

**TOWN OF ORANGETOWN WORKSHOP MEETING  
Tuesday, July 11, 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 :**

- Public Hearing will commence at 8:05 PM on August 15, 2017 to consider amending Chapters 12 (Historic Areas) of the Code of the Town of Orangetown; amend Sections 12-3, 12-4.(h), 12-5.(a)(3) and 12-6.(a)(3); and amend Chapter 43, Article III, Section 3.11 and the related General Use Regulations thereto.

**AGENDA ITEMS:**

**TOWN BOARD**

**OPEN PH/JULY 11, 2017, AT 8:05 PM/INCREASING THE  
COST OF THE INCREASE AND IMPROVEMENT OF THE  
FACILITIES OF THE ORANGETOWN SEWER DISTRICT**

1. **RESOLVED**, the public hearing on increasing the cost of the increase and improvement of the facilities of the Orangetown Sewer District is hereby opened.

**CLOSE PH/JULY 11, 2017, AT 8:05 PM/INCREASING THE  
COST OF THE INCREASE AND IMPROVEMENT OF THE  
FACILITIES OF THE ORANGETOWN SEWER DISTRICT**

2. **RESOLVED**, the Public Hearing on increasing the cost of the increase and improvement of the facilities of the Orangetown Sewer District is hereby closed.

**PUBLIC INTEREST ORDER/IN THE MATTER OF THE  
INCREASED COST OF THE INCREASE  
AND IMPROVEMENT OF THE FACILITIES OF THE  
ORANGETOWN SEWER DISTRICT IN THE TOWN OF  
ORANGETOWN, ROCKLAND COUNTY, NEW YORK**

3. **WHEREAS**, the Town Board of the Town of Orangetown, Rockland County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202 b of the Town Law, relating to the increase and improvement of the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of various sewer inflow and infiltration improvements for the Orangetown Sewer

District, at a maximum estimated cost of \$2,000,000; and

**WHEREAS**, at a meeting of said Town Board duly called and held on June 13, 2017, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increased cost of such increase and improvement of the facilities of the Orangetown Sewer District in said Town at a revised maximum estimated cost of \$2,500,000, being an increase of \$500,000 over that previously authorized, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 26 Orangeburg Road, in Orangeburg, New York, in said Town, on July 11, 2017, at 8:05 P.M., Prevailing Time; and

**WHEREAS**, said order duly certified by the Town Clerk was duly published and posted as required by law; and

ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearings, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of various sewer inflow and infiltration improvements for the Orangetown Sewer District, at a revised maximum estimated cost of \$2,500,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The order was thereupon declared duly adopted.

**A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$500,000 SERIAL BONDS OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ORANGETOWN SEWER DISTRICT, IN THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK.**

- WHEREAS**, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202 b of the Town Law, and more particularly an Order dated of even date herewith, said Town Board has determined it to be in the public interest to improve the facilities of the Orangetown Sewer District, in the Town of Orangetown, Rockland County, New York, at a revised maximum estimated cost of \$2,500,000; and

**WHEREAS**, it is now desired to provide additional funding for such capital project over the \$2,000,000 previously authorized; NOW, THEREFORE, BE IT

**RESOLVED**, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of various sewer inflow and infiltration improvements for the Orangetown Sewer District, at a revised maximum estimated cost of \$2,500,000, there are hereby authorized to be issued an additional \$500,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of such specific object or purpose is as follows:

- 1) By the issuance of \$2,000,000 serial bonds previously authorized pursuant to a bond resolution dated November 18, 2014; and
- 2) By the issuance of \$500,000 serial bonds authorized to be issued therefor pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first bond anticipation note issued therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall be annually assessed upon all the taxable real property within said Orangetown Sewer District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Orangetown, Rockland County, New York, by the manual or facsimile

signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 9. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no

monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

**OPEN AND CONTINUE PUBLIC HEARING, 8:10 PM, ON REQUEST BY COLUMCILLE, LLC FOR HARDSHIP EXEMPTION / LOCAL LAW NO. 4 OF 2017 TEMPORARY MORATORIUM ON TELECOMMUNICATIONS FACILITIES**

- 5. On motion of Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, the public hearing, continued from June 20, 2017 to this date, relating to an application by Columcille LLC, as owner of property located at 337 Blaisdell Rd., Orangeburg, New York (Tax Map Designation: 76.08-1-3) for a hardship exemption from the provisions of Local Law No. 4 of 2017, implementing a temporary moratorium on the construction or installation of new, or the expansion of existing, telecommunications facilities and structures within the unincorporated Town, pursuant to § 6 thereof, is hereby opened.

