



**TOWN OF ORANGETOWN REGULAR TOWN MEETING
Tuesday November 12, 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:

**Continuation of Public Hearing / TBWS/RTBM of November 19, 2019 at 7:50 P.M. /
Proposed Zone Change for 576 Route 303 and Adjoining Properties (Bieber)**

**Continuation of Public Hearing / TBWS/RTBM of November 19, 2019 at 8:00
P.M. / Proposed TOD Zoning Ordinance for Pearl River, NY**

**Open Public Hearing / TBWS/RTBM of December 3, 2019 at 7:45 P.M. / HAVOR /
Town Code Change / Acceptable Paint Colors in historic districts**

PRESENTATIONS:

**Presentation by Keith Camire of the Rockland County Field Division of the U.S.
Census to discuss the importance of accuracy in anticipation of the 2020 census.**

DISCUSSION:

**Set Special Town Board Meeting (STBM) to meet with Nanuet School District and
appraiser in execution session to discuss real estate appraisal for Tuesday,
November 19 at 5:30 pm (Nanuet HS)**

Workshop of Agenda Items

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 NOVEMBER 12, 2019 AT 8:00 P.M. / 2020 PRELIMINARY BUDGET

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

SUMMARY OF COMMENTS:

4 RESOLUTION TO CLOSE PUBLIC HEARING / 2020 PRELIMINARY BUDGET

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

closed.

5 RESOLUTION TO ADOPT / APPROVE ADJUSTMENTS / 2020 PRELIMINARY BUDGET

RESOLVED, that the Town Board hereby approves 2020 preliminary budget as well as the adjustments to the preliminary budget, amended as follows relative to the Public Hearing conducted, which was continued 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; and that the Town Board agrees to amend the Preliminary Budget for 2020, with the attached changes to approve the Adopted Budget for 2020.

BE IT FURTHER RESOLVED, the Director of Finance is authorized to adjust the fund balance to accommodate these changes all the while staying under the levy cap limit.

SEE ATTACHED SCHEDULE

6 RESOLUTION TO APPROVE / ONE YEAR CONTRACT FOR LIBRARY SERVICES / ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY AND THE TAPPAN FREE LIBRARY

RESOLVED, that the Town Board hereby approves a ONE (1) Year Contract with 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 set forth within 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, in the Town, for calendar year 2020, as follows:

(A) BLAUVELT: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for SEVEN HUNDRED THOUSAND, THREE HUNDRED NINETY-TWO AND 00/100 (\$700,392.00) DOLLARS, with the Blauvelt Free Library to provide library services to residents of Blauvelt, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

(B) ORANGEBURG: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for FIVE HUNDRED SEVENTY-ONE THOUSAND TWO HUNDRED AND 00/100 (\$571,200.00) DOLLARS, with the Orangeburg Library to provide library services to residents of Orangeburg, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

(C) PALISADES: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for THREE HUNDRED EIGHTY ONE THOUSAND, SEVEN HUNDRED SIXTY-EIGHT AND 00/100 (\$381,768.00) DOLLARS, with the Palisades Free Library to provide library services to residents of Palisades, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

(D) TAPPAN: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for SEVEN HUNDRED SIXTEEN THOUSAND, THREE HUNDRED EIGHTY SEVEN AND 00/100 (\$716,387.00) DOLLARS, with the Tappan Free Library to provide library services to residents of Tappan, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

AYES:
NOES:

7 RESOLUTION TO ACCEPT PETITION / REQUEST FOR ZONE CHANGE AND DIRECT CIRCULATION OF PROPOSED LOCAL LAW, AMENDING TOWN ZONING MAP FROM CS TO PAC ZONE REGARDING PROPERTY LOCATED AT 21 NORTH WILLIAM STREET AND 14-16 NORTH MAIN STREET, PEARL RIVER, TAX LOT 68.16-6-67

WHEREAS, the owner of premises located at 21 North William Street and 14-16 North Main Street, in the hamlet of Pearl River, Tax Lot 68.16-6-67 being located in the "CS" (Community Shopping) zoning district, has petitioned the Town Board to amend the zoning classification of the property to the overlay district of "PAC" (Planned Adult Community), zoning district under the newly enacted modifications to the PAC zoning regulations; and

