



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
November 30, 2021**

This meeting was opened at 7:05 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

Councilperson Paul Valentine
Councilperson Denis Troy
Councilperson Jerry Bottari
Supervisor Teresa M. Kenny

Absent:

Councilperson Thomas Diviny

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
Jeff Bencik, Finance Director
Stephen Munno, Sr. Administrative Assistant
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEME
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob Urban, Human Resource Coordinator
Matthew Lenihan, Computer Network Specialist
Donald Butterworth, Police Chief

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

**The following public hearing is scheduled for December 14, 2021 at 7:05 pm:
ROCKLAND CIDER WORKS / PETITION FOR ZONE TEXT AMENDMENT**

The Town of Orangetown is hosting another Public Workshop for the Comprehensive Plan on December 6, 2021 (in person) and on December 7, 2021 (via Zoom). The meetings will have identical content. Please visit www.orangetown.com for more details.

PRESENTATION:

SOUTH ORANGETOWN SOFTBALL LITTLE LEAGUE / 12 Under Girls / NYS Champions, East USA Regional Champions, and Little League Softball World Series Participants

DISCUSSIONS:

- 1. PKF O'Connor Davies Engagement Letter: 2-year contract with 2% increase**
- 2. Agreement with Village of South Nyack / Highway Services**

WORKSHOP OF AGENDA ITEMS

**RESOLUTION NO. 466
OPEN PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby opened.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

Summary of Public Comments:

Susan McWhinney and Gerry Goggin, Orangeburg, again complained about Rockland Cider Works (RCWS). They showed a video of traffic, parking, and construction concerns; and pedestrians forced to walk in the roadway. They believe this property is not a farm (nothing is grown there), except for the horse stables.

Sharon Van Houten, Blauvelt, pleaded for help to save her very peaceful residential neighborhood from commercialization by RCWS. Her home is her dream home and safe haven.

**RESOLUTION NO. 467
CLOSE PUBLIC COMMENT PORTION**

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 Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 468
OPEN PUBLIC HEARING / AMENDING CHAPTER 5 (BUILDING CONSTRUCTION
AND FIRE PREVENTION) / ADOPT THE NYSTRETCH ENERGY CODE-2020**

RESOLVED, that the public hearing to consider a proposed Local Law amending Chapter 5 (Building Construction and Fire Prevention) and Adopt the NY Stretch Energy Code-2020 is hereby opened.

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 Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

Rosanna Sfraga, Town Clerk, presented the Affidavits of Publication and Postings, which are labeled Exhibit 11-B-21 and made a part of these minutes.

Summary of Public Comments:

No one made any comments.

**RESOLUTION NO. 469
CLOSE PUBLIC HEARING / AMENDING CHAPTER 5 (BUILDING CONSTRUCTION
AND FIRE PREVENTION) / ADOPT THE NYSTRETCH ENERGY CODE-2020**

RESOLVED, that the public portion is hereby closed.

Supervisor Teresa M. Kenny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 470
AMEND RESOLUTION #415 (RTBM 10/26/2021) / ADOPTION OF LOCAL LAW NO.
8 OF 2021 / AMENDING CHAPTER 5 (BUILDING CONSTRUCTION AND FIRE
PREVENTION), SO AS TO ADOPT THE NYSTRETCH ENERGY CODE - 2020**

IT IS HEREBY RESOLVED, by the Town Board of the Town of Orangetown, as follows:

WHEREAS, to prevent a statewide patchwork of stricter energy codes, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code - 2020 (NYStretch).

WHEREAS, a stretch energy code is simply an energy code that is more stringent than the minimum base energy code that can be voluntarily adopted by local jurisdictions. NYStretch is a model stretch code that will be ten to twelve percent (10-12 %) more efficient than the minimum requirements of the base energy code, the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNY).

WHEREAS, some New York State municipalities have adopted stricter energy standards to ensure reduced energy costs for its residents and businesses.

WHEREAS, under NYS Energy Law §11-109, the Town Board of The Town of Orangetown is authorized to adopt a local energy code more stringent than the 2020 ECCCNY.

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) developed NYStretch as a statewide model code for New York jurisdictions to use to meet their energy and climate goals by accelerating the savings obtained through their local building energy codes; and, for jurisdictions that adopt it, NYStretch will provide savings of roughly 11% over the 2020 ECCCNY when that energy code is released by the New York State Department of State.

WHEREAS, NYStretch is a stretch code that: (i) is readily adoptable with minimal changes by local governments; (ii) is in enforceable language; (iii) is coordinated with the New York State Uniform and Energy Codes; (iv) is about one cycle ahead of the next New York State Energy Code in its requirements; (v) lowers energy use and greenhouse gas emissions associated with new and existing buildings; and (vi) is cost-effective and regionally appropriate.

