

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, AUGUST 15, 2017**

This meeting was opened at 7:30 p.m. Supervisor Stewart presided and the Deputy Clerk called the roll. Present were:

Councilman Denis Troy
Councilman Thomas Diviny
Councilman Paul Valentine
Councilman Gerald Bottari
Supervisor Andrew Stewart

Also present: Geraldine Orlik, Deputy Clerk
John Edwards, Town Attorney (8:20 pm)
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Kevin Nulty, Police Chief

Pledge of Allegiance to the Flag of the United States of America: Esta Baitler.

Scott Oling and Robert Daniel, O'Connor Davies, presented the Town's Comprehensive Annual Financial Report for the Fiscal Year Ended December 31, 2016. The Town's combined net position at the end of 2016 was \$14.1 million, including a negative \$2.0 million of the business-type activities (Blue Hill and Broadacres Golf Courses).

Summary of Public Comments (RTBM):

Carol Adelson, Tappan, was told she could only have one guest at Independence Park without paying a fee of \$150.00. This is a very high fee and unfair to seniors.

Al Lucente, Pearl River – concerned about water draining onto his property from the building being built six feet from the property line. He does not want a Cherry Brook.

Esta Baitler, Sparkill, requested a progress update regarding the Route 340 bus shelter.

Mike Mandel, Pearl River – before a Building Dept. on-line application process is implemented a cost analysis should be done. A new Director of OBZPAE should be best qualified licensed engineer. Brian Kenney should be here explaining Base Proportions and Equalization Rates.

Deborah Stuhlweissenburg and Paul Borgese, Tappan, spoke about the ugly appearance Orangetown is becoming: Large bulk trash being put out to the curb before pick-up date; Flowers turning into weeds; and trash along streets and trails.

Barbara Delo, Blauvelt, spoke about the need for senior citizen resources.

Watson Morgan, Blauvelt, questioned why an unused bus shelter, located on the RPC campus, cannot be moved to Route 340. The current Park Use fees are hap- hazardous.

Tony Adams, Pearl River – it is unfair to charge seniors \$150 to play tennis. Most seniors are on a fixed income and tennis is a form of socializing and exercising.

RESOLUTION NO. 423

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 424

**OPEN PH/HISTORIC DISTRICTS/
AMENDING SECTIONS 12-3, 12-4.(H),
12-5.(A)(3) AND 12-6.(A)(3) AND TO
AMEND CHAPTER 43, ARTICLE III,
SECTION 3.11 AND THE RELATED
GENERAL USE REGULATIONS**

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

RESOLVED, the public hearing on amending Historic Districts, Sections 12-3, 12-4.(h), 12-5.(a)(3) and 12-6.(a)(3) and to amend Chapter 43, Article iii, Section 3.11 and the related General Use Regulations thereto is hereby opened.

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

The Deputy Clerk presented the Affidavit of Publication and Notice of Posting; copies and the comments from the Orangetown Planning Board, Tappantown Historical Society, and Rockland County Department of Planning are labeled Exhibit 08-A-17 and made a part of these minutes.

These amendments will clarify the Town Code by making minor changes to definitions, signage guidelines and require public notification of demolition permits.

Summary of Public Comments:

Larry Vail, Tappan Historical Society, the society board fully supports this and looks forward to its adoption.

Bob Knight, Clarkstown Historian, is in favor of these changes but it does not go far enough. Historic buildings outside of Historic Districts and on Town property should be protected.

Claire Sheridan, Historic Society of Rockland, supports these amendments. She agrees with Bob Knight concerning all Historic building.

Mary Cardenas, Town Historian, is in favor. We will have the chance to make comments before any renovations or demolition.

Allan Ryff, Tappan, agrees with these amendments.

RESOLUTION NO. 425

**CLOSE PH/HISTORIC DISTRICTS
AMENDING SECTIONS 12-3, 12-4.(H),
12-5.(A)(3) AND 12-6.(A)(3) AND TO
AMEND CHAPTER 43, ARTICLE III,
SECTION 3.11 AND THE RELATED
GENERAL USE REGULATIONS**

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

RESOLVED, that the public hearing on the proposed amendments to Historic Districts, Sections 12-3, 12-4.(h), 12-5.(a)(3) and 12-6.(a)(3) and amendments to Chapter 43, Article iii, Section 3.11 and the related General Use Regulations thereto is hereby closed.