WHEREAS, upon preliminary review, the Town Board, which on March 13, 2018 adopted a PAC designation for this property, is willing to consider the amendment to a PAC zone under the newly adopted PAC zoning code regulations, as the property is eligible for such a zone change pursuant to Town Code §4.62 as the property is located in the down town Pearl River area close to public transportation and shopping and currently located within a CS zoning district; and

WHEREAS, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as review by other interested agencies; and

WHEREAS, upon review of the Petition, and a Short Environmental Assessment Form prepared at the Town Board's request by the Office of Building, Zoning, Planning and Administration and Enforcement, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:

- Orangetown Planning Board;
- Rockland County Department of Planning;
- Rockland County Highway Department

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- l & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 4.612(E), the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Zoning Map, to the Town Planning Board inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

**8 RESOLUTION TO SET PUBLIC HEARING / PROPOSED ZONE CHANGE / 21
NORTH WILLIAM STREET, PEARL RIVER / TAX LOT 68.16-6-67 / GALWAY BAY**

RESOLVED, that the Town Board will hold a public hearing on December 17, 2019, at 7:45 p.m., on a proposed Local Law, as follows, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel known as 21 North William Street and 14-16 North Main Street, Tax Lot 68.16-6-67, in the hamlet of Pearl River from "CS" to "PAC".

SEE ATTACHED PROPOSED LOCAL LAW

**9 RESOLUTION TO AUTHORIZE / EXECUTION OF NON-BINDING LETTER OF INTENT
/ POTENTIAL SALE OF PROPERTY**

RESOLVED, that the Supervisor is authorized to sign a non-binding Letter of Intent from River Link Hotels for the potential purchase of approximately 15.65 acres of Town land identified on the tax map as Section 73.08 Block 1 Lot 1, which is located between West Orangeburg Road and Old Orangeburg Road, to the east of Staff Court, for future development, and authorize the Town Attorney's Office to prepare a Contract of Sale, which may not be executed or binding upon the Town without further resolution of the Town Board.

**10 RESOLUTION TO APPROVE / RETAINER AGREEMENT / FEERICK
NUGENT MACCARTNEY, PLLC / OUTSIDE COUNSEL**

RESOLVED, the Town Board hereby approves a retainer agreement with Feerick Nugent MacCartney, PLLC to provide legal services for a Town employee at depositions due to the potential for a conflict of interest with the Town's outside counsel, in a matter of litigation in which the Town is a party, in an amount up to \$5,000.00.

TOWN BOARD / IT

**11 RESOLUTION TO RECLASSIFY COMPUTER NETWORK SPECIALIST /
APPOINT LENIHAN**

RESOLVED, upon the approval of a PO 27 Rockland County Personnel Department and the recommendation of the Labor Management Committee, reclassify the position of Computer Network Specialist to Information Services & Equipment Specialist (Networked), and appoint Matthew Lenihan to the position, Grade 18 Step 4, at a salary of \$93,372.00, effective November 13, 2019.

TOWN ATTORNEY

12 RESOLUTION TO SET A PUBLIC HEARING / CONSIDER APPROVAL / MAP OF PEARL RIVER FIRE DISTRICT / RTBM DECEMBER 17, 2019 at 8:00 P.M.

WHEREAS, the Board of Fire Commissioners of the Pearl River Fire District has requested the Town Board of the Town of Orangetown approve the Pearl River Fire District Boundary Map labeled "Pearl River District 12" as prepared by the Rockland County Planning Department - Geographical Information Systems (GIS) and dated September 2009; and

WHEREAS said Pearl River Fire District Boundary Map was accepted and approved by the Board of Fire Commissioners of the Pearl River Fire District at a regular meeting held on April 10, 2012;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held at the Town of Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962 on December 17, 2019 at 8:00 p.m., or as soon thereafter as possible, pursuant to Town Law, to consider approving the proposed district boundary lines map of the Pearl River Fire District 16, and be it

FURTHER RESOLVED, that the Town Attorney prepare a Notice of Public Hearing and the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the Office of the Town Clerk.