WHEREAS, the Town Board is considering amending provisions of Chapter 5 of the Code of the Town of Orangetown ("Orangetown Code"), entitled Building Construction and Fire Prevention, so as to add provisions for a local energy code.

WHEREAS, the Town Board is declared Lead Agency for the purposes of environmental review with respect to the proposed Resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the Regulations promulgated thereunder at 6 NYCRR 617 (collectively, the State Environmental Quality Review Act or SEQRA).

RESOLUTION NO. 470 – Continued

WHEREAS, the Town Board, as the SEQRA Lead Agency, has determined that the proposed Action meets the criteria of a Type II Action under SEQRA Regulation §617.5(c) (33), which is exempt from, and is not required to undergo, a SEQRA environmental review.

WHEREAS, the Town Board has determined that this proposed Local Law is not subject to the mandates of NYS General Municipal Law (GML) §239-m, and, therefore, not required to be referred to the Rockland County Planning Department for GML review.

WHEREAS, the Town Board has complied with all public notice requirements as mandated by New York State statute(s) and the Orangetown Code, and the proposed Local Law has been distributed to the Town Board as per NYS Municipal Home Rule Law §20(4), and a Public Hearing was duly held by the Town Board regarding the proposed Local Law on November 30, 2021, at which time all persons either for or against said amendments were heard.

NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE TOWN BOARD, AND THE FINDINGS MADE HEREIN,

BE IT RESOLVED that the Town Board hereby adopts and enacts the proposed Local Law in the form and substance, as may be amended herein.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**TOWN OF ORANGETOWN
LOCAL LAW NO. 8 OF 2021
AMENDMENTS TO CHAPTER 5 (BUILDING CONSTRUCTION AND FIRE
PREVENTION) OF THE CODE OF THE TOWN OF ORANGETOWN, SO AS TO ADD
PROVISIONS FOR A LOCAL ENERGY CODE**

Section 1. Recitals and Legislative Intent

The New York State (hereinafter sometimes referred to as “NYS”) Energy Conservation Construction Code (hereinafter referred to as the “State Energy Code”) is adopted by the State Fire Prevention and Building Code Council (hereinafter referred to as the “Code Council”) pursuant to Article 11 of the NYS Energy Law.

The State Energy Code includes the provisions contained in Part 1240 of Title 19 of the New York Codes, Rules and Regulations (hereinafter referred to as “Part 1240”) and the publications incorporated by reference in Part 1240.

The publications currently incorporated by reference in Part 1240 include, but are not limited to, the 2020 edition of the Energy Conservation Construction Code of New York State (hereinafter referred to as the “2020 ECCCNY”) and the 2016 edition of ASHRAE 90.1 (hereinafter referred to as “ASHRAE 90.1-2016”).

The 2020 ECCCNY is based on the 2018 edition of a publication entitled International Energy Conservation Code (hereinafter referred to as the “2018 IECC”).

The New York State Energy Research and Development Authority (hereinafter referred to as “NYSERDA”) has issued a publication entitled NYStretch Energy Code 2020, Version 1.0, dated July 2019 (hereinafter referred to as “NYStretch”). NYStretch modifies (i.e., amends, replaces, replaces and renames, or adds to) certain sections, certain tables, and a certain appendix in the 2018 IECC; adds certain sections, certain tables, and certain appendices to the 2018 IECC;

LOCAL LAW NO. 8 OF 2021 – Continued

modifies (i.e., adds to, amends, or replaces) certain sections and certain tables in ASHRAE 90.1-2016; and adds certain new sections to ASHRAE 90.1-2016.

Studies commissioned by NYSERDA indicate that modifying the State Energy Code in the manner contemplated by NYStretch can result in significant savings in energy usage and energy costs.

Article 11 of the NYS Energy Law authorizes municipalities to adopt local energy conservation construction codes that are more stringent than the State Energy Code.

The Town Board of the Town of Orangetown seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards; and desires to adopt, as its local energy conservation construction code, the State Energy Code as modified in the manner contemplated by NYStretch.

This proposed amendment to the Code of the Town of Orangetown (hereinafter referred to as the “Orangetown Code”) seeks to modify Chapter 5 of the Orangetown Code (Building Construction and Fire Prevention) so as to adopt NYStretch and to enact more restrictive regulations as they relate to new, or substantially renovated or altered, buildings.

Section 2. Adoption of Local Energy Conservation Construction Code

Section 5-1 of Chapter 5 (Building Construction and Fire Prevention) of the Orangetown Code shall be amended and, as amended, shall read as follows:

§5-1. Applicability of Uniform Code, and the State Energy Code as modified by NYStretch.