**CLOSE PUBLIC HEARING ON REQUEST BY COLUMCILLE LLC FOR HARDSHIP EXEMPTION / LOCAL LAW NO.4 OF 2017 TEMPORARY MORATORIUM ON TELECOMMUNICATIONS FACILITIES**

- 6. On motion of Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, the public hearing on the application by Columcille LLC, as owner of property located at 337 Blaisdell Rd., Orangeburg, New York (Tax Map Designation: 76.08-1-3) for a hardship exemption from the provisions of Local Law No. 4 of 2017, is hereby closed.

**SEQRA FINDING AND DETERMINATION/REQUEST BY COLUMCILLE, LLC, FOR HARDSHIP EXEMPTION FROM TEMPORARY MORATORIUM ON THE CONSTRUCTION, INSTALLATION, OR EXPANSION OF COMMUNICATIONS FACILITIES**

- 7. **WHEREAS**, by Local Law No. 4 of 2017, the Town implemented a temporary moratorium on the construction or installation of new, or the expansion of existing,

telecommunications facilities and structures within the unincorporated Town; and

**WHEREAS**, pursuant to § 6 of Local Law No. 4, any applicant for a permit or other land use board approval required for the construction or installation adversely affected by the temporary moratorium who would suffer an unnecessary hardship by reason of the strict enforcement of this local law is authorized to apply to the Town Board, in writing, for relief therefrom; and

**WHEREAS**, the applicant owner of property located at 337 Blaisdell Rd., Orangeburg, New York (Tax Map Designation: 76.08-1-3) has made such application, asserting, among other things, that its application for site development plan approval for the construction of a “self-supporting mast”, with attached “Yagi”, receiver only, type structure, approximately 75 feet in height has been pending before the Town Planning Board since December 2016, and, following public hearing and review by various outside agencies, was nearly ripe for determination but for the adoption of the temporary moratorium; and

**WHEREAS**, the determination embodied in Local Law No. 4 of 2017, implementing the temporary moratorium was determined to be a Type II action under SEQRA, with no further review required; and

**WHEREAS**, in the judgment of the Board, an application for hardship relief from the moratorium, simply allowing an application to proceed, but otherwise making no determination on the merits of the underlying application, too would constitute a Type II action under SEQRA; and

**WHEREAS**, even if the request for hardship relief were to constitute an unlisted, and not a Type II, action, the Board, upon taking a hard look at the effects of such action, effectively authorizing the Planning Board to continue to process the pending application, without otherwise making any determination with respect thereto, the Board, if required to have made a determination under SEQRA, would have made a determination of non-significance and issued a Negative Declaration; and

**WHEREAS**, the application for a hardship exemption having been forwarded to the Rockland County Department of Planning for review, pursuant to § 6B of Local Law No. 4; and the County having responded thereto by letter dated July 11, 2017; and

**WHEREAS**, a public hearing on the application having been held, upon due and proper notice; and

**WHEREAS**, the Board has considered the merits of the application for a hardship exemption in the matter now before it, including the time and expense expended by the applicant before the temporary moratorium was implemented,

**NOW, THEREFORE, BE IT RESOLVED**, the request for exemption is granted with the express caveat and understanding that the exemption granted hereby by the Town Board shall in no manner be binding upon any land use board that might later be permitted or required to consider the application as a result of the exemption, it being expressly understood that the level of review undertaken by the Town Board is not intended to be of the same magnitude or detail as that required during the approval process.

