

**TOWN OF ORANGETOWN
WORKSHOP MEETING
TUESDAY, APRIL 25, 2017**

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

ANNOUNCEMENTS:

- A. The Town Board will recognize the following at the May 2nd Regular Town Board Meeting:
 - a. Building Safety Month, May 2017
 - b. Mental Health Awareness Month, May 2017
 - c. National Police Week - May 14-20, 2017
 - d. National Public Works Week - May 21-27, 2017
- B. Public Hearing May 2, 2017 at 8:00 P.M. to consider a proposed Entity Disclosure Law
- C. Public Hearing May 16, 2017, at 8:00 P.M. to consider a local law, adopting a temporary moratorium on the construction or installation of new, or the expansion of existing, telecommunications facilities and structures within the unincorporated Town

PRESENTATION:

- A. Proposed Historic District zone changes

TBWS Action Items:

TOWN BOARD (Vote on 4/25/17)

**MEMORIALIZING RESOLUTION NYS PAROLE
BOARD/RICHARD LABARBERA & ROBERT
MCCAIN MURDERED PAULA BOHOVESKY**

1. **WHEREAS**, the Town of Orangetown wishes to express its continuing condolences to, and support for, the family of Paula Bohovesky, who was brutally raped and murdered thirty-three years ago as Paula's family asks the New York State Parole Board not to release her killers; and

WHEREAS, in 1980, Paula Bohovesky was a talented artist, an aspiring actress and a well-regarded member of the junior class at Pearl River High School; and

WHEREAS, tragically, this young woman, burgeon with energy and a zest for life, was tragically and senselessly murdered just two blocks from her home; and

WHEREAS, the two young men who committed this heinous crime after a day spent drinking in a local bar received the maximum penalty for murder then allowed in New York State, twenty-five years to life in prison; and

WHEREAS, these men are now seeking parole and release from prison, having served the minimum sentence – twenty-five years; and

WHEREAS, Paula’s family and friends, as well as those living in Orangetown at the time, can still recall the horror of that day; and

WHEREAS, Paula’s mother, Lois Bohovesky, must now relive that day as she fights to keep Paula’s killers in jail by asking the Parole Board not to authorize the men’s release, a task that she will have to often undertake because State Law allows inmates seeking parole to reapply every two years; and

WHEREAS, the Town Board of Orangetown has met, considered and by a unanimous vote approved this resolution; now therefore be it

RESOLVED, that the Town Board of Orangetown wishes to express its continuing condolences to and support for the family of Paula Bohovesky, who was brutally raped and murdered thirty-five years ago as Paula’s family asks the New York State Parole Board not to release her killers; and be further

RESOLVED, the Town is hereby authorized and directed to send a certified copy of this resolution to Ms. Lois Bohovesky; and to such other persons proper in order to effectuate the purpose of this resolution.

TOWN BOARD/TOWN ATTORNEY (Vote on 4/25/17)

**APPROVE AGREEMENT BETWEEN THE TOWN
AND CANDLE FOR CALENDAR YEAR 2017**

- 2. RESOLVED**, that the Town Board hereby authorizes the Supervisor, or his designated representative, to sign an Agreement between the TOWN and CANDLE, at a cost to the TOWN of \$35,132.50 pursuant to which CANDLE shall provide drug abuse and prevention awareness programs and services to the youth of the Town of Orangetown during and throughout calendar year 2017, retroactive to March 28, 2017.

TOWN BOARD (Vote on 4/25/17)

**AUTHORIZE APPRAISAL/VALUATION
PLUS/TOWN-OWNED LAND/HUNT ROAD
PROPERTY/TAX LOT 73.15.1.17/8.687± ACRES**

- 3. RESOLVED**, that the Town Board hereby authorizes a professional appraisal of town-owned land at Hunt Road, Tax Lot 73.15.1.17, 8.687 acres± with an assumption of office and datacenter zoning, by Valuation Plus at a cost of \$2500.

FOR 5/2 RTBM

TOWN ATTORNEY

**TO SET A PUBLIC HEARING AMENDING THE
TOWN CODE, CHAPTER 5 ENTITLED
APPLICABILITY OF UNIFORM CODE, FOR MAY
16 AT 8:05 PM**

- 4. RESOLVED**, that the Town Of Orangetown hereby sets a Public Hearing on May 16, 2017 at 8:05 PM to consider the applicability of § 5-1, the New York State Uniform Fire Prevention and Building Code (Uniform Code) and the State Energy Conservation Construction Code (Energy Code).

**CANCEL/AGREEMENT WITH FRONTIER
COMMUNICATIONS, INC.**

- 5. WHEREAS** the Town of Orangetown entered into a contract dated November 1, 2016 with Frontier Communications, Inc. for the purchase and installation of a telephone and E-911 voice recording system; and

WHEREAS, the Director of Automated Services is concerned with the ability of Frontier Communications, Inc. to complete the terms of the agreement and wishes to cancel said agreement prior to installation or delivery; and

NOW, based upon all the information before the Town Board, and the findings hereinbefore made,

RESOLVED, that upon the recommendation of the Director of Automated Services, the Town Board hereby authorizes the Supervisor to execute a letter, on behalf of the Town, as proposed and written, to FRONTIER COMMUNICATIONS, INC. notifying them of the cancellation of the contract dated November 1, 2016.

