

**TOWN OF ORANGETOWN
WORKSHOP MEETING
TUESDAY, MAY 23, 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:

PRESENTATION: 1. ZONE CHANGE REQUEST: LO TO CC ZONE, 576 ROUTE 303, BLAUVELT, NY - FRANK PHILLIPS, PHILLIPS & MILLMAN

DISCUSSION:

AGENDA ITEMS:

TOWN BOARD

**OPEN PH ON MAY 23, 2017 AT 8:05 PM/
PROPOSED LOCAL LAW AMENDING CHAPTER
43 (ZONING) OF THE TOWN CODE TO ALLOW
VETERAN HOUSING IN THE R-15 ZONING
DISTRICT**

(To be voted 5/23):

1. **RESOLVED**, that the public hearing on the proposed Local Law amending Chapter 43 (Zoning) of the Town Code to allow Veteran housing in the R-15 Zoning District is hereby opened.

**CLOSE PUBLIC HEARING/AMEND CHAPTER 43
OF THE ZONING LAW OF THE TOWN OF
ORANGETOWN PERMITTING VETERAN
HOUSING AS A CONDITIONAL USE IN THE R-15
ZONING DISTRICT**

(To be voted 5/23)

2. **RESOLVED**, that the public hearing on the proposed Local Law amending Chapter 43 (Zoning) of the Town Code to allow Veteran housing in the R-15 Zoning District is hereby closed.

**DECLARE LEAD AGENCY STATUS AND ISSUE
NEGATIVE DECLARATION UNDER SEQRA AS TO
PROPOSED LOCAL LAW, ADDING "ATTACHED
VETERAN HOUSING" AS A CONDITIONAL USE/
R-15 ZONING DISTRICT**

(To be voted 5/23)

3. **WHEREAS**, by previous duly adopted the 2nd day of May 2017, the Town Board resolved to proceed with its consideration of the proposed action, consisting of a local law establishing a new Conditional Use by the Planning Board, permitting Attached Veteran Housing in the R-15 zoning district zoning district; and

WHEREAS, by the same resolution, the Town Board declared its intent to serve as lead agency for the environmental review thereof under the N.Y.S. Environmental Quality Review Act ("SEQRA"), and directed circulation of the proposed text amendment for review, comment and SEQRA to various involved and/or interested agencies, including, but not limited to, the Rockland County Department of Planning, pursuant to General Municipal Law § 239 I & m; and

WHEREAS, by letter with attachments, dated May 12, 2017, all materials relevant to the review of the proposed action were circulated to the various interested and involved agencies, and to the Rockland County Planning Department and the Village Planning Board, for review, comment and lead agency status; and

WHEREAS, no agency has objected to the Town Board acting as lead agency for the environmental review of the action; and

WHEREAS, for the purpose of amending the Town Code, as proposed, the Town Board is the only involved agency under SEQRA, and, therefore, is the only appropriate entity to act as lead agency,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby assumes lead agency status for purposes of environmental review of the action as set forth above under SEQRA; and

BE IT FURTHER RESOLVED, (1) that the proposed action is an unlisted action under SEQRA; and, (2) that, having taken a hard look at all of the environmental issues associated with the said action, and the areas affected, including all of the possible impacts identified on the Short EAF prepared and submitted in connection with the said action, the Town Board issues a

Determination of Non-significance with respect to the referenced action, and authorizes the Town Supervisor, or his designated agent, to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency in accordance with the applicable provisions of law.

In reaching the within determination, the Town Board has considered, among other things, the specific lot and bulk controls which limit the parcels within the district to which the conditional use applies, including the number of units on any given parcel (5 units per acre on a minimum 5-acre parcel), and the further condition that such housing shall be on located on or along or in immediate proximity to a State or County road readily accessible to public transportation services, which mitigate any potential adverse impact.

The Board has further considered the appropriateness, and site conditions, of the existing Homes for Heroes location, on Western Highway, which already has been partially developed with such use, including the green infrastructure drainage project proposed by the Town for an immediately adjacent parcel owned by the Town, and the various studies commissioned by the Town and by the U.S. government relating to the use of the entirety of such parcel.