The applicability of the New York State Uniform Fire Prevention and Building Code, and the New York State Energy Conservation Construction Code (hereinafter referred to as the “State Energy Code”), were previously accepted by the Town of Orangetown by Local Law No. 5 of 2017, which was adopted by the Town Board of the Town of Orangetown on May 16, 2017; and the Town of Orangetown hereby now adopts, as its local energy conservation construction code, the State Energy Code as modified in the manner contemplated by NYStretch Energy Code 2020, Version 1.0, dated July 2019 (hereinafter referred to as “NYStretch”). Such local energy conservation construction code shall consist of the provisions currently set forth in Part 1240 and in the publications currently incorporated by reference in Part 1240, provided, however, that the Energy Conservation Construction Code of New York State (hereinafter referred to as the “2020 ECCCNY”), and ASHRAE 90.1-2016, shall be deemed to be modified as follows:

- (a) in each case where a section, table, or appendix in the 2018 IECC is modified by NYStretch, the corresponding section, table, or appendix in the 2020 ECCCNY shall be deemed to be modified in the same manner;
- (b) in each case where a section, table, or appendix is added to the 2018 IECC by NYStretch, such section, table, or appendix shall be deemed to be added to the 2020 ECCCNY subject to the following exception:
 - (i) Section R403.6.2 added to the 2018 IECC by NYStretch shall not be deemed to be added to the 2020 ECCCNY];
- (c) each section or table in ASHRAE 90.1-2016 that is modified by NYStretch shall be deemed to be so modified; and
- (d) each section added to ASHRAE 90.1-2016 by NYStretch shall be deemed to be added to ASHRAE 90.1-2016

A copy of NYStretch is annexed hereto and made part hereof.

LOCAL LAW NO. 8 OF 2021 – Continued**§5-1A. Applicability.**

The local energy conservation construction code, as hereby adopted, shall be applicable to all buildings constructed, substantially renovated or altered in the Town of Orangetown on or after the effective date of this Local Law, and to all additions to buildings in the Town of Orangetown made on or after the effective date of this Local Law. However, pursuant to NYS Energy Law §11-109(2):

- (a) if a copy of this Local Law is filed with the New York State Department of State, Division of Building Standards and Codes, as Secretariat for the Code Council, within thirty days after adoption of this Local Law, and if the Code Council shall subsequently determine that the local energy conservation construction code as hereby adopted is not more restrictive than the State Energy Code, then on and after the date of such determination the local energy conservation construction code as hereby adopted shall no longer be enforced and the State Energy Code shall be applicable and shall be enforced in the Town of Orangetown; and
- (b) if a copy of this Local Law is not filed with the New York State Department of State, Division of Building Standards and Codes, as Secretariat for the Code Council, within thirty days after adoption of this Local Law, then the local energy conservation construction code as hereby adopted shall not be enforceable until and unless the Code Council shall determine that such local energy conservation construction code is more restrictive than the State Energy Code, and until and unless the Code Council shall make such determination the State Energy Code shall be applicable and shall be enforced in the Town of Orangetown.

Section 3. Authority

This proposed Local Law is enacted and adopted pursuant to NYS Energy Law §11-109(1), and NYS Municipal Home Rule Law §10, and in accordance with the procedures prescribed in NYS Municipal Home Rule §20.

Section 4. Severability

If any section, subdivision, paragraph, clause or phrase of this Local Law shall be adjudged invalid, or held to be unconstitutional, by any court of competent jurisdiction, any judgment or order made thereby shall not affect the validity of this Local Law as a whole, or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

Section 5. Effective Date

This Local Law shall take effect upon publishing and posting a copy in the manner prescribed by applicable laws, and upon filing a copy with the NYS Secretary of State.

**RESOLUTION NO. 471
OPEN PUBLIC HEARING / DOMINICAN COLLEGE / APPLICATION FOR A
WATERCOURSE DIVERSION PERMIT**

RESOLVED, that the 8:00 P.M. public hearing on Dominican College application for a watercourse diversion permit is hereby opened.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

Rosanna Sfraga, Town Clerk, presented the Affidavits of Publication & Postings; and comments from various agencies, which are labeled Exhibit 11-C-21 and made a part of these minutes.

Jane Slavin, Director of OBZPAE, said Dominican College submitted an application to install a turf field and track and to divert and move the stream.

Brian Quinn, Attorney for Dominican, and Matthew Mohlin, PE, H2M Architects & Engineers, explained that the stream diversion will include a tunnel, under the field, that will handle five times more water. The water is Stormwater, from Carlton Rd, and only exists intermittently.

Summary of Public Comments

Pat McNamee, Tina Addino and Angela Badillo, Orangeburg, urged the Town Board not to grant this permit. They believe this new Athletic Complex will have a detrimental effect on the neighborhood and quality of life. They are concerned the fields will be rented out, which is against the Town Code, bright lights for the fields, loud noise and parking in their neighborhood. Ray Fusco, Orangeburg, asked whether an Environmental Impact Statement was conducted.

RESOLUTION NO. 472

CLOSE PUBLIC HEARING / DOMINICAN COLLEGE / APPLICATION FOR A WATERCOURSE DIVERSION PERMIT

RESOLVED, that the public portion is hereby closed.