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

RESOLUTION NO. 426

**LEAD AGENCY/ SEQRA DESIGNATION
HISTORIC DISTRICTS/ AMENDING
SECTIONS 12-3, 12-4.(H), 12-5.(A)(3) AND
12-6.(A)(3) AND TO AMEND CHAPTER
43, ARTICLE III, SECTION 3.11 AND
THE RELATED GENERAL USE
REGULATIONS**

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

WHEREAS, the Town Board has before it for consideration the adoption of a Local Law, amending Chapter 12 entitled Historic Areas, relating to demolition permits and related matters, and Chapter 43, Article III, Table of General Use Regulations, regarding signage in the Historic Areas of the Town; and

WHEREAS, on July 19, 2017, the Town Board circulated to and amongst various interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the referenced action; and

WHEREAS, the Town board is the only involved agency, and, therefore, the only agency authorized to act as lead agency under SEQRA,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby assumes lead agency status for the environmental review of the action, and authorizes the Supervisor to execute Part 2 of the Short EAF filed in connection herewith; and

BE IT FURTHER RESOLVED, that, acting in its capacity as Lead Agency for environmental review, having taken a “hard look” at all of the potential environmental impacts that might result from the proposed action, concludes that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the zoning regulations comprising the action, and, therefore, adopts the Negative Declaration, and authorizes the Town Supervisor or his designated agent to execute Part 2 of the Short Environmental Assessment Form filed in connection herewith, and to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 427

**ADOPT LOCAL LAW NO. 8, 2017
AMENDING TOWN CODE CHAPTER
12 HISTORIC AREAS, AND CHAPTER
43, ARTICLE III, TABLE OF
GENERAL USE REGULATIONS**

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

WHEREAS, the Town Board, in furtherance of its desire to provide for the protection and promotion of the public health, safety, morals, comfort, convenience, prosperity and other aspects of the general welfare of the Town has adopted, implemented, amended and provided for the enforcement of the Town Code and the Town Zoning Code of the Town of Orangetown; and

WHEREAS, assisted by an ad-hoc committee of concerned residents, and after consulting with all of the relevant Town departments, the Town Board is of the view that the Town Code and the Town Zoning Code do not adequately address concerns regarding signage in the Historic Areas, and notification regarding the demolition of properties situated within the Historic Areas; and

WHEREAS, after notice duly given, and there being no other involved agency, by resolution of even date herewith, but prior to the adoption of this resolution, the Town Board

RESOLUTION NO. 427 - Continued

resolved to assume the role of Lead Agency for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town's Zoning Law, and that a Negative Declaration should therefore issue; and

WHEREAS, following due notice, on August 15, 2017, a public hearing was conducted on the proposed zoning amendments; and

WHEREAS, in compliance with the requirements of § 239 l & m of the General Municipal Law, and Chapter 43 § 10.5 of the Town Code, by circulation dated July 19, 2017, the Town Board invited the review of the proposed amendments by both the Rockland County Department of Planning, and the Town Planning Board, among others; and

WHEREAS, by letter dated August 11, 2017, the County Department of Planning, responded, recommending two modifications to the proposed local law and/or the process, hereinafter addressed; and

WHEREAS, the Town Planning Board responded, consenting to the Town Board assuming lead agency status, but offering no comment on the substance of the law; and

WHEREAS, other agencies, including, but not limited to, the Tappantown Historical Society also provided comment; and

WHEREAS, the Town Board, and each of its members, is familiar with Historical Districts within the Town and the importance of such districts not only to the rich history of the Town, but to that of the State, as well,

NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED, that the Town Board hereby adopts the within Local Law, as set forth below, amending Town Code Sections 12-3, 12-4.(h), 12-5.(a)(3) and 12-6.(a)(3), and Town Code Chapter 43, Article iii, Section 3.11 and the related General Use Regulations thereto.

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

In adopting the within local law, the Town Board has considered the comments and conditions of the Rockland County Department of Planning, provided pursuant to General Municipal Law § 239, and embodied in its letter of August 11, 2017, and adopts or overrides such comments and conditions as follows:

County Comment 1 requires a review of the proposed amendments by the Rockland County Historic Preservation Board.