The aforesaid resolution was moved by _____, seconded by _____, and (adopted / rejected) by a vote of _ Ayes Nays and Abstentions, as follows:

ADOPT LOCAL LAW, AMENDING CHAPTER 43 OF THE ZONING LAW OF THE TOWN OF ORANGETOWN PERMITTING VETERAN HOUSING AS A CONDITIONAL USE IN THE R-15 ZONING DISTRICT

(To be voted 5/23)

4. **WHEREAS**, the Town Board of the Town of Orangetown (the “Town Board”) is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town’s Zoning Law; and

WHEREAS, the Town Board has before it for consideration a proposed local law that, if adopted, would amend Chapter 43 of the Town Code (the Town Zoning Law), adding “Attached Veteran Housing”, as defined, and as otherwise regulated by referenced lot and bulk regulations, as a new conditional use in the R-15 zoning district; and

WHEREAS, the proposed conditional use would allow the continued improvement of those lands located on Western Highway, in the hamlet of Tappan, in the manner in which such lands

already have been partially developed, albeit as federally owned lands, and, thus, not subject to the Town's zoning; and

WHEREAS, by resolution duly adopted of even date herewith, but prior to the adoption of this resolution, the Town Board, acting in its capacity as Lead Agency for environmental review, concluded that there will be no significant adverse environmental impacts or effects caused or occasioned by the proposed changes to the Town's Zoning Law; and

WHEREAS, following due and proper notice, on May 23, 2017, the Town Board held a public hearing on the proposed local law, at which a number of persons spoke concerning the proposed law; and

WHEREAS, the Town Board, and each of its members, are personally familiar with the locations affected by the proposed zoning text amendment;

NOW, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS HEREINAFTER MADE, BE IT RESOLVED, that the Town Board hereby adopts the proposed Local Law, amending Chapter 43, § 3.11 of the Town Code, which establishes and incorporates the various Tables of General Use Regulations, at 43 Attachment 3, Column 4, Use 2, Conditional Uses by Planning Board, with respect to the R-15 zoning district, to add "attached veteran housing"; amending Chapter 43 (Zoning) of the Town Code, Note 15 of the Notes to the Notes to the Use and Bulk Tables, shall be amended to add "attached veteran housing" ; amending Chapter 43, § 3.12 of the Town Code, which establishes and incorporates the various Tables of General Bulk Regulations, shall be amended at 43 Attachment 13 with respect to the R-15 zoning district, to add "Attached veteran housing" to Use Group N, Column 3; amending Chapter 43 ("Zoning"), Article 10, § 11.2 (Definitions) to add a definition of "Attached veteran housing"; and amending Chapter 43 ("Zoning"), Article VIII, to add a new § 8.17 entitled "Attached Veteran Housing" as a Conditional Use of the Planning Board in the R-15 zoning district, as set forth in the proposed law, annexed hereto, and made a part hereof.

In adopting the within local law, the Town Board, pursuant to General Municipal Law § 239, has solicited, received and considered the comments and conditions of the Rockland County Department of Planning, set forth in 2 separate responsive letters, each dated March 15, 2017, and adopts or overrides such comments and conditions as follows:

**The Rockland County Planning Department's
Comments and Conditions**

1) ***Letter Comments:***

TO BE ADDED

PROPOSED LOCAL LAW, AMENDING CHAPTER 43 OF THE ZONING LAW OF THE TOWN OF ORANGETOWN PERMITTING VETERAN HOUSING AS A CONDITIONAL USE IN THE R-15 ZONING DISTRICT

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Chapter 43, § 3.11 of the Town Code, which establishes and incorporates the various Tables of General Use Regulations shall be amended at 43 *Attachment 3*, Column 4, Use 2, Conditional Uses by Planning Board, with respect to the R-15 zoning district, to add “attached veteran housing”. As amended, 43 *Attachment 3*, Column 4, Use 2, shall read:

2. Attached veteran housing, and single or attached adult housing residential uses as provided in Note 15 of the Notes to the Use and Bulk Tables. Adult housing (but not Attached veteran housing) shall be limited to families with 1 adult over age 50 and no child under 18 years.

Section 2. Chapter 43 (Zoning) of the Town Code, Note 15 of the Notes to the Notes to the Use and Bulk Tables, shall be amended to add “attached veteran housing” where the term “attached adult housing residences”, such that such note, in relevant part, shall read as follows:

“ . . . the Planning Board may also permit a cluster development of not more than four (4) attached veteran housing or adult housing residences, provided”

Section 3. Chapter 43, § 3.12 of the Town Code, which establishes and incorporates the various Tables of General Bulk Regulations, shall be amended at 43 *Attachment 13* with respect to the R-15 zoning district, to add “Attached veteran housing” to Use Group N, Column 3. As amended, Column 3, Use Group N, shall read:

Attached veteran housing and single-family attached residences for adults in buildings not more than 2 stories high**

A further note shall be added, by asterisk ***, relating to Additional Note 18, which shall read as follows:

The limitations of Note 18 shall not apply to Attached Veteran Housing to the extent same impose limits or requirements relating to bedroom count or prior construction within 500 feet.