In reaching such determination, the Board expressly finds as follows:

1) **Unnecessary Hardship**. The failure to grant an exemption will cause the applicant unnecessary hardship which, on balance, is substantially greater than the harm to the general public if the exemption is granted. The application was well past the preliminary stage when the moratorium was adopted. As such, the applicant had expended significant time and money on its preparation and prosecution before the Planning Board. There is no other application of which this Board is aware in a similar circumstance.

2) **Granting Relief From the Moratorium Will Not Have Any Adverse Effect on the Town's Goals**. Granting the within applicant a hardship exemption will not have an adverse effect on the Town's goals in enacting the moratorium, nor will there be any potential adverse environmental or other effects that might result if the requested permit issued or other approval is granted. In this regard, the application before this Board is to allow the process to continue forward; the Board makes no determination regarding the merits of the underlying action.

The moratorium, when adopted, was intended to temporarily halt the proliferation of antennas and other telecommunications structures, most of which were not envisioned when the Town adopted its existing regulations. The purpose was to allow the Town to fully absorb and evaluate the new and rapidly changing technologies and to determine how best to address same in harmony with the Town's legitimate zoning and planning concerns. It was not intended to restrict single standalone, receiving only antennas, such as this, that have been in existence for 80+ years, provided the location and other attributes of the structure otherwise satisfy the planning concerns of the Planning Board.

3) **There will be no Evident Conflict with the existing Character of the Neighborhood**. Subject to further siting and other review by the Planning Board, given the location of the proposed structure, it does not appear that, if approved, the structure will conflict with the existing character of the community as a whole, or the immediate neighborhood in particular, and otherwise will not result in any unreasonable impact on the surrounding and nearby properties. That said, this Board defers final decision on that issue to Planning Board.

#### **County Comments and Conditions**

In reaching its determination, the Town Board has further considered the review comments of the Rockland County Department of Planning submitted by letter dated July 11, 2017, pursuant to General Municipal Law § 239 l & m and § 6B of Local Law No. 4 of 2017. The Town Board has considered the County's single comment, conditions and/or concerns and addresses same in the following manner:

With respect to **County Comment 1**, which requires a review by the County Highway Department, and the procurement of any required highway permit, **the Board specifically overrides such comment/condition.**

Although the Board understands the appropriateness of Highway Department review and permitting, as necessary, such review is more properly a matter to be addressed on the substantive application, rather than on question whether the applicant should be permitted to prosecute the application in the face of the temporary moratorium. In fact,

given that the application was already in its later stages, at the time the moratorium took effect, County Highway review already been solicited and received, and will be incorporated into the Planning Board’s determination, at such time as a determination is made.

To the extent County Comment 1 may be read to require Highway Department review of the within application for a hardship exemption, solely allowing the Planning Board to complete its review and to make a determination on the substantive application, the Town Board determines same to be unnecessary and expressly overrides such condition.

**On the Override, motion by Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_,**

**Roll Call: Ayes:**

Noes:

The aforesaid resolution, granting the hardship exemption was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and adopted by a vote of Ayes \_\_\_\_\_ Nays and \_\_\_\_\_ Abstentions.

**TOWN ATTORNEY/ASSESSOR**

**AUTHORIZE FILING OF 2017 EQUALIZATION RATE APPEAL/NYS OFFICE OF REAL PROPERTY TAX SERVICES**

**(VOTE NEEDED TONIGHT - TIME SENSITIVE)**

8. **WHEREAS**, Orangetown residents of the Nanuet and Nyack school districts face an extraordinary and unfair tax increase, while Clarkstown residents of these split school districts face a tax cut, a disparity estimated at 13% by the Nanuet School District, due the process by which the NYS Office of Real Property and Tax Services (NYS ORPTS) has calculated the equalization ratio between the two towns; and

**WHEREAS**, Orangetown, working with the school districts, Assemblywoman Ellen Jaffee, and others, has provided data to the NYS ORPTS resulting in a modest reduction of this unfair situation, but a large discrepancy remains, which neither the school districts nor the NYS ORPTS has been able to resolve, and

**WHEREAS**, NYS law provides a formal appeal process by which the aggrieved party may seek review of the final equalization rate as established by ORPTS; therefore be it