In this regard, the Town Board circulated the within law, and related documents to various local historic boards and/or society's, members of which appeared at the public hearing, largely, if not uniformly supportive of the proposed changes. Amongst those in attendance were members of the Rockland County Historical Society and the Rockland County Historic Preservation Board. The Town Board is of the view that there was adequate reach out to, and participation by, the historical community, and that its concerns are addressed by the within local law. *To the extent, such notice and opportunity to participate does not satisfy the concern embodied in County Planning Department Condition No. 1, the Town Board expressly overrides such condition.*

RESOLUTION NO. 427 - Continued

As to Comment 1, on the Override:

Roll call:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Councilman Troy	X		
Councilman Diviny	X		
Councilwoman Valentine	X		
Councilman Bottari	X		
Supervisor Stewart	X		

County Comment 2 requires that the Short EAF submitted as part of the SEQRA review circulation be completed (Exhibit 08-B-17).

A Short EAF was prepared and circulated, but failed to include the required short narrative, describing the proposed law, as part of Part 1, Question 1. Such a narrative has been prepared and will be made a part of the EAF and Negative Declaration before the latter is signed by the Supervisor.

On the Adoption of the Local Law:

The aforesaid resolution, adopting the proposed local law, set forth below, was moved by Supervisor Stewart, seconded by Councilman Bottari and adopted by a vote of 5.

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

**TOWN OF ORANGETOWN
LOCAL LAW NO. 8, 2017**

A LOCAL LAW TO AMEND Chapters 12 of the Code of the Town of Orangetown to AMEND Sections 12-3, 12-4.(H), 12-5.(A)(3) and 12-6.(A)(3), and TO AMEND Chapter 43, Article III, Section 3.11 and the related General Use Regulations thereto.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

Section 1. That Local Law Number 13 of 1997 (Chapter 12 of the Code of the Town of Orangetown entitled “Historic Areas”) is hereby amended to include a new definition in Section 12-3, entitled “Definitions” to read as follows:

Monument Sign — a freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick.

Section 2. That Local Law Number 13 of 1997 (Chapter 12 of the Code of the Town of Orangetown entitled Historic Areas) is hereby amended by a revision to Section 12-4 entitled “Controls within the Historic Areas”, subsection (H), to read as follows (deletions shown by strike-out)(additions in bold):

H. Applications by Owners of structures constructed before December 31, 1918 1945, in the Historic Area who desire to tear down a structure ~~shall obtain a permit 90 days in advance of tearing down such a structure in order that anyone who desires to save the structure by suitable means may have time to do so.~~ **be reviewed by the Historic Areas Board of Review (HABR) at a public hearing. Upon referral of an application to the**

LOCAL LAW NO. 8, 2017 - Continued

Historical Areas Board of Review by the Director of the Office of Building Zoning Planning Administration and Enforcement (OBZPAE), the applicant shall be required to place a public notice in an official newspaper of the Town and at the Structure at least FIVE (5) BUSINESS DAYS prior to the public hearing. Proof of publication of the public notice in the official Town newspaper and proof of posting at the structure shall be provided to the Clerk of the HABR at or prior to the public hearing. The demolition permit shall not be issued until NINETY (90) DAYS shall have passed following the date on which the public hearing on the permit shall have been conducted and completed.

Section 3. That Local Law Number 13 of 1997 (Chapter 12 of the Code of the Town of Orangetown entitled Historic Areas) is hereby amended by a revision to Section 12-5 entitled “Uses permitted in the Tappan Historic Area”, at section A relating to CS Districts at subsection (3) to read as follows (deletions shown by strike-out)(additions in **bold**):

(3) Permitted: All uses and regulations described and permitted in Columns 5, 6, and 7 of the Table of General Use Regulations, except that signs shall conform to the requirements of an R-15 District ~~unless otherwise permitted by the Board of Review.~~ **Monument signs, if permitted, would not exceed TWENTY (20) square feet.**

Section 4. That Local Law Number 13 of 1997 (Chapter 12 of the Code of the Town of Orangetown entitled Historic Areas) is hereby amended by a revision to Section 12-6. Entitled “Uses Permitted in the Palisades Historic Area, at Section A relating to CS Districts at subsection (3) to read as follows (deletions shown by strike-out)(additions in **bold**):

(3) All uses and regulations described and permitted in Columns 5, 6, and 7 of the Table of General Use Regulations shall be permitted, except that signs shall conform to the requirements of an R-15 District ~~unless otherwise approved by the Board of Review.~~ **Monument signs, if permitted, would not exceed TWENTY (20) square feet.**

Section 5. That Local Law Number 4 of 1969 (Chapter 43 of the Town of Orangetown entitled “Zoning”). as amended by Local Law Number 1 of 1993, Local Law Number 6 of 1994 and Local Law Number 9 of 2016, at Article III is hereby amended by inserting a revision to the “Table of General Use Regulations (§ 3-11)” established thereby for the R-80 Zoning District (entitled 43 Attachment 1), at Column 5 (“General Accessory Uses”), Number 12, to add a new section (a) to read as follows:

For any nonresidential establishment or institution permitted in R-80, the Board of Appeals may permit one sign not over 20 square feet in area which may be illuminated, provided that the light source is not visible to, or directed toward, a residential use, and is located at 25 feet from any lot line, and not more than 2 non-illuminated directional signs, each not over 2 square feet in area, provided that such signs are located not over a mile from the establishment, as measured along existing public roads, and are set back at least 10 feet from the front lot line, except at intersections, where the setback shall be 35 feet.

(a) For uses permitted within the Historic Areas:

1. Neon, electronic, and back-lighted signs are not permitted on the building or in the windows and on the doors of the structure.

2. Temporary signs affixed to a building or a post until a permanent sign is installed may be displayed for SIXTY (60) days prior to approval of a permanent sign. The sign shall not be any larger than what is allowed for permanent signs.

3. Lettering on windows and doors is subject to approval by the Historical Areas Board of Review.

Section 6. That Local Law Number 4 of 1969 (Chapter 43 of the Town of Orangetown entitled “Zoning”). as amended by Local Law Number 1 of 1993, Local Law Number 6 of 1994 and Local Law Number 9 of 2016, at Article III, is hereby amended by a revision to the “Table of

LOCAL LAW NO. 8, 2017 - Continued

General Use Regulations (§3-11)” established thereby for the CS Zoning District (entitled 43 Attachment 5), at Column 5 (“General Accessory Uses”), Number 6 to add a new subsection (c) to read as follows:

(c) For properties located within the Historic Areas:

- 1. Neon, electronic, and back-lighted signs are not permitted on the building or in the windows and on the doors of the structure.**
- 2. Temporary signs affixed to a building or a post until a permanent sign is installed may be displayed for SIXTY (60) days prior to approval of a permanent sign. The sign shall not be any larger than what is allowed for permanent signs.**
- 3. Lettering on windows and doors is subject to approval by HAVOR.**

Section 7. Severability. The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this local law.

Section 8. Effective Date. This Local Law shall become effective immediately upon being filed with the Secretary of State.

RESOLUTION NO. 428

**ENTER EXECUTIVE SESSION
SALE OF RPC PROPERTY / PILOT
AGREEMENT/ JP MORGAN CHASE**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, Valentine and Bottari, John Edwards and Jeff Bencik.

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

RESOLVED, at 9:10 p.m. the Town Board entered Executive Session to discuss the sale and PILOT agreements, with JP Morgan Chase for a parcel located on the RPC campus.

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

RESOLUTION NO. 429

RE-ENTER RTBM

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

RESOLVED, at 9:25 pm, the Town Board re-entered the Regular Town Board Meeting.

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

RESOLUTION NO. 430

**EXECUTION/ CONTRACT OF SALE
JPMORGAN CHASE, NATIONAL
BANKING ASSOCIATION (73.08-1-1)**

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

RESOLVED, that the Town Board hereby approves the execution of a Contract of Sale between the Town of Orangetown and JPMorgan Chase Bank, National Association, consistent with, and as previously authorized by, Town Board Resolution 182 of 2017, in substantially the form approved by this resolution expressly incorporated herein by reference; and

RESOLUTION NO. 430 - Continued

BE IT FURTHER RESOLVED, that the Town Supervisor, or his designated representative, shall be authorized to sign a Deed, and related documents as may be required, conveying the Property to JPMorgan Chase Bank, National Association, in accordance with the terms of the Contract of Sale, without further action by this Board including, but not limited to, any release of easement or deed restriction that presently impedes the development of the Property for the use intended.

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

RESOLUTION NO. 431

PILOT AGREEMENT/JPMORGAN CHASE BANK, NATIONAL ASSOCIATION (73.08-1-1)

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

RESOLVED, that upon the recommendation of the Town Assessor and Town Attorney, the Supervisor is hereby authorized to execute a Payment in Lieu of Taxes Agreement (“PILOT”) between and among JPMorgan Chase Bank, National Association, and the Town of Orangetown, the Town of Orangetown Assessor, the Pearl River School District, and the County of Rockland Industrial Development Agency, and the County of Rockland, in the event the County shall elect to participate, relating to real property bearing Tax Map Designation S/B/L 73.08-1-1, for a term of twenty (20) years, commencing with the 2017 tax assessment roll through and including the 2036 tax assessment roll, subject to (i) the effective conveyance of such premises from the Town of Orangetown to JPMorgan Chase Bank, National Association and (ii) the approval of the Pearl River School District.