Section 4. Amend the Town Code of the Town of Orangetown, Chapter 43 (“Zoning”), Article 10, § 11.2 (Definitions) to add a definition of “Attached veteran housing”, which shall read as follows

ATTACHED VETERAN HOUSING – attached residential housing units for honorably discharged veterans of the United States armed services who meet the federal criteria as homeless, owned and/or operated by a private not-for-profit corporation, organized as such under the laws of the State of New York, and having status as an IRS 501[c]3 entity.

Section 5: Amend the Town Code of the Town of Orangetown, Chapter 43 ("Zoning"), Article VIII, to add a new § 8.17 entitled "Attached Veteran Housing" as a Conditional Use of the Planning Board in the R-15 zoning district, which section shall read as follows:

§ 8.17. Attached Veteran Housing.

- A. Attached Veteran Housing, as defined at § 11.2 hereof, shall be permitted as a conditional use in the R-15 zoning district.
- B. Such housing shall be subject to the Table of General Bulk Regulations, 43 *Attachment 13*, Use Group N.
- C. Such housing shall be on located on or along or in immediate proximity to a State or County road readily accessible to public transportation services.

Section 6: This local law shall take effect immediately on filing with the Secretary of State.

**APPROVE RETAINER AGREEMENT WITH KEANE
& BEANE, IN CONNECTION WITH FEDERAL
LITIGATION FRANCIS BROOKE AND FMB
ENTERPRISES, LLC AGAINST THE TOWN OF
ORANGETOWN AND CHIEF KEVIN NULTY**

(To be Voted 5/23/17)

- 5. **RESOLVED**, on the recommendation of the Town Attorney, approve the retainer of Keane & Beane, P.C. to represent the Town and Chief of Police Kevin Nulty, as defendants, with others, in connection with a federal lawsuit filed in the Southern District of New York, under docket 17 CIV. 03166, entitled Francis Brooke and FMB Enterprises, LLC, Plaintiffs v. County of Rockland et al., on the terms and conditions set forth in a proposed Retainer Agreement, incorporated by reference herein, and authorize the Supervisor, or his designated representative, to execute a copy thereof.

HIGHWAY

**LEND ASSISTANCE/ORANGEBURG VOLUNTEER
FIRE DEPARTMENT ASSOCIATION
CARNIVAL/MAY 31-JUNE 4, 2017**

(To be Voted 5/23/17)

6. **RESOLVED**, that the Town Board hereby authorizes the Town of Orangetown Highway Dept., to lend assistance which includes the use of barricades, trash barrels and a dumpster for the Orangeburg Volunteer Fire Association Carnival to be held on May 31 thru June 4, 2017, at the Dominican College Parking Lot.

TOWN BOARD

**AMEND ACCESS AGREEMENT WITH RUSSO
DEVELOPMENT, TO INCLUDE AUTHORIZING
ACCESS TO TOWN OWNED LANDS AT 200 OLD
ORANGEBURG ROAD**

7. **WHEREAS**, on April 4, 2017 the Town Board approved an Access Agreement for Russo Development to conduct environmental assessment of Tax Lot 73.15-1-17 pursuant to Russo's offer to purchase the land for data center development, and

WHEREAS, the Town is considering relocating public facilities from Tax Lot 73.15-1-17 to a portion of Tax Lot 72.12-1-3.1 on the RPC campus and needs Russo Development to provide certification of the location of wetlands and hence the extent of building area at this site, therefore, be it

RESOLVED, that the Town Board authorizes the amendment of Schedule "A" of the Access Agreement to include 200 Old Orangeburg Road, Tax Lot 72.12-1-3.1.

**MUNICIPAL RESOLUTION IN SUPPORT OF
HUDSON RIVER SLOOP CLEARWATER'S SAIL TO
WASHINGTON DC TO MAINTAIN CLEAN
WATER AND OTHER ENVIRONMENTAL
PROTECTIONS**

8. **WHEREAS** in 1970 Pete Seeger and the Hudson River Sloop Clearwater helped turn the tide in favor of enacting the 1972 Clean Water Act by sailing the Clearwater to Washington, DC and

organizing an historic Capitol Hill forum on the need for federal clean water protections, where Seeger said,

“The problems of the American Rivers can’t be solved by people . . . who live on them. Only the Federal Government has the power to enact and enforce the laws that are needed;” and

WHEREAS the Hudson River and many American waterways are much cleaner and safer as a result of the implementation of the Clean Water Act, as well as other state and national environment protection legislation and regulations; and

WHEREAS issues of serious water pollution still plague communities from Flint, Michigan to the City of Newburgh or the Village of Hoosic Falls in New York; and

WHEREAS a clean, safe and healthy environment is foundational for a strong economy; and

WHEREAS existing federal clean water protections, have recently been rolled back or are coming under threat from many quarters, including:

- Using the Congressional Review Act to undo the Stream Protection Rule, which previously protected waterways from surface coal mining pollution;
- Using the EPA rulemaking process to “repeal and replace” the Waters of the United States Rule, which extended Clean Water Act protections to 60% of U.S. streams and 20 million acres of wetlands, and these waters and wetlands will soon lose those protections if the Rule is undone;
- Proposed 31% cuts to EPA funding, including, among other things: a 45% cut in Categorical Grants to states for water protection programs; elimination of the \$427 million funding of the Great Lakes Restoration Initiative and other regional programs; a total estimated cut of \$1 billion in Office of Water programs; and

WHEREAS proposed cuts to Superfund would undermine Superfund cleanup in 85 sites across New York State; and

WHEREAS federal water protections and robust EPA regulation and enforcement are vital to the environmental health of New York’s waterways and to the safety of its drinking water; and

WHEREAS climate change is also a water quality issue and already impacts New York’s waterways and drinking waters through more frequent and severe droughts and storms; and

WHEREAS many water quality issues, such as phosphorus loading of our lakes and streams, directly impact aquatic life and recreation, and will require increases in Federal funding for stormwater infrastructure; and

WHEREAS drinking water contaminants which jeopardize public health and safety are just being uncovered in many existing water systems, flat-funding Federal grants will not allow States and municipalities to implement drinking and waste water infrastructure projects needed for their prevention or remediation; and

WHEREAS these issues and threats affect not only all New Yorkers, but all Americans; and

WHEREAS the Sloop Clearwater will carry to Washington and deliver to federal officials a “cargo of concern” documenting the broad-based concerns of citizens, public interest groups, and municipal and state officials throughout New York about growing threats to our water and to federal clean water protections, and the need for sound, science-based water policy;

THEREFORE, BE IT RESOLVED that the Town of Orangetown hereby registers its deep concern over current rollbacks and threats to federal clean water protections as described above, affirms the need for sound, science-based water policy and for adequate regulation, enforcement and funding as pressure on water quality and safety continue to mount. We also wish to express our support for the effort Clearwater is leading to carry our concerns and concerns of many New Yorkers for clean water and other environmental protections directly to Washington.

TOWN ATTORNEY

**CONSENT JUDGEMENT/TAX CERTIORARI/
ROCKLAND COUNTRY CLUB V. THE ASSESSOR
OF THE TOWN OF ORANGETOWN, ET AL.,**

9. **RESOLVED**, upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Consent Judgment regarding the tax certiorari proceeding *Rockland Country Club v. The Assessor of the Town of Orangetown, et al.*, Tax Map designation 78.09-1-24 (380 Route 9W, Palisades) for the tax assessment years 2014 through 2016, for a total refund by the County of \$17,295, a total refund by the Town of \$50,546 and a total refund by the School District of \$253,894. 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.).

PERSONNEL

**RETIREMENT/JOHN GIARDIELLO, DIRECTOR OF
THE OFFICE OF BUILDING, PLANNING, ZONING
AND ENFORCEMENT/EFFECTIVE JULY 21, 2017**

- 10. RESOLVED**, that the Town Board accepts with regret the retirement of John Giardiello, Director of the Office of Building, Planning, Zoning and Enforcement, effective July 21, 2017.

PARKS AND RECREATION

**APPROVE USE OF SHOWMOBILE/VILLAGE OF
NYACK/MOSTLY MUSIC FESTIVAL/JUNE 27,
2017**

- 11. 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 their Mostly Music Festival on Tuesday, June 27, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**APPROVE CONTRACT EXTENSION/CHESTNUT
RIDGE TRANSPORTATION/ORNAGETOWN
SUMMER CAMP**

- 12. RESOLVED**, pursuant to Paragraph 36 of the 2016 Bid Specifications for the 2016 Bus Transportation for the Orangetown Summer Day Camp, and by the attached letter dated May 19, 2017, Chestnut Ridge Transportation has agreed to extend the Contract for the 2017 camp season, upon the same terms and conditions, including at the same cost to the Town. Therefore, upon the recommendation of the Superintendent of Parks, Recreation and Buildings, and subject to the delivery of updated insurance certificates, please prepare agreement extension between the Town of Orangetown and Chestnut Ridge Transportation for the 2017 Camp Season. “

Adjournments in memory of:



Rockland County

Ed Day, Rockland County Executive

#4

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

May 23, 2017

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 5/12/2017

Item: TOWN OF ORANGETOWN - ATTACHED VETERAN HOUSING (O-2325)

Zoning Code Amendment to add a new conditional use, "Attached Veteran Housing" in the R-15 zoning district. A new definition will be added, and the existing general bulk regulations for Use Group "N" will be used for the new use. As part of the conditional use, the housing must be located on or along, or in immediate proximity, to a State or County road.