**RESOLVED**, the Town Board authorizes the Supervisor to execute a formal complaint to the NYS ORPTS, and execute any related documents, contesting the final equalization rate, as established, in order to obtain further mitigation of the unfair effects of the skewed equalization ratio; and be it further

**RESOLVED**, the Town Board calls upon NYS representatives and NYS ORPTS agency staff to amend the Real Property Tax Law to: limit Draconian shifts in equalization from one year to the next; to allow the

NYS ORPTS to modify equalization rates on appeal even when the modifications do not amount to a 5% change (the current threshold for successful appeals); to combine adjacent towns in a single county where split school districts exist for the purposes of calculating trends in real property valuation; and to take other such measures as appropriate to prevent unfair skewing of the tax burden such as is occurring between the Orangetown and Clarkstown segments of the split school districts serving Nanuet and Nyack.

**APPROVE CONTRACT WITH PARKS AND TRAILS NY/BIKE STUDY/NOT TO EXCEED \$40,000**

9. **WHEREAS**, with Town Board approval, the Town sought, and won, a grant from the Tappan Zee Bridge Community Benefits Fund for \$40,000 to pay a consultant to guide the Town in identifying opportunities to enhance the bicycle safety and accommodation in Orangetown, in recognition of the growth in cycling due to the new shared use path on the new NY Bridge/Tappan Zee Bridge, the community interest in bike safety for children and adults, and the need to better harmonize and accommodate all users of local roads and paths, and later issued a Request for Proposals for this professional service, and received several qualified responses; therefore, be it

**RESOLVED**, that upon the recommendation of Superintendents of Highway and Parks, and of administrative staff, the Town Board selects as a consultant Parks and Trails New York, a leader in the field of bike safety issue analysis, public engagement and project funding feasibility analysis, and directs the Supervisor to execute any documents as appropriate and with proper legal review to implement this project.

**MOVE \$40,000 FOR BIKE STUDY FROM FUND BALANCE/ACCOUNT B.3120.457.16**

10. **WHEREAS**, the Town received a grant of \$40,000 from the Tappan Zee Bridge Community Benefits Fund for a study of bike use in Orangetown; and

**WHEREAS**, the terms of the grant require that the Town be reimbursed for its expenses; and

**WHEREAS**, the cost of the bike study would be charged to account B.3120.457.16; be it

**RESOLVED**, that upon the recommendation of the Director of Finance, the Town Board authorizes an increase to budget line B.3120.457.16 by \$40,000 FROM Fund Balance to cover the cost of the survey.

**TERMINATE AGREEMENT/GOVERNMENT RELATIONS REPRESENTATION/JACKSON LEWIS 2017**

11. **WHEREAS**, per resolution 621 of 2017 the Town of Orangetown approved an Agreement for Government Relations Representation in New York State with the lobbying firm Jackson Lewis, effective January 1, 2017, through December 31, 2017; and

**WHEREAS**, the Town's lead contact at Jackson Lewis, Alex Betke, who has represented the Town for several years, has resigned from the firm and the Town wishes to have Mr. Betke

continue to represent its interests;

**BE IT RESOLVED**, that upon recommendation of the Supervisor, the Town Board does hereby cancel its Agreement for Government Relations Representation in New York State with the lobbying firm Jackson Lewis, effective immediately.

**ACCEPT NEW AGREEMENT/GOVERNMENT RELATIONS REPRESENTATION/BROWN AND WEINTRAUB, PLLC**

12. **WHEREAS**, per resolution 621 of 2017 the Town of Orangetown approved an Agreement for Government Relations Representation in New York State with the lobbying firm Jackson Lewis, effective January 1, 2017, through December 31, 2017; and

**WHEREAS**, the Town's lead contact at Jackson Lewis, Alex Betke, who has represented the Town for several years, has resigned from the firm and the Town wishes to have Mr. Betke continue to represent its interests;

