



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
March 09, 2021**

This meeting was opened at 7:04 pm. Councilman Denis Troy presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:
Councilperson Thomas Diviny
Councilperson Paul Valentine
Councilperson Denis Troy
Councilperson Jerry Bottari

Absent:
Supervisor Teresa M. Kenny

Also Present:
Allison Kardon, Supervisor's Confidential Assistant
Carmel Reilly, Director of Economic Development & Tourism
Rosanna Sfraga, Town Clerk
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Elizabeth Brancati, Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Matthew Lenihan, Computer Network Specialist
Donald Butterworth, Police Chief
James Brown, Police Captain
Michael Shannon, Police Captain

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

2021 Military Tribute Banner Program / Banners will be displayed between Memorial Day and Veteran's Day. Display areas include Tappan, Orangeburg Road, Sparkill, Pearl River and Blauvelt / Please email: supervisor@orangetown.com for more details.

ORANGETOWN POLICE REFORM AND REINVENTION PLAN UPDATE

PRESENTATIONS:

PROCLAMATIONS FOR NATIONAL CATHOLIC SISTERS WEEK / MARCH 8-14, 2021 /

HONORING:

Sister Theresa Lynch of the Dominican Sisters of Blauvelt
Sister Molly Dower of the Dominican Sisters of Blauvelt
Sister Lois Liekweg of the Dominican Sisters of Sparkill
Sister Miriam Joseph Schaub of the Dominican Sisters of Sparkill

PROCLAMATIONS FOR IRISH CULTURAL HERITAGE MONTH 2021 HONORING:

John McGowan, Rockland County AOH President
Loretta Reidy, Rockland County LAOH President

RESOLUTION NO.108

OPEN PUBLIC HEARING / LOCAL LAW / TOWN CODE CHAPTER 9 / DOGS

RESOLVED, that the 7:05 p.m. public hearing to consider a proposed Local Law amending Town Code, Chapter 9 entitled “Dogs”, by amending Sections 9-5(A) and 9-6(B), is hereby opened. This proposed Local Law will modify the impoundment fees contained in Section 9-05(A) and delete “the Hi-Tor Animal Care Center, Inc., or ” as unnecessary language in Section 9-6(B).

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication and Postings; which are labeled Exhibit 03-A-21 and made a part of these minutes.

Summary of Public Comments:

There were no comments from the public.

RESOLUTION NO. 109

CLOSE PUBLIC HEARING / LOCAL LAW/ TOWN CODE CHAPTER 9 / DOGS

RESOLVED, that the public portion is hereby closed.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis
Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 110

LEAD AGENCY/ SEQR / LOCAL LAW/TOWN CODE CHAPTER 9 / DOGS

RESOLVED, that the Town Board declared itself Lead Agency in this matter.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 111

SEQR DECLARATION/LOCAL LAW / TOWN CODE CHAPTER 9 / DOGS

RESOLVED, that a SEQR declaration of non-significance, indicating that the action the Town Board is contemplating will not have a significant negative impact on the environment, is

RESOLUTION NO. 111 - Continued

hereby adopted..

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

**TOWN OF ORANGETOWN
LOCAL LAW NO. 1 OF 2021**

AMENDING CHAPTER 9 OF THE TOWN CODE, ARTICLE 1, SECTION 9-5(A) TO AMEND THE FEE PAYABLE FOR IMPOUNDMENT AND SECTION 9-6 TO DELETE THE NAME OF A PRIOR ANIMAL SHELTER VENDOR.

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

As amended, Additions are underlined, ~~Deletions are stricken~~. The said sections of the Code are amended as follows:

Be it enacted by the Town Board of the Town of Orangetown that Local Law No. 8 of 2010 (Chapter 9, Article I of the Code of the Town of Orangetown entitled "Licensing and Control", Section 9-5 entitled "Seizure of dog; redemption periods; impoundment fees" is hereby amended as follows by deleting the language that is stricken through and replacing it with the language that is underlined; and Section 9-6 entitled "Licensing; fees" is hereby amended as follows by deleting the language that is stricken through:

9-5 Seizure of dogs; redemption periods; impoundment fees.