Throughout the Town in the R-15 zoning district

Reason for Referral:

State and County roads, county streams, Palisades Interstate Parkway, Village of Piermont, Town of Clarkstown

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review shall be completed by the New York State Department of Transportation, and any concerns addressed.
- 2 A review shall be completed by the Rockland County Department of Highways, and any concerns addressed.
- 3 It must be clarified if the Palisades Interstate Parkway qualifies for a "State road."
- 4 It must be clarified if there are minimum/maximum standards for the housing units, such as square footage per unit.

TOWN OF ORANGETOWN - ATTACHED VETERAN HOUSING (O-2325)

5 The Town of Clarkstown and the Village of Piermont are two of the reasons this proposal was referred to this department for review. As required under Section 239nn of the State General Municipal Law, the Town of Clarkstown and the Village of Piermont must be given the opportunity to review the proposed local law amendment and provide any concerns to the Town of Orangetown.

Arlene Miller

for Douglas J. Schuetz
Deputy - Acting-Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Drainage Agency
Palisades Interstate Park Commission

Village of Piermont
Town of Clarkstown

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

#6

TOWN OF ORANGETOWN

SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS

PERMIT # 17-SP-21

RECEIVED

MAY 17 2017

RECEIVED
MAY 19 2017
Orangetown Police Department

PERMIT NAME: Orangeburg Volunteer Fire Association Carnival

APPLICANT NAME: Kenneth Gordon

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT
ADDRESS: 23 S. Greenbush Road Orangeburg, N.Y. 10962

PHONE #: 359-0640 CELL # 721-4265 FAX #

CHECK ONE: PARADE _____ RACE/RUN/WALK _____ OTHER Carnival

The above event will be held on _____ from 5-31-17 to 6-4-17 RAIN DATE: _____

Location of event: Dominican College Parking Lot

Sponsored by: Orangeburg Volunteer Fire ASSN Telephone #: 845-721-4265

Address: 470 Western Highway Orangeburg, N.Y. 10962

Estimated # of persons participating in event: _____ vehicles _____

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:
O.V.F.A. Members Ken Gordon 721-4265

Signature of Applicant: Ken Gordon Date: 5-17-17

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event -- Received On: 5-17-17

Certificate of Insurance -- Received On: 5-17-17

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: Y/N N Received On: _____ X

Rockland County Highway Dept. Permit: Y/N N Received On: _____ X

NYS DOT Permit: Y/N N Received On: _____ X

Route/Map/Parking Plan: Y/N N Received On: _____ X

RFS #: 39000 BARRICADES: Y/N _____ CONES: Y/N _____ TRASH BARRELS: Y/N N OTHER: Dumpster

APPROVED: [Signature] DATE: 5-17-17
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y/N N Application Required: _____ Fee Paid - Amount/Check # _____

Port-o-Sans: Y/N N Other: _____

APPROVED: [Signature] DATE: 5/17/17
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y/N: _____ Items: _____

APPROVED: [Signature] DATE: 5/19/17
Chief of Police

Please return to the Highway Department to be placed on the Town Board Workshop

Workshop Agenda Date: _____ Approved On: _____ TBR #: _____

RECEIVED
MAY 23 2017
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT



Incorporated 1913

ORANGEBURG VOLUNTEER FIRE ASSOCIATION

23 SOUTH GREENBUSH ROAD
ORANGEBURG, NEW YORK 10962-2204

RECEIVED

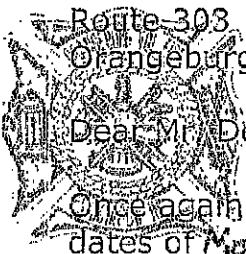
17-SP21

MAY 17 2017

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

James J. Dean, Superintendent of Highways
Town Of Orangetown Highway Dept.

Route 303
Orangeburg, NY 10962



ORANGEBURG VOLUNTEER FIRE ASSOCIATION

23 SOUTH GREENBUSH ROAD
ORANGEBURG, NEW YORK 10962-2204

Dear Mr. Dean,

Once again, the Association will be holding a carnival between the dates of ~~May 31st~~ through June 4th, 2017 at the Dominican College parking lot located on Western Hwy. & Mountain View Ave. As such, we would like to request the use of;

- 25 Garbage cans (large barrels)
- 20 Barriers (Horses) for traffic & pedestrian control.
- A Dumpster, in order to collect garbage produced by the public at the free fireworks display (s). Which is open to the all the town residents.

If possible we would like the items delivered by Monday June 13rd, 2017, to the parking lot of Dominican College, located at the intersection of Western Hwy & Mountain View Ave, directly across from the Clover Leaf bar.

If you have any questions please call me.