**WHEREAS**, Mr. Betke has joined the firm of Brown and Weinraub, PLLC in Albany NY; and

**WHEREAS**, Brown and Weintraub, PLLC has proposed that Mr. Betke shall remain the Town's lead contact and proposes an Agreement for Government Relations Representation for the period of July 1, 2017 through June 30, 2018 at a monthly fee of \$4000 per month (no change to costs); therefore

**BE IT RESOLVED**, that upon recommendation of the Supervisor and the Town Attorney, the Town Board does hereby accept its Agreement for Government Relations Representation in New York State with the lobbying firm Brown and Weintraub, PLLC for the period of July 1, 2017 through June 30, 2018 at a monthly fee of \$4000 per month

**MEMORIALIZING RESOLUTION IN OPPOSITION TO PROPOSED NEW PLANET WASTE TO FUEL FACILITY IN STONY POINT, NEW YORK**

13. **WHEREAS**, the NYS Department of Environmental Conservation is currently acting as lead agency under the State Environmental Quality Review Act ("SEQRA") in the environmental review of a proposed garbage recycling plant, known as the "New Planet Waste to Fuel Facility" located on Holt Drive in the Town of Stony Point, County of Rockland; and

**WHEREAS** the plant proposes to use a gasification process to convert garbage into fuel; and

**WHEREAS**, the proposal will generate approximately 400 trucks each day, carrying 4,800 tons of garbage each day, from New York City and areas south of Rockland County by entering Rockland County and proceeding through portions of Orangetown via Routes 9W and 303, and upon depositing such municipal garbage barely into Stony Point, returning, thereafter, through Orangetown via the same route; and

**WHEREAS**, the applicant's proposal states that they will need still additional trucks to remove recyclables, hazardous material (that cannot be processed), the byproduct of the

gasification process (ash), and 100,000 gallons of diesel fuel each day; and

**WHEREAS**, large freight containers of highly combustible Bakken crude oil will traverse to and through this site every day via the CSX rail line – thousands of rail freight cars on a yearly basis – in addition to which, a new Champlain Hudson Power Express Project 1000 mega-watt (which runs hot and needs cooling stations) will be placed parallel to the CSX rail line; and

**WHEREAS**, a measurement of the impacts of having hundreds of trucks traveling both ways with their air pollutants, as well as the pollutants emitted through the gasification process itself will surely inhibit this green process, and actually increase the degradation of the air quality; and

**WHEREAS**, it takes 24 operational hours to process 4,000 tons of garbage each day, meaning there will be a constant flow of trucks, presenting serious noise, emissions and lighting concerns to the surrounding areas. In addition to which, there will be 800 tons of garbage each day that will have to be stock piled, awaiting processing; and

**WHEREAS**, it is highly inappropriate that an unknown entity with the potential to be extremely hazardous to the public health, safety and welfare, and to the surrounding environment, should be permitted in a dense residential area,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Orangetown unanimously expresses its fervent opposition to the proposal of the “New Planet Waste to Fuel Facility”; and, be it further

**RESOLVED**, that the Town be and is hereby authorized and directed to send a copy of this resolution to all elected representatives of Rockland County and the NYS Department of Environmental Conservation.

**CONSENT TO LEAD AGENCY DESIGNATION/SPARKILL-PALISADES FIRE DISTRICT APPLICATION/COORDINATED REVIEW FOR THE CONSTRUCTION OF AN ADDITION TO THE EXISTING FIREHOUSE**

14. **WHEREAS**, that Town has received a request from the Sparkill-Palisades Fire District for consent for the Board of Fire Commissioners to declare Lead Agency Status for Coordinated review of the proposal to construct a 6000 sf addition to the existing fire house, located at 520 Route 340, Sparkill; be it

**RESOLVED**, that the Town Board hereby consents to the Board of Commissioners of the Sparkill-Palisades Fire District as lead agency for their application for coordinated review for construction of a proposed addition to the existing fire house and directs the Town Attorney to write a letter to that effect.