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

RESOLUTION NO. 432

SET 2017 BASE PROPORTION & ADJUSTED BASE PROPORTIONS

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

RESOLVED, that upon the recommendation of the Assessor, the Town Board hereby adopts the Certificate of Current Homestead Base Proportions and Adjusted Base Proportions (Forms 6701 & 6703) pursuant to Article 19, Section 1903 of New York State Real Property Tax Law for the Levy of School Taxes on the 2017 Assessment Roll, and the Town Clerk is hereby authorized to affix Town Certification.

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

RESOLUTION NO. 433

SET PH/CONTRACT/BLAUVELT FIRE DISTRICT

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

RESOLVED, that pursuant to Town Law Sect. 184, the Town Board will hold a Public Hearing on October 3, 2017, at 8:05 P.M., to consider a Contract with the Blauvelt Volunteer

RESOLUTION NO. 433 - Continued

Fire Department, for the 2018 Fire Protection Services in and throughout the Blauvelt Fire Protection Fire District, within the Town.

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

RESOLUTION NO. 434

SET PH/2018 PRELIMINARY BUDGET

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

RESOLVED, that the Town Board affirms the previously scheduled public hearing on the 2018 Preliminary Budget for November 14, 2017, at 8:05 P.M., and authorizes the Town Clerk to publish the meeting notice, publish the existing Supervisor's Tentative Budget as the Preliminary Budget, and have it available on the Town website and in the Town Clerk's Office for public viewing.

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

RESOLUTION NO. 435

**WORKPLACE VIOLENCE
PREVENTION OVERSIGHT
COMMITTEE (WVPOC)**

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

WHEREAS, the Town adopted a Workplace Violence Prevention Plan to, among other things, provide information to supervisors and employees about preventing and responding to incidents of workplace violence or threats of violence; and

WHEREAS, the Policy included the establishment of a Workplace Violence Prevention Oversight Committee (WVPOC) to assist with the administration of the Plan; now therefore, be it

RESOLVED, that, the Town Board appoints the following, or his or her designee, to serve on the Orangetown WVPOC:

Denis Troy, Town Councilman/Paul Valentine, Alternate
James Dean, Superintendent of Highways
Donna Morrison, Human Resource Coordinator
Joseph Moran, Director of Department of Environmental Management & Engineering
Director of the Office of Building, Zoning, Planning, Administration & Enforcement John Edwards, Town Attorney
Aric Gorton, Superintendent of Parks, Recreation & Buildings
Kevin Nulty, Chief of Police
CSEA employee-member (to be designated by CSEA)
PBA employee-member (to be designated by PBA)

The responsibilities of the Committee will include, but not be limited to, reviewing incident reports, formulating recommendations designed to reduce the potential for workplace violence, coordinating employee training and education programs, and updating the Workplace Violence Prevention Plan as needed (subject to the approval of the Town Board).

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

RESOLUTION NO. 436

RECOGNIZE TENANT/PATRICIA BROWN/ORANGETOWN HOUSING AUTHORITY BOARD

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

RESOLVED, that Patricia Brown is recognized as a tenant representative of the Orangetown Housing Authority Board, based on report of election results. She was elected for a 2-year term on June 29, 2017 and expires on June 30, 2019.

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

RESOLUTION NO. 437

ACCEPT/STORM WATER MAINTENANCE AGREEMENTS HAWKS VIEW SUBDIVISION/(71.05 BLOCK 1 LOTS 22 AND 23/290 AND 298 SOUTH BOULEVARD

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

RESOLVED, that upon the recommendation of DEME and the Town Attorney's Office, accept, four Declarations of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities from SMK Home Builders, Inc. for the Hawks View Subdivision project, Planning Board Decision No. 2016-68, and the Supervisor or his designee is hereby authorized to execute all documents necessary to effectuate the acceptance of the covenant on behalf of the Town.

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

RESOLUTION NO. 438

RESIGNATION/JOSEPH LUCIANO PARKING ENFORCEMENT AID

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

RESOLVED, that upon the recommendation of the Chief of Police, accept, with regret, the resignation of Parking Enforcement Aid, Joseph Luciano, effective July 18, 2017.