Supervisor Teresa M. Kenny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 473

APPROVE DOMINICAN COLLEGE / APPLICATION FOR A WATERCOURSE DIVERSION PERMIT

WHEREAS, on November 10, 2021, the Planning Board conducted a public hearing and declared itself lead agency relating to Dominican College's site plan application, for which this watercourse diversion permit application is related, and issued a negative declaration, and further granted preliminary approval to the application, conditioned on the Town Board granting the instant permit;

WHEREAS, the Town of Orangetown Highway Department, the Department of Environmental Management and Engineering (DEME), and the Office of Building, Zoning, Planning, Administration and Enforcement (OBZPAE) recommend issuing the permit;

NOW THEREFORE, BE IT RESOLVED, the application from Dominican College for a watercourse diversion permit, relating to property located at 470 Western Highway, Orangeburg, New York, Section 74.06, Block 3, Lots 1.1 and 1.3 is hereby approved.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 474
APPROVE / FUND OVERAGE / STATE AND MUNICIPAL (SAM) GRANT /
UPGRADE FITNESS EQUIPMENT / VETERANS MEMORIAL PARK**

WHEREAS, pursuant to a letter dated September 24, 2021, the Town of Orangetown has been approved by the State of New York to receive a State and Municipal Facilities Program (SAM) grant to be administered by the Dormitory Authority of the State of New York (DASNY) for Upgrades to the Fitness Equipment at Veterans Memorial Park in the amount of \$50,000, subject to review and approval of DASNY and the submission of further documentation by the Town to DASNY; and,

WEHREAS, the Town Board hereby finds the Upgrades to the Fitness Equipment project and acceptance of the grant is a Type II action under SEQRA which requires no further review with respect to SEQRA; and,

NOW THEREFORE, BE IT RESOLVED, that the Town Board agrees to accept the SAM grant from the State of New York, which is to be administered by DASNY, in the amount of \$50,000 for Upgrades to the Fitness Equipment at Veterans Memorial Park project; and,

BE IT FURTHER RESOLVED, the Town Board agrees to fund any overages in costs through fund balance, for the SAM grant to upgrade fitness equipment at Veterans Memorial Park, not to exceed \$20,000; and,

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to execute any and all documents necessary to accept and administer the grant for Upgrades to the Fitness Equipment at Veterans Memorial Park in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

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 Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 475
APPROVE / FUND OVERAGE / STATE AND MUNICIPAL (SAM) GRANT / SPLASH
PAD / VETERANS MEMORIAL PARK**

WHEREAS, pursuant to a letter dated September 24, 2021, the Town of Orangetown has been approved by the State of New York to receive a State and Municipal Facilities Program (SAM) grant to be administered by the Dormitory Authority of the State of New York (DASNY) for construction of a Splash Pad at Veterans Memorial Park in the amount of \$275,000, subject to review and approval of DASNY and the submission of further documentation by the Town to DASNY; and,

WHEREAS, the Town Board hereby finds the Splash Pad project and acceptance of the grant is a Type II action under SEQRA which requires no further review with respect to SEQRA; and,

NOW THEREFORE, BE IT RESOLVED, that the Town Board agrees to accept the SAM grant from the State of New York, which is to be administered by DASNY, in the amount of \$275,000 for the Splash Pad at Veterans Memorial Park project; and,

BE IT FURTHER RESOLVED, the Town Board agrees to fund any overages in costs through fund balance, for the SAM grant for the Splash Pad at Veterans Memorial Park, not to exceed \$20,000; and,

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to execute any and all documents necessary to accept and administer the grant for the Splash Pad at

RESOLUTION NO. 475 - Continued

Veterans Memorial Park in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

BE IT FURTHER RESOVLED, the Town Board authorizes the Supervisor to make application as necessary to DASNY for an additional \$50,000 grant for construction of the Splash Pad.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 476

AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE DEPARTMENT OF STATE 2021 LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT (CREG) EXPEDITED ASSISTANCE PROGRAM FOR GRANT TO SUPPORT COSTS ASSOCIATED WITH THE EXPANSION OF SERVICES RESULTING FROM THE DISSOLUTION OF THE VILLAGE OF SOUTH NYACK

WHEREAS, the Town of Orangetown has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of an application under the 2021 New York State Department of State Local Government Citizens Re-Organization Empowerment Grant (CREG) Expedited Assistance Program to be titled: Town of Orangetown Transition and Implementation Activities Related to the Dissolution of the Village of South Nyack; and

WHEREAS, the voters of the Village of South Nyack elected to dissolve the Village effective March 31, 2022 pursuant to General Municipal Law Article 17-A; and

WHEREAS, the intent of the funds is to provide the Town of Orangetown with financial assistance in the transition and implementation of services for the residents of the Village of South Nyack upon dissolution of the Village; and