**AGREEMENT WITH MEDAIR/UPDATE ORANGETOWN PERFORMANCE STANDARDS/NOT TO EXCEED \$18,000**

15. **WHEREAS**, Orangetown’s town code for performance standards review, measurement and compliance monitoring is in many ways outdated, for example, the odor-related code

is based in a 1951 air pollution abatement manual that is no longer an industry standard and is actually unavailable, and the noise and vibration standard used by the town dates to 1944 and 1953 and is similarly outdated, and

**WHEREAS**, the community is concerned about issues of air, soil and water pollution, public health and supporting clean economic development, and through petitions, activism and advocacy has called for increased investment by the Town in environmental quality of life; therefore be it

**RESOLVED**, the Town Board accepts the professional services scope of work proposal for “Advisory Services for Upgrading Environmental Management Town Performance Standards,” dated July 11, 2017, from Sander Bonvell of MedAir Associates, an expert in environmental permitting, compliance and chemistry, to provide technical update recommendations to the town’s performance standards codes, in collaboration with town staff in engineering, code enforcement and law, and the town board, at a rate of \$90/hour, not to exceed \$18,000, and directs the Supervisor to coordinate and implement this project.

**STATE AND MUNICIPAL (“SAM”) GRANT REQUEST FOR \$150,000 TO SENATOR DAVID CARLUCCI/OAK TREE ROAD SIDEWALKS**

16. **WHEREAS**, the Town’s current highest priority sidewalk project is to provide safe pedestrian access along Oak Tree Rd between residential and commercial areas near Rte 303 in Tappan, east to the parking area for the J.B. Clarke Rail Trail, one of the few remaining gaps in otherwise continuous sidewalks along Oak Tree Rd between Rte 303 and Rte 9W; therefore, be it

**RESOLVED**, the Town Board directs the Supervisor to make a State and Municipal (“SAM”) grant request for \$150,000 to Senator David Carlucci to pay for this sidewalk project, and execute any related documents as necessary to obtain this funding.

**TOWN BOARD/IT**

**APPROVE AGREEMENT/DEPT OF HOMELAND SECURITY/CYBERSECURITY EVALUATION**

17. **WHEREAS**, through its National Cybersecurity and Communications Integration Center (NCCIC), the Department of Homeland Security offers free, voluntary and collaborative resources for cyber threat prevention, protection, response and recovery for the nation’s State, Local, Tribal and Territorial governments, and

**WHEREAS**, the NCCIC provides a multitude of services to monitor information technology infrastructure and resources and also provides advisories and education to participating organizations; be it

**RESOLVED**, that upon the recommendation of the Director of Information Technology, the Town Board hereby authorizes the Supervisor the execute any and all documents as appropriate and with proper legal review relating to the NCCIC/DHS Cyber Hygiene Agreement

**AUTHORIZE AGREEMENT/CENTER FOR INTERNET SECURITY MULTI-STATE ISAC/CYBER SECURITY**

18. **WHEREAS**, the Multi-State Information Sharing and Analysis Center (MS-ISAC) is a free, voluntary and collaborative effort designated by the Department of Homeland Security as the key resource for cyber threat prevention, protection, response and recovery for the nation’s State, Local, Tribal and Territorial governments, and

**WHEREAS**, the MS-ISAC provides a multitude of services to monitor information technology infrastructure and resources and also provides advisories and education to participating organizations; be it

**RESOLVED**, that upon the recommendation of the Director of Information Technology, the Town Board hereby authorizes the Supervisor to execute any and all documents as appropriate and with proper legal review for the MS-ISAC Membership Agreement.

**TOWN CLERK**

**ACCEPT/RECEIVE/FILE/ TOWN CLERK’S OFFICE**

19. **RESOLVED**, that the following documents are accepted, received and filed in the Town Clerk’s Office:

1. NY Power Authority – Energy Services Program/Master Cost Recovery Agreement; Capital Program Agreement; Advisory Services Program Agreement and Authorization to Proceed.
2. Cooperative License Agreement with the Palisades Interstate Park Commission, for the Route 303 Bike Bypass – Blauvelt State Park.
3. Community Benefits Program with The New NY Bridge Project for a new showmobile.
4. TRC Environmental Corporation: Air Monitoring near Aluf Plastics.
5. Town Board minutes: June 6th and June 20th Regular Town Board Meeting minutes; June 13th Workshop minutes; and June 20th Special Town Board Meeting minutes.