Thanks again,

Travis Colvin, President
Orangeburg Volunteer Fire Association
Cell Phone #845-304-6687



ORANGEBURG VOLUNTEER FIRE ASSOCIATION
23 SOUTH GREENBUSH ROAD
ORANGEBURG, NEW YORK 10962-2204



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/03/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CLG Insurance 172 Main Street Nanuet, NY 10954 DSL Enterprises LLC	RECEIVED MAY 17 2017 TOWN OF ORANGETOWN HIGHWAY DEPARTMENT	CONTACT NAME:	
		PHONE (A/C, No, Ext): 845-623-3434	FAX (A/C, No): 845-623-4332
		E-MAIL ADDRESS: certificates@clginsurance.com	
		INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED Orangeburg Volunteer Fire Association Inc, 23 South Greenbush Road Orangeburg, NY 10962		INSURER A: Arch Insurance Company	11150
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X	MEPK07063510	12/05/2016	12/05/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 10,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: 2016 Orangeburg FD Carnival 05/31/17-06/04/17. Town of Orangetown, 26 Orangeburg Road, Orangeburg, NY 10962, Orangeburg Fire District, 61 Dutch Hill Road, Orangeburg, NY 10962, Dominican College, 470 Western Highway, Orangeburg, NY 10962 and Sisters of Saint Dominic, 496 Western Highway, Blauvelt, NY 10913 are included as additional insureds under the "(Cont'd)"

CERTIFICATE HOLDER	CANCELLATION
TOWNOR4 Town of Orangetown 26 Orangeburg Road Orangeburg, NY 10962	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE DSL Enterprises LLC

11



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGETOWN, NY 10962
(845) 359-6503



2017 Application for Showmobile Use

Event/Festival Name: Mostly Music
Organization Name: Village of Nyack
Applicant's Name: Melody Partrick Phone (w): _____
Address: 9 N Broadway City: Nyack Zip: 10960
Cell Phone 914-629-9748 E-Mail: recreation@nyack-ny.gov
Day Tuesday Date June 27 Time of Set-up: 4:00 pm Time of Take-down: 10:00 pm

Requested Location (park, street, location on premises, etc., be specific, attach map if needed):
Memorial Park, south side of park by butterfly garden

Showmobile stage measures 28 feet long x 14 feet 7 inches deep x 25 feet high when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle. See space requirements below.) The Showmobile does not have a sound system and comes with fluorescent lighting only.

Stair Arrangement: (1 set of stairs) _____ Left side of stage Right side of stage _____ Front of stage

The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. The stage does not come with a generator. Additional electrical equipment must be plugged into a separate circuit.

Please describe in detail what the stage will be used for and how you intend to set it up: (Note: The Town seal is not to be covered and no nails, staples or tacks may be used to attach any items to the Showmobile)

Music concert.

Showmobile space requirements:

- The showmobile must be parked in a relatively level space.
- The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- The total area needed for the showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.
- The tow vehicle must remain with the showmobile for the duration of the event.
- In the event of winds or wind gusts in excess of 30 MPH, the stage canopy must be closed.

Additional Requirements:

- Certificate of insurance required at time of reservation naming the Town of Orangetown as additionally insured.
- Any changes to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

I have read, understand and agree to all conditions listed on above:

Applicant's Signature Melody Partrick Date 3-28-17
Department Approval Mal W Date 5/10/17



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGETOWN, NY 10962
(845) 359-6503



SHOWMOBILE RESERVATION PROCEDURES
Town of Orangetown, Orangeburg NY

The Town of Orangetown through the Parks & Recreation Department supports a variety of non-profit organization community events. Priority scheduling is given to Orangetown Parks & Recreation events and then Town of Orangetown Department requests.

Due to the Orangetown Summer Concert Series the Orangetown Showmobile will not be available beginning July 1st to August 20th this year.

Use of the Showmobile is NOT confirmed until:

1. Your completed application is received by the Orangetown Office of Recreation & Parks.
2. A certificate of insurance listing the Town of Orangetown as additionally insured is provided.
3. Your organization has been informed that the application is complete.
4. Your application is approved by resolution by the Orangetown Town Council and the Office of Recreation and Parks has notified you of such.

There are two fees associated with the rental of the Showmobile:

A rental fee of \$400.00 (applicable to all groups)

Staffing overtime (waived by the Town Board for non-profits)

The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of such invoice.

Space and Placement

The total area required for the showmobile placement is 50 feet in length, 15 feet in width and 25 feet in height.

The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although all efforts will be made to meet requests, this equipment does not go off road, over curbing or over rough terrain.

A member of the organization renting the unit must be on site at time arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)

Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

By initialing below the applicant agrees to having read the procedures listed above:

(over)

MP

#12



Chestnut Ridge Transportation, Inc.