The Dog Warden, duly appointed Animal Control Officer, or any peace officer in the employ of, or under contract to, the Town shall seize any unlicensed dog, whether on or off the owner's premises; any dog not wearing an identification tag and, after January 1, 1980, not identified and which is not on the owner's premises; and any dog found in violation of § 9-4A of this local law. The owner of any dog impounded by Orangetown shall be entitled to redeem that dog within five ~~business days, excluding the day the dog is impounded,~~ business days, provided that the owner produces proof that the dog is licensed and identified and pays a fee of FORTY (\$40.00) DOLLARS for each twenty-four hour period ~~\$20 for the first impoundment; a fee of \$30 for the second impoundment and a fee of \$5 for each additional twenty-four hour period; a fee of \$40 for a third and each subsequent impoundment and a fee of \$5 for each additional twenty-four hour period.~~ The Dog Warden, Animal Control-Officer or peace officer may also investigate and report to a Town Justice of the Town any dangerous dog as described in Article 7 of the Agriculture and Markets Law and see that the order of the Town Justice in such case is carried out.

9-6 Licensing; fees.

The Town of Orangetown authorizes ~~the Hi Tor Animal Care Center, Inc.,~~ or any entity which it contracts with for shelter services, to provide, accept and grant an application for a dog license made by a resident at the time of an adoption of a dog from the shelter, provided that such application is made in accordance with § 9-6A of this law, and the license fee and any additional fees and surcharges shall be remitted to the Town Clerk of Orangetown on or before the third day of the month following the month in which the license fee and additional fees and surcharges were received.

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

RESOLUTION NO. 112
ADOPT LOCAL LAW NO. 1 OF 2021 / CHAPTER 9 / DOGS

RESOLVED, that the Town Board hereby adopts the proposed Local Law amending Town Code, Chapter 9, entitled “Dogs”, by amending Sections 9-5(A) and 9-6(B).

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

DISCUSSION:

Workshop of Agenda Items

RESOLUTION NO. 113
OPEN PUBLIC COMMENT PORTION

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

RESOLVED, that the public portion is hereby opened.

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

Summary of Public Comments:

Nancy Antonucci, REASONS, spoke about the State’s closing of the Rockland County Children’s Psychiatric Center. She asked how much input will residents have; does the Town still pay a lobbyist. She also said, the group REASONS is here to help in anyway they can.

RESOLUTION NO. 114
CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted: Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 115
APPOINT / REAPPOINT / ORANGETOWN OFFICE OF EMERGENCY
MANAGEMENT COMMITTEE / 2021 / 1 YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Office of Emergency Management Committee for a 1-year term, commencing on January 1, 2021 and expires on December 31, 2021:

P. O. Michael Yannazzone, Jr, (Chairman)
David Majewski, Fire Inspector
James Dean, Superintendent of Highways
Mark Albert, Parks & Recreation

Capt. James Brown
Jane Slavin, Director of OBZPAE
Karen Jahnes, Highway Dept.
Stephen Munno, Highway Dept.

RESOLUTION NO. 115 - Continued

Fred Simms, RC Deputy Fire Coordinator
Steve Harris, S Orangetown Ambulance Corp
Maryanne Portoro, Pearl River Ambulance Corp
Robert Daly, RC Deputy Fire Coordinator

Eamon Reilly, DEME
Christopher Sheehan, DEME

Liaison: Councilman Diviny

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 116

REAPPOINT CHRIS DUNNIGAN / MEMBER / ORANGETOWN ARCHITECTURE AND COMMUNITY ASSESSMENT BOARD OF REVIEW / 3 YEAR TERM

RESOLVED, that CHRIS DUNNIGAN is hereby reappointed as Member to the Orangetown Architecture and Community Assessment Board of Review for a period of 3-years, commencing January 1, 2021 and expiring on December 31, 2023.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 117

REAPPOINT CHRIS DUNNIGAN / CHAIRMAN / ARCHITECTURE AND COMMUNITY BOARD OF REVIEW / 2021 / 1 YEAR TEAM

RESOLVED, that CHRIS DUNNIGAN is hereby reappointed Chairman to the Architecture and Community Assessment Board of Review for a period of 1-year, commencing January 1, 2021 and expiring on December 31, 2021.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 118

REAPPOINT MARTIN FOGARTY / 2021 BLUE HILL GOLF COURSE ADVISORY COMMITTEE - 1 YEAR TERM

RESOLVED, that MARTIN FOGARTY is hereby reappointed as a Member of the Orangetown Blue Hill Golf Course Advisory Committee, for a 1-year term, commencing on January 1, 2021, and expires on December 31, 2021.