**POLICE DEPARTMENT:**

**DECLARE SURPLUS VEHICLES**

20. **RESOLVED**, that upon the recommendation of the Chief of Police, the Town Board hereby declares the following vehicles are to be declared as surplus:

- |      |                    |   |
|------|--------------------|---|
| 1997 | Dodge Van          | 2B7HB21Y9VK562143 - Body Rust Issues                |
| 1999 | Ford Crown Vic     | 2FAFP71W1XX207712 - Body Rust Issues/90,000+ miles. |
| 2008 | Ford Crown Vic Blk | 2FAHP71V68X166303 - 90,000+ miles                   |
| 2009 | Ford Crown Vic B/W | 2FAHP71V39X145488 - 90,000+ miles                   |
| 2011 | Ford Crown Vic B/W | 2FABP7BV1BX135844 - 90,000+ miles;                  |

and

**BE IT FURTHER RESOLVED** that upon the recommendation of the Chief of Police, he

following vehicles be declared as "surplus for destruction," and the Town will donate these vehicles to local fire departments for training purposes.

1995 Chevrolet Caprice - Blue - 4DSD - 1G1BL52P6SR161841  
1996 Ford Crown Vic - Blue - 4DSD - 2FALP71W0TX167541  
1997 Ford Crown Vic - Blue - 4DSD - 2FALP71WXVX139099  
1997 Ford Crown Vic - Blue - 4DSD - 2FALP71W4VX139096

**GRANT PERMISSION/P.O. MADDALENA/ATTEND BASIC  
JUVENILE POLICE COURSE/2017 SNYPJOA TRAINING  
CONFERENCE AUGUST 28-SEPT 1, 2017/\$1027.00**

21. **RESOLVED**, that upon the recommendation of the Chief of Police, approve P.O. Maddalena to attend the State of New York Police Juvenile Officer's Association (SNYPJO) training conference in Geneva, NY August 28-Sept 1, 2017, at a combined cost of \$1,027.00 for tuition, lodging and meals to be charged to the Police Department's Federal Asset Forfeiture account (B.3120.408.16).

**RESIGNATION/RETIREMENT OF DET. MICHAEL P.  
MCPADDEN/ORANGETOWN POLICE  
DEPARTMENT/EFFECTIVE JUNE 30, 2017**

22. **RESOLVED**, that upon the recommendation of the Chief of Police, accept with regret, the resignation/retirement of Det. Michael P. McPadden from the Orangetown Police Department effective June 30, 2017.

**HIGHWAY**

**LEND ASSISTANCE/2017 COLONIAL  
DAY/TAPPAN/SEPTEMBER 23, 2017**

23. **RESOLVED**, that the Town Board hereby authorizes the Town of Orangetown Highway Dept., and Police Depts., to lend assistance, which includes recycling kiosks from the Highway Dept., and no parking signs from the Police Department for Colonial Day, Tappan, on Saturday, September 23, 2017, from 8 am to 6 pm.

**AUTHORIZE/ADOPT-A-SPOT AGREEMENT/LINDA LANE  
GARDENS**

24. **RESOLVED**, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which Town has a place of business at 26 Orangeburg Road, Orangeburg, New York, 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization with Ouseph George as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at 12 Linda Lane, Pearl River, NY, otherwise known as the "SPOT," by performing necessary and/or desired clean-up activities, as particularly set forth in and

pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Linda Lane Gardens" Adopt-A-Spot Committee, Dated: June 26, 2017.

**AUTHORIZE/ADOPT-A-SPOT AGREEMENT  
(COMMERCIAL)/COUNTRY DELI**

- 25. **RESOLVED**, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which Town has a place of business at 26 Orangeburg Road, Orangeburg, New York, 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a Commercial Sponsor with George Nokaj, Owner of The Country Deli, as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at 661 Orangeburg Road, Pearl River, NY, otherwise known as the "SPOT," by performing necessary and/or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Commercial Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Country Deli" Commercial Adopt-A-Spot Committee, Dated: June 28, 2017.