WHEREAS, the amount of funds to be requested from the Local Government Citizens Re-Organization Empowerment Grant (CREG) Expedited Assistance Program is an amount not to exceed \$50,000, and

WHEREAS, the CREG program has a required 10% local cash match, now, therefore, be it

RESOLVED, that the Town of Orangetown is the Lead Applicant in an application for financial assistance under the 2021 Local Government Citizens Re-Organization Empowerment Grant (CREG) Expedited ; and be it further

RESOLVED, the Town Board authorizes the submission of the grant and the required local matching funds; and be it further

RESOLVED, the Town Board authorizes the Supervisor to take such further action, and to execute such further documents, as may be necessary to effectuate such grant application submission.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 477
AMENDMENT TO FEMA CONTRACT FOR DISASTER RECOVERY CENTER /
EXTEND TO NOVEMBER 20, 2021**

RESOLVED, that the Supervisor is authorized to execute an Amendment to the Agreement between the Town and FEMA for use of the Orangetown Soccer Complex, which Agreement was authorized by Resolution 2021-390, such Amendment to extend the duration of the Agreement to November 20, 2021, nunc pro tunc.

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 Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 478
APPROVE / LEND ASSISTANCE/ VILLAGE OF SUFFERN CHRISTMAS PARADE/
DECEMBER 4, 2021**

RESOLVED, the Superintendent of Highways has forwarded for approval by the Town Board, authorization for the Highway Department to lend assistance which includes the use barricades for the Village of Suffern Christmas Parade on Saturday, December 4, 2021.

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 Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 479
APPOINT LISA PORCO / RECEPTIONIST / PROVISIONAL / GRADE 3, STEP 1 /
HIGHWAY DEPARTMENT / EFFECTIVE NOVEMBER 1, 2021**

RESOLVED, that upon the recommendation of the Superintendent of Highways, appoint LISA PORCO to the position of Receptionist, Provisional, in the Highway Department, Grade 3, Step 1, at a salary of \$41,863.00, effective November 1, 2021.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari,
Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 480
APPROVE / LEND ASSISTANCE / ST. THOMAS AQUINAS COLLEGE WINTER
WONDERLAND / SATURDAY, DECEMBER 4, 2021**

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile by St. Thomas Aquinas College for their Winter Wonderland, Saturday, December 4, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

RESOLUTION NO. 480 - 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 Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 481**APPROVE / LEND ASSISTANCE / 2021 ORANGEBURG FIRE DEPARTMENT HOLIDAY PARADE / SATURDAY, DECEMBER 11**

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$500.00 by the Orangeburg Volunteer Fire Department for their Holiday Parade, Saturday, December 11, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board the rental of Portable Toilets (4 regular units 1 ADA unit) for the Orangeburg Fire Department Holiday Parade, Saturday, December 11, 2021.

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 Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 482**APPROVE CARETAKER AGREEMENT 2022/ NIKE PARK / 2% INCREASE / LOUIS CAPUTO**

RESOLVED, that the caretaker agreement for the property located at 1 Nike Lane, Orangeburg, New York (Nike Park), with a TWO (2%) PERCENT increase, for a fee of ONE THOUSAND TWO HUNDRED THIRTY-FIVE AND 88/100 (\$1,235.88) per month for a term from January 1, 2022 through December 31, 2022, between the Town and LOUIS CAPUTO is hereby approved and the Supervisor is hereby authorized to sign same.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 483**APPROVE CARETAKER AGREEMENT 2022 / HENRY V. BORST PARK / 2% INCREASE / BRIAN EDWARDS**

RESOLVED, that the caretaker agreement for the property located at 212 North Main Street, Pearl River, New York (Henry V. Borst Park), with a TWO PERCENT (2%) INCREASE for a fee of ONE THOUSAND TWO HUNDRED SEVENTY-THREE AND 23/100 (\$1,273.23) DOLLARS per month, for a term from January 1, 2022 through December 31, 2022, between the

RESOLUTION NO. 483 - Continued

Town and BRIAN EDWARDS is hereby approved and the Supervisor is hereby authorized to sign same.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 484

APPOINT RACHELE DELISSER / CLERK / PROBATIONARY / EFFECTIVE DECEMBER 01, 2021 / PARKS AND RECREATION

RESOLVED, upon the recommendation of the Superintendent of Parks and Recreation, appoint RACHELE DELISSER to the position of Clerk, probationary, from list #19137(OC) Grade 2, Step 1, at a starting salary of \$39,996,.00, effective December 1, 2021.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Paul Valentine

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 485

APPROVE/ LEND ASSISTANCE / 2021 PEARL RIVER ROTARY SHARE CHRISTMAS & THE HOLIDAYS / FRIDAY, DECEMBER 10, 2021

RESOLVED, the Superintendent of Highways & Chief of Police, have forwarded approval to the Town Board to authorize these departments to lend assistance which includes, barricades, trash barrels & message board from the Highway Department & police detail from OPD, for the annual Share Christmas and the Holidays Event event to be held on Friday, December 10, 2021 (raindate:12/17/21), from 6pm – 10pm.