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

RESOLUTION NO. 439

AID/ 2017 PEARL RIVER DAY/OCTOBER 7, 2017

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

RESOLVED, that the Town Board hereby authorizes the Highway, Parks and Police Departments to lend assistance, which includes the use of trash cans, barricades, message board detour signs, the show mobile, port-o-sans, and police detail for Pearl River Day on Saturday, October 7, 2017, from 7 am to 9 pm.

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

RESOLUTION NO. 440

**JAMES LINEKIN/MOTOR
EQUIPMENT OPERATOR II
(PROBATIONARY)/DEME**

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

RESOLVED, that upon recommendation of the Commissioner of DEME, the Town Board affirms and acknowledges the appointment of James Linekin, to the position of Motor Equipment Operator II, CSEA Grade 12 Step 4, at a salary of \$66,985.00 (probationary). This position was vacated due to a retirement and is funded in the budget. This appointment is effective August 21, 2017.

Ayes: Councilpersons Valentine, Troy, Diviny, Bottari
Supervisor Stewart

Noes: None

RESOLUTION NO. 441

**JOHN FARLEY/MAINTENANCE
MECHANIC I (PROBATIONARY)
DEME**

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

RESOLVED, that upon recommendation of the Commissioner of DEME, the Town Board affirms and acknowledges the appointment of John Farley, to the position of Maintenance Mechanic I, CSEA Grade 14 Step 2, at a salary of \$66,985.00 (probationary). This position was vacated due to the incumbent being promoted and is funded in the budget. This appointment is effective August 21, 2017.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 442

**CHRISTOPHER BOTTARI/LABORER
(PROBATIONARY)/ DEME**

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

RESOLVED, that upon recommendation of the Commissioner of DEME, the Town Board affirms and acknowledges the appointment of Christopher Bottari, to the position of laborer, CSEA Grade 9 Step 1, at a salary of \$51,994.00 (probationary). This position was vacated due to the incumbent being promoted and is funded in the budget. This appointment is effective August 21, 2017.

Ayes: Councilpersons Troy, Diviny, Valentine
Supervisor Stewart

Noes: None

Abstained: Councilman Bottari

RESOLUTION NO. 443

**BRYAN ANTONUTTI/LABORER
(PROBATIONARY)/ DEME**

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

RESOLUTION NO. 443 - Continued

RESOLVED, that upon recommendation of the Commissioner of DEME, the Town Board affirms and acknowledges the appointment of Bryan Antonutti, to the position of laborer, CSEA Grade 9 Step 5, at a salary of \$61,415.00 (probationary). This position was vacated due to the incumbent being promoted and is funded in the budget. This appointment is effective August 21, 2017.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 444

**ALDO LEONE/LABORER
(PROBATIONARY)/ DEME**

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

RESOLVED, that upon recommendation of the Commissioner of DEME, the Town Board affirms and acknowledges the appointment of Aldo Leone, to the position of laborer, CSEA Grade 9, Step 19/24, at a salary of \$73,191.00 (probationary). This position was vacated due to the incumbent being promoted and is funded in the budget. This appointment is effective August 21, 2017.

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Troy, Valentine, Bottari

Noes: None

RESOLUTION NO. 445

PAY VOUCHERS

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

RESOLVED, upon the recommendation of the Finance Director, the Finance Office is hereby authorized to pay vouchers for three (3) warrants for a total amount of \$2,492,291.84

Ayes: Councilperson Diviny, Supervisor Stewart
Councilpersons Troy, Valentine, Bottari

Noes: None

RESOLUTION NO. 446

**RE-ENTER EXECUTIVE SESSION
STAFFING FOR THE RECEIVER OF
TAXES / DIRECTOR OF OBZPAE**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, Valentine and Bottari.

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

RESOLVED, at 9:47 p.m. the Town Board re-entered Executive Session to discuss staffing for the Receiver of Taxes and the candidates for the Director of OBZPAE. Supervisor Stewart said no further votes will be taken.

Ayes: Supervisor Stewart
Councilpersons Bottari, Troy, Diviny, Valentine

Noes: None

RESOLUTION NO. 447

RE-ENTERED RTBM/ADJOURNED

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

RESOLVED, at 10:20 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Eliot Tozer, Jr., former Deputy Supervisor; James F. Kralik, Rockland County Sheriff; Nancy M. Scott, Stony Point; Thomas “Frank” Neville, Pearl River; Daniel J. Angley, Pearl River; and Ellen Kiely, Pearl River.

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

Geraldine Orlik, Deputy Clerk