**DECLARE SURPLUS VEHICLES**

- 26. **RESOLVED**, that upon the recommendation of the Superintendent of Highways, declare the following four (4) vehicles for surplus:

2008 Ford Escape	FMCU59H38KA60518
2008 Ford Escape	FMCU59H18KA60517
2008 Ford Ranger	1FTYR15E38PA69240
2004 Jeep Grand Cherokee	1J4GW48S74C423408

**DEME**

**AUTHORIZE GHD ENGINEERS/WRITE AN ENGINEERING  
REPORT TO COMPLY WITH THE LATEST NYSDEC  
REQUIREMENT REGARDING TOTAL RESIDUAL CHLORINE  
IN THE FINAL EFFLUENT**

- 27. **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 was required to be submitted detailing the design basis, treatment unit type and sizing that will be used to comply with said requirement; and,

**WHEREAS** GHD Engineers were previously retained to write this report; and,

**WHEREAS** the NYSDEC responded to said report requesting a revised report;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board approves an agreement with GHD

Engineers to write and submit a revised engineering report to comply with the latest NYSDEC requirement regarding Total Residual Chlorine in the final effluent for \$2,850.00.

**PARKS AND RECREATION**

**AWARD BID/DEMOLITION WORK AT CHERRY BROOK PARK IN PEARL RIVER TO \_\_\_\_\_, IN THE AMOUNT OF: \$\_\_\_\_\_**

28. **RESOLVED**, that upon the recommendation of the superintendent of parks and recreation award the bid for demolition work at cherry brook park in pearl river to \_\_\_\_\_, the lowest qualified bidder in the amount of: \$\_\_\_\_\_

**AWARD BID/HEATING, VENTILATION AND MECHANICAL SERVICES/JOHNSON CONTROLS OF HAWTHORNE, NJ \$18,295.00 FOR PREVENTATIVE MAINTENANCE AND \$3,259.00 FOR AUTOMATION SERVICES.**

29. **RESOLVED**, that upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance award the bid for Heating, Ventilation and Mechanical Services at Town Hall to Johnson Controls of Hawthorne, NJ for a term of one year with two one year options in the amount of; \$18,295.00 for preventative maintenance and \$3,259.00 for Automation Services.

**PERSONNEL**

**CREATE POSITION/REAL PROPERTY APPRAISER ASSISTANT/ASSESSOR'S OFFICE**

30. **RESOLVED**, that upon the recommendation of Rockland County Personnel Department and the Labor Management Committee, create the position of Real Property Appraiser Assistant, Grade 12 in the Assessor's Office.

**RECLASSIFY HUGH DAVIES/REAL PROPERTY APPRAISER ASSISTANT/ASSESSOR'S OFFICE**

31. **RESOLVED**, that upon the recommendation of Rockland County Personnel and the Labor Management Committee, reclassify Hugh Davies' from Real Property Valuation Assistant to Real Property Appraiser Assistant, provisional, Grade 12, Step 5, at a salary of \$69,13.00, effective July 10, 2017.

**AMEND RESOLUTION 173 OF 2017/FORDHAM**

32. **RESOLVED**, that Upon the recommendation of the Human Resources Coordinator, amend Resolution 173 from the RTBM of March 21, 2017 and change Stephen Fordham's salary to \$96,396.00, effective March 22, 2017. (This is due to a error in the salary schedule that the Town Attorney and CSEA are aware of and will be corrected when new contract is approved and printed).

**HIGHWAY, PARKS AND POLICE**

**LEND ASSISTANCE/2017 ROCKLAND COUNTY GAA  
BAGPIPE & DRUM COMPETITION/JULY 22, 2017**

33. **RESOLVED**, that the Town Board hereby authorizes the Town of Orangetown Highway, Parks and Police Dept., to lend assistance which includes the use of barricades from the Highway Department, the Baseball Field Parking lots from the Parks Dept, and Auxiliary Police from the Police Dept., for the RC GAA Bagpipe & Drum Competition on Saturday, July 22, 2017, from 9 am to 9 pm.

**ADJOURNMENTS:**