RESOLVED, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$500.00 by the Rotary Club of Pearl River for their Share Christmas and the Holidays, Friday, December 10, 2021, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 486

APPROVE / INSTALLATION OF STREETLIGHT / INTERSECTION OF KEVIN DRIVE AND CEDAR AVENUE IN ORANGEBURG

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of the streetlight at the intersection of Kevin Drive and Cedar Avenue in Orangeburg

RESOLUTION NO. 486 - Continued

(pole # 60524/37928) is hereby approved to be paid from the following budget line item B.5182.452.17.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Denis Troy and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

NEW BUSINESS**RESOLUTION NO. 487****AUTHORIZE / WEST PUBLISHING / WESTLAW / TOWN ATTORNEY'S OFFICE**

RESOLVED, upon recommendation of the Town Attorney, the Town Board authorizes the execution of a purchase order and agreement with West Publishing Corp, dba West, a Thomson Reuters corporation, to provide legal research services, known as Westlaw, for the Town Attorney's Office, for 24 month extension as set forth in the agreement starting at a cost of \$2,831.26 per month with a yearly increase of 3%, based upon New York State Office of General Services Contract Award # 23044, Contract # PC67676, to be funded through budget line A.1420.445 entitled Books and Publications, and the Town Board hereby authorizes the Town Attorney to execute any documents necessary to effectuate said purchase order and agreement.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 488**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 **three (3) warrants** (attached) for a total of **\$2,320,197.78**.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 489**ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session were Supervisor Teresa M. Kenny, Councilpersons Denis Troy, Paul Valentine, and Jerry Bottari, Rosanna Sfraga, Rob Magrino, and Jeff Bencik.

RESOLUTION NO. 489 - Continued

RESOLVED, at 8:30 pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value and personnel matters.

Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Divin

**RESOLUTION NO. 490
RE-ENTER RTBM / ADJOURNEL / MEMORY**

RESOLVED, at 9:30 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Lorraine B. Foley**, *Resident of Tappan*; **Francis Liddy**, *Resident of Pearl River*; **Rosaline Majewski**, *Mother of Orangetown Chief Fire Inspector David Majewski* and **Seymour Whyman**, *Resident of Blauvelt*.

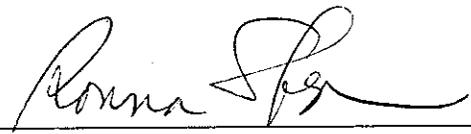
Councilperson Denis Troy offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Denis Troy, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Thomas Diviny



Rosanna Sfraga, Town Clerk

Town Of Orangetown

DATE: November 30, 2021

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	110821	\$ 1,054,385.17
	112321	\$ 4,750.00
	113021	\$ 1,261,062.61
	Total	\$ 2,320,197.78

The above listed claims are approved and ordered paid from the appropriations indicated.

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

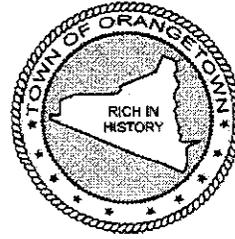
Councilman Thomas Diviny

Councilman Denis Troy

Supervisor Teresa M. Kenny

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 11/24/2021
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 11/30/2021 consists of 3 warrants for a total of \$2,320,197.78.

The first warrant had 65 vouchers for \$1,054,385 and had the following items of interest.

1. CSEA Employee Benefit Fund (p2) - \$31,709 for dental benefits.
2. Gentile, Steven (p3) - \$14,195 for 207c payments.
3. JP Morgan Equipment Finance (p4) - \$53,828 for Energy Performance Contract.
4. NYPA (p5) - \$21,790 for streetlight project.
5. NYS Dept. of Civil Service (p6) - \$738,986 for H/C benefits.

The second warrant had 1 voucher for \$4,750 and was for Pearl River "A" senior club expenses.

The third warrant had 156 vouchers for \$1,261,062 and had the following items of interest.

1. AKRF (p2) - \$9,311 for comprehensive plan study.
 2. American Field Services (p5) - \$28,852 for dog park fencing.
 3. Applied Business Systems (p7) - \$6,768 for postage.
 4. Applied Golf (p7) - \$124,500 for Blue Hill management contract.
 5. Applied Golf (p7) - \$49,583 for Broadacres management contract.
 6. Brooker Engineering (p10) - \$16,585 for drainage review escrow.
 7. Capasso & Sons (p11) - \$74,301 for recycling.
 8. Chiapperino & Sons (p13) - \$54,700 mill and paving of Henry street.
 9. Cotter, Michael (p15) - \$14,025 for CTR inspections.
 10. Dell Marketing (p17) - \$26,223 for security suite.
-