May 19, 2017

Town of Orangetown, Town Hall
Mr. Aric Gorton
Director Parks, Recreation & Buildings
26 Orangeburg Road
Orangeburg, NY 10962

Dear Mr. Gorton,

Chestnut Ridge Transportation, Inc. would like to extend our current contract with the Town of Orangetown for the 2017 Summer Camp at the same terms and conditions in effect under the "Awarded Contract – Parks, Recreation & Buildings 2016 Summer Camp Bus Transportation".

We believe that seeking this extension is appropriate as per item 36 on page IB-9 in said contract. Please respond with any documents that need to be executed to complete the extension of contract.

We look forward to providing the Town of Orangetown with safe, reliable and efficient transportation this summer.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy E. Flood".

Timothy E. Flood
Executive Vice President



ARIC T. GORTON
Superintendent

TOWN OF ORANGETOWN

Office of Recreation & Parks

81 Hunt Road ♦ Orangeburg, New York 10962
(845) 359-6503 ♦ Fax (845) 359-6991
E-Mail: Recreation@orangetown.com
www.orangetown.com/departments/parksrec



May 16, 2017

Chestnut Ridge Transportation, Inc.
56 West Church Street
Spring Valley, New York 10977

Attention: Timothy Flood
Executive Vice President

Dear Mr. Flood:

Please accept this letter as our request and interest in extending the 2016 awarded Contract for Bus Transportation for the Town of Orangetown Summer Camp program for our 2017 season.

In accordance with the language contained in Paragraph 36 (1B-9) of the 2016 Contract, the vendor and the Town may extend the contract for an additional year or years (to a maximum of 3), under the same terms and conditions as the 2016 Contract if agreeable by both parties.

If agreeable, please forward a letter stating you accept the extension of the contract for 2017. Upon receipt of your letter the item will be placed on the Town Board agenda for approval on June 6, 2017. A contract extension agreement letter will then be prepared and sent to you for execution and filing.

Thank you for your continued cooperation and we look forward to our working relationship with all at Chestnut Ridge Transportation.

Sincerely yours,

Judi Smith
Orange town Parks & Recreation

/js

Cc: Aric Gorton
John Edwards
Mark Albert



**RESOLUTION NO. 314
MUSIC FESTIVAL/JOE DURSO**

SHOWMOBILE/ROCKLAND BERGEN

Supervisor Stewart offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLUTION NO. 314 - Continued

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 Joe Durso, Rockland Bergen Music Festival, for their Rockland Bergen Music Festival on Friday, June 24 to Sunday, June 26, 2016, at a rental cost of \$400.00, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured

Ayes: Supervisor Stewart
Councilpersons Troy, Diviny, Valentine, Bottari
Noes: None

**RESOLUTION NO. 315
NYACK'S MOSTLY MUSIC CONCERT SERIES**

SHOWMOBILE/VILLAGE OF

Supervisor Stewart offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

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 Mostly Music Concert Series Tuesday June 28, 2016 and Tuesday August 16, 2016 at a rental cost of \$400.00 each day, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured

Ayes: Supervisor Stewart
Councilpersons Troy, Diviny, Valentine, Bottari
Noes: None

**RESOLUTION NO. 316
TRANSPORTATION / CHESTNUT RIDGE TRANSPORTATION**

AWARD BID/2016 SUMMER CAMP

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

WHEREAS, the Superintendent of Parks and Recreation, duly advertised for sealed bids for 2016 Summer Camp Transportation, which were received and publicly opened on May 12, 2016; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 06-B-16, and made a part of these minutes. Now Therefore, Be It

RESOLVED, this bid is hereby awarded to Chestnut Ridge Transportation, Spring Valley, New York, the only qualified bidder, at a price of \$395.00 per bus for "All Day" transportation, \$260.00 per bus for "Morning and Afternoon" transportation and \$30.00 per bus for "Afternoon Bus Transportation for Teen Camp"

AGREEMENT

THIS AGREEMENT, made and entered into this _____ day
of _____ 20____, between the TOWN OF ORANGETOWN, a municipal
corporation located in the County of Rockland, State of New York, party
of the first part, hereinafter called the "TOWN", and
the CHESTNUT RIDGE TRANSPORTATION, INC.
a domestic corporation having its principal place of business
at 56 W. CHURCH STREET, SPRING VALLEY, NY 10977
party of the second part, hereinafter called the "CONTRACTOR".