HIGHWAY

13 RESOLUTION TO AWARD BID / CONSTRUCTION OF CURB / SIDEWALKS / ADA COMPLIANT RAMPS / CONVENT RD., BLAUVELT / SCAFFIDI'S PAVING AND DRAINAGE, INC.

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bid for the Construction of New Curbs, Sidewalks and ADA Compliant Ramps at Convent Road and Third Avenue in Blauvelt is hereby awarded to Scaffidi's Paving and Drainage, Inc., West Haverstaw, New York at a cost of \$17,000.00, the only qualified bidder having met the Town's specifications. Work completed under this contract will be charged to Account #H.3310.200.33.

14 RESOLUTION TO AWARD BID / ORANGEBURG ROAD MEDIAN TREE PLANTING / CUSTOM GARDEN LANDSCAPING, INC.

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bid for Tree Planting along the Orangeburg Road Median is hereby awarded to Custom Garden Landscaping, Inc., Pearl River, New York, the only qualified bidder having met the Town's specifications, at a cost of \$16,552.00. Work completed under this contract will be charged to Account #B.8560.457.17.

HIGHWAY / POLICE

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

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades & trash bins from the Highway Dept., and auxiliary police from OPD, for the OFD annual holiday parade to be held on Saturday, December 14, 2019 (rain date: Sunday, December 15, 2019), on various roads in the hamlet of Orangeburg, from 6 pm - 10 pm.

**16 RESOLUTION TO APPROVE / LEND ASSISTANCE / 2019 SOUTH
ORANGETOWN HOLIDAY WALK & TREE LIGHTING / MANSE BARN, TAPPAN /
SATURDAY, DECEMBER 7**

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police that the Town Board hereby authorizes these departments to lend assistance, which includes the use of trash barrels, barricades, cones & message board from the Highway Department and Auxiliary police & light tower from OPD, for the South Orangetown Holiday Walk & Tree Lighting ceremony to be held on Saturday, December 7, 2019, (raindate: 12/8/19) from 3pm to 7 pm, at the Manse Barn in Tappan.

PARKS AND RECREATION

**17 RESOLUTION TO APPROVE / LEND AID / 2019 SOUTH ORANGETOWN DAY
HOLIDAY WALK & TREE LIGHTING / SATURDAY, DECEMBER 7**

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 (1 regular & 1 ADA Accessible) for the South Orangetown Day Holiday Walk & Tree Lighting, Saturday, December 7, 2019.

**18 RESOLUTION TO APPROVE / LEND AID / 2019 SUNRISE DAY CAMP /
SUNDAY, OCTOBER 20**

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 Sunrise Day Camp for their SunriseWALKS 2019, Sunday, October 20, 2019, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured, nunc pro tunc.

**19 RESOLUTION TO APPROVE / LEND ASSISTANCE / 2019 SHARE CHRISTMAS &
THE HOLIDAYS / FRIDAY, DECEMBER 6**

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 Pearl River Rotary Club for their Share Christmas & The Holidays, Friday, December 6, 2019, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

FINANCE

20 RESOLUTION TO APPROVE / 2019 BUDGET ADJUSTMENT / RISK INSURANCE

RESOLVED, that upon the recommendation of the Director of Finance to make the following 2019 budget adjustment to reflect the increase in Risk Insurance.

Increase (expense) A.1910.043 Unallocated Risk Insurance \$40,000

Decrease (expense) A.940.800 Workers Compensation Fringe Benefits \$40,000

AUDIT

21 PAY VOUCHERS

RESOLVED, upon the recommendation of the Director of Finance, the Finance Office is hereby authorized to pay vouchers for a total amount of three (3) warrants for a total of \$2,121,107.03 .

ADJOURNMENTS

22 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:

Raul Cardenas, *Husband of our Town Historian, Mary Cardenas*

Dr. Lloyd A. Hamilton, *Psychiatrist and Resident of Nyack (Age 91) ran the Nyack Clinic for the poor and uninsured*

Angus Sampath, *Father of Town Employee, Doug Sampath*