11. Eagle Point Gun (p18) - \$11,774 for Police ammunition.
12. Edmunds Govtech (p19) - \$16,780 for software.
13. Environmental Construction (p19) - \$65,934 for Bright Lane emergency repairs.
14. Global Montello. (p22) - \$44,988 for fuel.
15. Goosetown Enterprises (p26) - \$7,760 for Police equipment leases.
16. Gorman Brothers (p26) - \$190,338 for chip seal (bonded).
17. Johnson Controls (p31) - \$7,386 for building maintenance agreements.
18. Ken's Tree Care (p33) - \$16,445 for tree pruning various locations.
19. Met Life (p35) - \$13,138 for Police dental benefits.
20. Munis (p35) - \$25,480 for Building software.
21. NYS Dept. of Environmental Conservation (p35) - \$15,500 for annual SPDES sewer permit.
22. Precision Electric Motor Works (p36) - \$8,986 for emergency pump repair.
23. Smith Control Systems (p38) - \$8,108 for cimplicity software upgrade (sewer).
24. State Comptroller (p48) - \$27,518 for Justice fines.
25. The Morey Organization (p49) - \$6,196 for senior event.
26. Tilcon NY (p50) - \$233,492 for highway materials.
27. Zarin & Steinmetz (p55) - \$5,914 for outside counsel.

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA

845-359-5100 x2204

EXHIBIT

11-B-213 11/30/2021

STATE OF NEW YORK }
COUNTY OF ROCKLAND }
TOWN OF ORANGETOWN }

SS.

Rosanna Sfraga being duly sworn upon her oath deposes and says;

That, she is, at all times, hereinafter mentioned was, duly elected,
Qualified and acting Town Clerk of the **TOWN Of ORANGETOWN**, in the County of
Rockland, State of New York.

That, on the 2nd day of November, 2021, she caused to be conspicuously posted
and fastened up a notice, a true copy of which is annexed hereto and made a part of
hereof, in the following places, at least one of which is a public place within the **TOWN
Of ORANGETOWN**, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 2nd day of November, 2021



Rima A. DelVecchio
Notary Public, State of NY
No. 01DE6222835
Qualified in Rockland County
Commission Exp. June 1, 20 22

**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board to amend Local Law 8, 2021, *regarding the NYSTRETCH ENERGY CODE - 2020*. This public hearing is scheduled for the 30th day of November, 2021 at 7:45 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: November 2, 2021

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney



**AFFIDAVIT OF PUBLICATION
FROM**

**State of Wisconsin
County of Brown, ss.:**

On the 16 day of November in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tutt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Tutt being duly sworn says that he/she is the principal clerk of **THE JOURNAL NEWS**, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

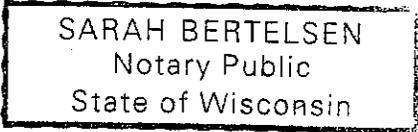
**Zone:
Rockland**

**Run Dates:
11/16/2021**

Linda Tutt
Signature

Sworn to before me, this 16 day of November, 2021

Sarah Bertelsen
Notary Public, State of Wisconsin, County of Brown



7/27/25
My commission expires

Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincoln Dale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0004998302

TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board to amend Local Law 8, 2021, regarding the NYSTRECH ENERGY CODE - 2020. This public hearing is scheduled for the 30th day of November, 2021 at 7:45 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: November 2, 2021

Rosanna Sfraga, Town Clerk

Robert Magrino, Town Attorney 4998302

EXHIBIT

11-c-21; 11/30/21

STATE OF NEW YORK }
COUNTY OF ROCKLAND }
TOWN OF ORANGETOWN }

SS.

Rosanna Sfraga being duly sworn upon her oath deposes and says;

That, she is, at all times, hereinafter mentioned was, duly elected,
Qualified and acting Town Clerk of the **TOWN of ORANGETOWN**, in the County of
Rockland, State of New York.

That, on the 9th day of November, 2021, she caused to be conspicuously posted
and fastened up a notice, a true copy of which is annexed hereto and made a part of
hereof, in the following places, at least one of which is a public place within the **TOWN
of ORANGETOWN**, New York.

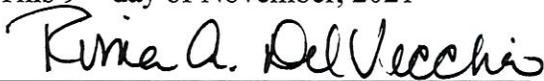
1. Town Hall Bulletin Boards
2. Town's Website (orangetown.com)
- 3.
- 4.
- 5.