WHEREAS, the Contractor has submitted a proposal to provide the following
BUS TRANSPORTATION FOR THE ORANGETOWN SUMMER DAY/TEEN CAMP FOR
THE 2016 SEASON, for the Town of Orangetown, Department of Parks, Recreation
and Buildings, 81 Hunt Road, Orangeburg, New York in accordance with the
Specifications and other Contract Documents attached hereto and made a part hereof,
for the following prices:

PROVIDING ALL DAY/TEEN BUS TRANSPORTATION:

Price Per Bus: \$ 368.00 PER BUS/PER DAY

✓ \$ 368.00 PER BUS/PER DAY AND ZERO (0.00) %
(In Figures)

\$ THREE HUNDRED SIXTY EIGHT PER DAY/PER BUS
(Dollars in Words)

\$ ZERO
(Cents in Words)

PROVIDING MORNING AND AFTERNOON BUS SERVICE FOR DAY CAMP:

Price Per Bus: \$ 260.00 PER BUS/PER DAY

✓ \$ 260.00 PER BUS/PER DAY
(In Figures)

\$ TWO HUNDRED SIXTY PER BUS/PER DAY
(Dollars in Words)

\$ ZERO
(Cents in Words)

PROVIDING AFTERNOON BUS SERVICE FOR TEEN CAMP:

Price Per Bus: \$ 30.00 PER BUS/PER DAY

✓ \$ 30.00 PER BUS/PER DAY
(In Figures)

\$ THIRTY PER BUS/PER DAY
(Dollars in Words)

\$ ZERO
(Cents in Words)

33. All contractors actually undertaking the work contracted for shall save and hold harmless the Town of Orangetown from any and all costs, fees, disbursements, attorneys' fees, and damages (actual, consequential or exemplary), awarded in any manner whatsoever through suit, settlement or otherwise, arising out of any claim, suit, action or dispute involving wages paid to all subcontractors or other persons employed by any contractor employed by the Town of Orangetown.
34. No contract is deemed to have been created until approved by the Town Board and the Town Attorney, and executed by the Town Supervisor of the Town of Orangetown.
35. It is understood that there must be a written contract executed by the Supervisor of the Town of Orangetown, pursuant to Town Board Resolution. This is subject to appropriations approved by the Town Board.
36. The Town of Orangetown, through a Town Board Resolution reserves the right to extend the Contract for one (1) year or multiple years, under the same terms and conditions, providing all parties concerned are in agreement, and all insurance policies remain in effect.

RESOLUTION NO. 276 - Continued

RESOLVED, the Town Board authorizes the Supervisor to sign an agreement, with the NYS DEC Hudson River Estuary Program, accepting donation of site-appropriate trees and shrubs for a riparian buffer planting on town parkland by the Sparkill Creek, behind 564 Rte. 340 in Sparkill, with volunteers from the Sparkill Watershed Alliance and supervision from the Orangetown Parks Department, which will maintain the site going forward as a benefit to water quality, beautification and environmental awareness in the Sparkill watershed. This program has been funded by the Rockland County Soil and Water Conservation District.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Diviny, Morr
Noes: None

RESOLUTION NO. 277**AGREEMENT/CHESTNUT RIDGE
TRANSPORTATION/2015 SUMMER
DAY CAMP**

Under new business, Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:

WHEREAS, in accordance with § 103 of the General Municipal Law, and the Town's Procurement Policy, in or about May 2013, the Superintendent of Parks, Recreation and Buildings ("Superintendent") advertised for sealed bids for bus transportation in connection, with the Town's Summer Camp program, which bids were received and publicly opened on May 17, 2013; and

WHEREAS, by Resolution 256 of 2013, duly adopted, the Town Board awarded the said bus transportation contract to Chestnut Ridge Transportation, Spring Valley, New York, the lowest responsible bidder; and

WHEREAS, pursuant to section 36 of the 2013 bid specifications, and section 33 of the 2013 executed Contract, the Town Board, subject to agreement by the Contract Vendor, is authorized to extend the 2013 Contract, for an additional year or years (to a maximum of 3), under the same terms and conditions as the 2013 Contract; and

WHEREAS, in accordance with Paragraph 36 of the 2013 Contract, by letter dated May 7, 2015, Chestnut Ridge Transportation once again has agreed to extend the Contract for the 2015 camp season (the 3rd and final year under the 2013 Bid), upon the same terms and conditions, including at the same cost to the Town; and

WHEREAS, the Superintendent believes that it is in the Town's best financial interest to extend the 2013 bus transportation contract, for the 2015 camp season.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Buildings, and subject to the delivery of updated insurance certificates, the 2013 Contract between the Town and Chestnut Ridge Transportation is hereby extended, to cover bus transportation for the 2015 summer camp season, at a price of \$358.00 per bus for "all day" transportation, \$253.00 per bus for "morning and afternoon" transportation and \$25.00 per bus for "afternoon transportation" for teen camp.

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Troy, Morr, Valentine
Noes: None

RESOLUTION NO. 227 (RTBM 5/12/15)**OPEN PH/PROPOSED LOCAL LAW
ZONE CHANGE/CERTAIN
PROPERTIES/BLAUVELT**