TOWN ATTORNEY/PARKS/HIGHWAY/DEME

**APPROVE COOPERATIVE LICENSE AGREEMENT/
PALISADES INTERSTATE PARK COMMISSION/
BIKE BYPASS/GREENBUSH ROAD AT ROUTE
303/BLAUVELT STATE PARK**

6. **WHEREAS**, the Town of Orangetown has applied to New York State, acting through the Dormitory Authority of the State of New York (“DASNY”), for a grant 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 proposed 1300 foot long, eight-foot wide paved path will require a twenty-foot wide license on Palisades Interstate Park Commission (“PIPC”) parkland on the east side of Route 303 within Blauvelt State Park (the “Licensed Premises”); and

WHEREAS, the PIPC has proposed a cooperative license agreement between it and the Town, allowing the use of the Licensed Premises by the Town for the stated purpose, subject to the review and approval of DASNY for compliance with the grant’s parameters,

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Town Attorney, the Town of Orangetown hereby approves the execution of a Cooperative License Agreement with the PIPC, contingent on approval by DASNY, and further authorizes the Supervisor or his designated representative to sign such agreement if and when approved by DASNY, and execute any and all other documents as may be required to effectuate this resolution.

DEME/TOWN BOARD

**APPROVE EXECUTION OF INTER-MUNICIPAL
AGREEMENTS WITH THE ROCKLAND COUNTY
SOLID WASTE AUTHORITY FOR THE
TRANSPORTATION, PROCESSING AND
COMPOSTING OF DEWATERED SLUDGE AND
SIDE STREAMS**

7. **RESOLVED**, that the Town Board approves two Inter-municipal Agreements with the Rockland County Solid Waste Authority, as follows:
- 1) Inter-municipal Agreement, providing for the transportation, processing and composting of dewatered sludge generated by Orangetown Sewer District #2 Wastewater Treatment Plant; and
 - 2) Inter-municipal Agreement, providing for the collection, temporary storage and disposal by a designated hauler of Acceptable Side Streams from Orangetown Sewer District #2.

Each of the aforesaid agreements, required for the operation of the Town's wastewater treatment plant and related collection facilities in compliance with the plant's N.Y.S. SPDES Permit, and the applicable regulations of the N.Y.S. DEC, is for a period of 5-years, with a renewal term of three (3) additional five-year terms; and,

BE IT FURTHER RESOLVED, that each of the Town Board members and the Commissioner of the Department of Environmental Management and Engineering, as the case may be, shall be authorized to execute the said agreements and any other or additional documents as may be required in order to effectuate the purposes of such agreements.

PARKS AND RECREATION

REQUEST FOR SHOWMOBILE/NYACK AMERICAN LEGION POST 310 MEMORIAL DAY PARADE/MONDAY, MAY 29, 2017

8. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Nyack American Legion Post 310 for their Memorial Day Parade on Monday, May 29, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

REQUEST FOR SHOWMOBILE/VILLAGE OF NYACK AFRICAN AMERICAN FESTIVAL/ SATURDAY, JUNE 3, 2017

9. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Village of Nyack for their African American Festival on Saturday, June 3, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

RETIREMENT/ALLAN SEEBACH

10. **RESOLVED**, that the Town Board accepts with regret, the retirement of Allan Seebach, Department of Parks, Recreation and Facilities, effective April 30, 2017.

HIGHWAY

**APPROVE GRANT DISBURSEMENT AGREEMENT
FOR A GRANT FROM DASNY FOR THE
CONSTRUCTION OF A SIDEWALK BETWEEN THE
PALISADES COMMUNITY CENTER AND THE
INTERSECTION OF OAK TREE AND ROUTE 9W**

11. WHEREAS, the Town has previously applied for a grant from the Dormitory Authority of the State of New York (“DASNY”) for the construction of a sidewalk between the Palisades Community Center and the intersection of Oak tree and Route 9w; and

WHEREAS, the said grant was approved and awarded in the sum of \$150,000.00; and

WHEREAS, the Town has completed all work required in order to obtain reimbursement up to the stated amount and is now required to execute a Grant Disbursement Agreement with DASNY for the receipt of the approved funding,

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby approves a certain Grant Disbursement Agreement with DASNY, and authorizes the Town Supervisor and the Superintendent of Highways, or their designated representative(s), to execute said agreement on behalf of the Town and to take all such further steps as may be required to obtain the said grant funding.

**AFFIRM TOWN OWNERSHIP/DEPOT
SQUARE/MAIN STREET TO MAIN STREET,
SPARKILL**

12. RESOLVED, that the Town Board hereby affirms that the Town of Orangetown owns and maintains the described road and length - ID #194995 - Depot Square, Sparkill, NY, as follows:

Depot Square - from Main Street to Main Street - road section length - 0.14 miles and pavement width is 0.22.