RESOLUTION NO. 118 - Continued

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 119
AUTHORIZE / CANDLE AGREEMENT / 2021**

RESOLVED that the Town Board hereby authorizes the Supervisor, or her designated representative, to sign an Agreement between the TOWN and Community Awareness Network for a Drug-Free Life and Environment, Inc. ("CANDLE"), at a cost to the TOWN of \$35,132.50 pursuant to which CANDLE shall provide programs and services to promote the prevention of substance abuse and violence amongst the youth of the Town of Orangetown during and throughout calendar year 2021.

FURTHER RESOLVED that funding in the amount of \$35,132.50 for CANDLE to be charged to Account No. A.4211.457 (SUBSTANCE ABUSE, COUNCIL, CONTRACTS W/OUTSIDE VENDORS) is hereby authorized by appropriating fund balance.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 120
AMEND RESOLUTION NO. 18/2021 / RFP / SIDEWALK SAWCUTTING / FROM ALWAYS SAFE SIDEWALKS TO PRECISION SAFE SIDEWALKS**

RESOLVED, Resolution No. 18/2021 is hereby amended to award the Sidewalk Saw-cutting Request for Proposal to Precision Safe Sidewalks, Arlington, VA. Precision Safe Sidewalks is the New York affiliate of Always Safe Sidewalks. At a cost of \$56.00 per inch/foot, not to exceed \$36,000. Work completed under this contract will be charged to Account No. A.5410.457 and paid for out of the 2020 Operating Budget.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 121
ACCEPT DONATION / MEMORIAL BENCH / MARY & RICHARD McCLOSKEY**

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation accept with gratitude the donation of a memorial bench to be placed at Veterans Memorial Park. Engraving will read:

"Relax and Have a Seat
In Loving Memory of Mary and Richard McCloskey"

RESOLUTION NO. 121 – Continued

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 122

AWARD BID / ATHLETIC COURT CRACK REPAIR / SPORT-TECH ACRYLICS CORP., BREWSTER, NY

WHEREAS, the Superintendent of Parks, Recreation & Building Maint duly advertised for sealed bids for Repairs to Athletic Courts, which were received and publicly opened on February 25, 2021; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 03-B-21, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of Superintendent of Parks and Recreation award the bid for athletic court crack repair for various Town athletic courts to Sport-Tech Acrylics Corp. of Brewster, NY in an amount not to exceed \$60,000.00.

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to enter into an agreement with Sport-Tech Acrylics, in accordance with the bid award and terms of this resolution, subject to review and approval of the Town Attorney's Office.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 123

ACCEPT / RECEIVE / FILE DOCUMENTS/TOWN CLERK'S OFFICE

RESOLVED that the following documents are accepted, received and filed in the Town Clerk's Office:

1. Town Board Meeting minutes: 2/9/2021 Police Commission; 2/9/2021 & 2/23/2021 Regular Town Board Meeting; and 2/24/2021 Special Town Board Meeting.
2. 2021 License Agreement for Use of Town of Ramapo Police Firing Range.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy, Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

RESOLUTION NO. 124

PAY VOUCHERS

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of one (1) warrant (attached) for a total of \$506,597.81.

RESOLUTION NO. 124 - Continued

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 125
ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session were Supervisor Teresa M. Kenny (virtual) Councilpersons Denis Troy Thomas Diviny, Paul Valentine and Jerry Bottari, Rob Magrino, Elizabeth Brancati, Jeff Bencik and Jane Slavin.

RESOLVED, at 7:45 pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 126
RE-ENTER RTBM / ADJOURNED / MEMORY**

RESOLVED, at 9:45 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Patrick Desmond, resident of Pearl River.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Thomas Diviny, Councilperson Denis Troy,
Councilperson Jerry Bottari

Noes: None

Absent: Supervisor Teresa M. Kenny

Rosanna Sfraga, Town Clerk