00, and

WHEREAS, the Town, without admitting liability for the damages alleged, nevertheless, recognizes the litigation costs associated with continued litigation of this claim and having determined it is in the best interests of the Town of Orangetown to resolve the matter with the recommended settlement, and

WHEREAS, the Town of Orangetown Attorney's Office recommends settlement of the claim for the amount proposed pursuant to the authority granted by New York Town Law Â§68,

NOW THEREFORE, BE IT RESOLVED, that the Town Attorney's Office is hereby authorized to compromise and settle the claim in the amount of \$17,000.00 and to execute any documents as may be necessary to effectuate such result.

HIGHWAY

35 RESOLUTION TO CREATE POSITION / CLERK-STENOGRAPHER / GRADE 4 / HIGHWAY DEPARTMENT

RESOLVED, upon the recommendation of Rockland County Personnel and an approved PO 27, create the position of Clerk-Stenographer, Grade 4, Step 1 at a salary of \$42,782.00 in the Highway Department for the purpose of posting the position.

36 RESOLUTION TO DESIGNATE SAFETY SIDEWALK / GREENBUSH ROAD BICYCLE BYPASS / WALKING PATH / BLAUVELT

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby designates the Greenbush Road bicycle bypass / walking path in Blauvelt, a safety sidewalk and hereby authorizes the Highway Department to maintain the path for safe pedestrian & bicycle traffic.

37 RESOLUTION TO APPROVE / LEND ASSISTANCE / 2019 VETERANS DAY SERVICE / MONDAY, NOVEMBER 11 / TAPPAN MEMORIAL TRIANGLE

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approve the use of two message boards, from the Highway Department, to be displayed in various locations for the Veterans Day Service, to be held on Monday, November 11, 2019, at 11 am in front of the Tappan Memorial Triangle.

HIGHWAY / POLICE

38 RESOLUTION TO APPROVE / LEND ASSISTANCE / 2019 TRAUBENFEST / MASONIC GROUNDS / TAPPAN / SUNDAY, OCTOBER 6

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby approves this past event. The Highway Dept., assisted the Traubenfest with barricades, barrels, speed bumps & message board & OPD assisted with Auxiliary police. The event was held at the Masonic Grounds on Sunday, October 6, 2019, from 11am - 8 pm, nunc pro tunc.

PARKS AND RECREATION

39 RESOLUTION TO APPROVE / LEND ASSISTANCE / 2019 ORANGEBURG FIRE DEPARTMENT HOLIDAY PARADE / SATURDAY, DECEMBER 14

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$400.00 by the Orangeburg Volunteer Fire Department for their Holiday Parade, Saturday, December 14, 2019, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured; and

BE IT FURTHER RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of Portable Toilets (5 regular units) for the Orangeburg Fire Department's Holiday Parade, Saturday, December 14, 2019.

DEME

40 RESOLUTION TO RECOGNIZE APPOINTMENT / RYAN McARDLE / LABORER / DEME / EFFECTIVE OCTOBER 15, 2019

RESOLVED, that the Town Board hereby recognizes the appointment of Ryan McArdle by the Commissioner of D.E.M.E., to the position of Laborer, Grade 9, Step 1, at a salary of \$55,312.00, effective October 15, 2019.

41 RESOLUTION TO AMEND RESOLUTION NO. 442 of 2019 / AUTHORIZE REIMBURSEMENT TO VILLAGE OF PIERMONT FOR TRAIN STATION REPAIRS FOR SEWER BACK UP

WHEREAS, DEME advises that on or about July 22, 2019 there was a surcharge of a Town operated sewer facility in the Village of Piermont, which the Village advised contributed to sewer damage inside the Village owned train station, and

WHEREAS, upon investigation and a conference with representatives from Village of Piermont and the Town's DEME it was determined that the Town and Village would share equally in the cost to repair damage to the Piermont Train Station, and

WHEREAS, it has been determined that resolving this matter as set forth above would be in the best interests of the Town, and

WHEREAS, it has been determined that the cost to remedy the damage at the Piermont Train Station is \$7,800.00,

NOW THEREFORE, BE IT RESOLVED, that, upon the recommendation of DEME and the Town Attorney's Office, the Town Board hereby authorizes the payment of \$3,900.00 to the Village of Piermont as reimbursement of half the cost of repairs for damage at the Piermont Train Station from sewer back up incident that occurred on or about July 22, 2019.

PERSONNEL

42 RESOLUTION TO AUTHORIZE / APPROVE / 2019-2020 EAP AGREEMENT / ESI EMPLOYEE ASSISTANCE GROUP

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the annual agreement with Employee Services, Inc., dba ESI Employee Assistance Group for the EAP (Employee Assistance Program) beginning November 1, 2019 and ending October 31, 2020, at a cost of \$5,838.30 and to filed in the Town Clerk's Office.

TOWN CLERK

43 RESOLUTION TO AUTHORIZE / WAIVE LICENSE FEE & CEREMONY TOWN HALL USE FEE / MARRIAGE LICENSE / ACTIVE DUTY MILITARY PERSONNEL

WHEREAS, on August 20, 2019, the Governor passed a law waiving the State Fee on Marriage Licenses for Active Duty members of the Armed Forces.

WHEREAS, this law also gives a town or city the option to waive the portion of the Municipality fees.

RESOLVED, the Town Board authorizes the waiving of the Marriage License fee and the Ceremony Town Hall Use fee.

AUDIT

44 PAY VOUCHERS

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of four (4) warrants for a total of \$856,506.12.

ADJOURNMENTS

45 RESOLUTION TO RE-ENTER RTBM / ADJOURNED / MEMORY

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

Saniha Cekic, 15 of Brooklyn, NY

Altin Nezaj, 17, Pearl River, NY (Pearl River High School Student)

Rosa Kohls Conlon, 100 years old, Orangeburg Resident (Help started Orangeburg Public Library in 1962)