The total length of the road owned and maintained by the Town of Orangetown is - 0.14

**AFFIRM OWNERSHIP/MARYCREST ROAD,
WEST NYACK**

13. RESOLVED, that the Town Board hereby affirms that the Town of Orangetown owns, maintains and has legal responsibility for the described road and length - ID # 194835 - Marycrest Road in West Nyack as follows:

- Marycrest Road - from begin loop to end loop - road section length - 0.34 miles and pavement width is 27'
- Marycrest Road - from the end loop to Ahlmeyer Drive - road section length - 0.50 miles and pavement width is 30'
- Marycrest Road - from Ahlmeyer Drive to the Palisades Interstate Parkway ramp - road section length - 0.24 miles and pavement width is 30'

The total length of the road owned and maintained by the Town of Orangetown is - 1.08

**GRANT PERMISSION/JAMES J. DEAN/ATTEND
2017 SWANA CONFERENCE/LAKE GEORGE**

- 14. RESOLVED**, that the Town Board hereby authorizes James J. Dean, Superintendent of Highways, to attend the Federation of NY Solid Waste Association, Solid Waste and Recycling Conference from May 21-24, 2017, Lake George, NY, as a speaker and conference participant at a cost of \$1,240.80. to be charged to account #D.5140.457

**APPROVE FOR SURPLUS/HIGHWAY
DEPARTMENT**

- 15. RESOLVED**, that upon the recommendation of the Superintendent of Highways, approve for surplus the following equipment:

- 2002 Ford F550 1FDAF57F02ED56637
- 2005 Int. Lightning Loader 1HTMMAAN55H125304
- 2005 F550 Rack truck 1FDAF57P65EC33499
- 2005 F550 Dump-Plow 1FDAF57P05EC33501
- 1998 Snap-On MM300L mig combination welder (Ser.MM3-276)
- 2003 Thermal Dynamics Plasma Cutter Cut Master 50 (Ser. 02331997)
- 2- 12' Frink snow plows, power angle worm gear driven
- 13- Tailgate mounted plastic tanks with framework and supports, 5 of these tanks have electric pumps (each tank approx. 80 gallons)
- Behind cab mounted rectangle plastic tank with framework (approx. 80 gallons)
- Trackless snow thrower Model- B, Serial- 1346

HIGHWAY/POLICE DEPT

**LEND ASSISTANCE/TAPPAN COMMUNITY
GARAGE SALE FUNDRAISER/SATURDAY, MAY
20, 2017**

- 16. RESOLVED**, that the Town Board authorizes the Town of Orangetown Highway & Police Depts., to lend assistance, including equipment & personnel, as may be required, for the Tappan Community Garage Sale Fundraiser for the Noble Ninth, for the restoration of the old Mason's retirement home, to be held on Saturday, May 20, 2017 (rain date: 5.21.17) from 9 am to 4 pm.

**LEND ASSISTANCE/5K NUN RUN/
BLAUVELT/SATURDAY, MAY 13, 2017**

- 17. RESOLVED**, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes barricades from the Highway Dept., and police detail from the Police Dept., for the 5K Nun Run in Blauvelt on Saturday, May 13, 2017, from 8:30 am to 11:30 am.

**LEND ASSISTANCE/RELAY FOR LIFE/PEARL
RIVER/SUNDAY, JUNE 11, 2017**

- 18. RESOLVED**, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes barricades, recycling kiosks, verticades, reflective caution tape, trash bags, KRB cans & message board from the Highway Dept., and no parking signs & handicap parking signs from the Police Department, for the Relay for Life walk at the Central Avenue Field in Pearl River on Saturday, June 10 thru Sunday, June 11, 2017, from 5 pm to 5 am.

DEME

**CONTRACT WITH GHD CONSULTANTS/
ENGINEERING REDUCTION OF TOTAL RESIDIAL
CHLORINE AS REQUIRED BY NYSDEC/\$5,500**

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

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

WHEREAS, three engineering firms were contacted to submit prices to write the engineering report; and,

WHEREAS, GHD Engineers is qualified to write this report and submitted the lowest price,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves an agreement with GHD Engineers to write and submit an engineering report to comply with the latest NYSDEC requirement regarding Total Residual Chlorine in the final effluent for \$5,500.00.

PERSONNEL

**CREATE POSITION PUBLIC HEALTH ENGINEER
AND ZONING ENFORCEMENT OFFICER/DEME**

- 20. RESOLVED**, that upon the recommendation of Rockland County Personnel and the Human Resources Coordinator, create the position of Public Health Engineer and Zoning Enforcement Officer, Grade 20, Step 1, at a salary of \$83,680.00. The position will work under the DEME (Department of Environmental Management and Engineering), is budgeted and is approved by CSEA.

FIRE PREVENTION

DECLARE SURPLUS/1999 CROWN VICTORIA

- 21. RESOLVED**, that on the recommendation of the Chief Fire Inspector, the Town Board hereby declares as surplus one 1999 Crown Victoria with over 104,000 miles VIN 2FAFP71W3XX200017

Adjournment: Eileen P. Kelly, Pearl River, retired from Town Hall

William Anthony "Tony" Gerard, Palisades, NY