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 9th day of November, 2021



Rima A. DelVecchio
Notary Public, State of NY
No. 01DE622835
Qualified in Rockland County
Commission Exp. June 1, 2022

**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board to consider Dominican College Athletic Complex Synthetic Turf Field's application for a *Watercourse Diversion Permit*. The property is located at 470 Western Hwy, Orangeburg, New York. This public hearing is scheduled for the 30th day of November, 2021 at 8:00 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: November 9, 2021

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney



**AFFIDAVIT OF PUBLICATION
FROM**

**State of Wisconsin
County of Brown, ss.:**

On the 16 day of November in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tutt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Tutt being duly sworn says that he/she is the principal clerk of **THE JOURNAL NEWS**, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

**Zone:
Rockland**

**Run Dates:
11/16/2021**

Linda Tutt
Signature

Sworn to before me, this 16 day of November, 2021

Sarah Bertelsen
Notary Public, State of Wisconsin, County of Brown

SARAH BERTELSEN
Notary Public
State of Wisconsin

7/27/25
My commission expires

Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0004997643

**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board to consider Dominican College Athletic Complex Synthetic Turf Field's application for a Watercourse Diversion Permit. The property is located at 470 Western Hwy, Orangeburg, New York. This public hearing is scheduled for the 30th day of November, 2021 at 8:00 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: November 9, 2021

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney 4997643

HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

October 27, 2021

Ms. Rosanna Sfraga
Town Clerk
Town of Orangetown
20 South Greenbush Road
Orangeburg, NY 10962

RE: Application for Watercourse Diversion (Dominican College)
482 Western Highway in Blauvelt, NY
Tax Lot #74.06-3-1.3; R-40 Zoning District

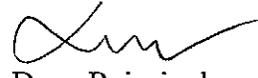
Dear Ms. Sfraga:

The Rockland County Highway Department ("RCHD") was received a letter from Richard S. Pakola, Esq., the Deputy Orangetown Attorney, dated 10.08.21, in reference to the above application as part of the GML review process. The site plan was prepared by H2M Engineers, dated 08.30.21. The review has been complete now and our comment is as follows:

1. The RCHD believes that the proposed action would have no significant effects upon the County Roads. The department has no further comments.

We appreciate you for the opportunity to review the application. Please feel free to contact us at 845 638 5060 with any question or concern you may have regarding this matter.

Thank you.


Dyan Rajasingham
Engineer III

CC: Rockland County Department of Planning

TOWN OF ORANGETOWN
2021 NOV - 1 P 2:55
TOWN CLERK'S OFFICE

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Helen Kenny Burrows
Deputy Commissioner

November 19, 2021

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data: 74.06-3-1.3 74.06-3-1.1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 8/30/2021

Date Review Received: 12/12/2021

TOWN OF ORANGETOWN
2021 NOV 24 AM 11:09
TOWN CLERK'S OFFICE

Item: DOMINICAN COLLEGE WATERCOURSE DIVERSION (O-1594XX)

Watercourse diversion permit to allow the relocation of an unnamed watercourse located on two parcels totaling 12.5 acres in the R-40 zoning district. The watercourse is to be diverted to facilitate the replacement of an existing field with a synthetic turf, multi-use athletic field and a six lane track. A new press box, scoreboard, 270 seat non-elevated angle frame bleachers on a reinforced concrete slab, and associated concrete and asphalt walkways will also be installed.

West side of Western Highway, south side of Convent Road

Reason for Referral:

Western Highway (CR 15), Convent Road (CR 26), federal wetlands

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

****Recommend the following modifications***

- 1 As per their letter of November 8, 2021, a review of the stormwater management system must be completed by the Rockland County Department of Health to ensure compliance with the County Mosquito Code.
- 2 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 3 There shall be no net increase in the peak rate of discharge from the site at all design points.

DOMINICAN COLLEGE WATERCOURSE DIVERSION (O-1594XX)

4 The application materials indicate a stormwater pollution prevention plan (SWPPP) was submitted. The SWPPP shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
United States Army Corps of Engineers
Rockland County Department of Highways
Rockland County Department of Health

H2M architects + engineers

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

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

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

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

Rockland County

HEALTH

CENTER FOR ENVIRONMENTAL HEALTH

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building D
Pomona, New York 10970
Phone: (845) 364-2608 Fax: (845) 364-2025



Public Health
Prevent. Promote. Protect.

EDWIN J. DAY
County Executive

PATRICIA S. RUPPERT, DO, MPH, CPE, DABFM, FAAFP
Commissioner of Health

SAMUEL RULLI, PE
Director, Environmental Health

November 8, 2021

Ms. Rosanna Sfraga, Town Clerk
Town of Orangetown Clerk's Office
26 West Orangeburg Road
Orangeburg, NY 10962

Re: Dominican College Watercourse Diversion
Site Plan
Tax lot 74.06-3-1.1, 1.3

Dear Ms. Sfraga:

We have received an application and plans as prepared by H2M Architects and Engineers, revised through August 30, 2021, for the above referenced project. Comments are as follows:

1. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

If you have any questions regarding this matter, do not hesitate to call.

Very truly yours,



Elizabeth Mello, P.E.
Senior Public Health Engineer
(845) 364-2616

cc: Helen Kenny-Burrows, Rockland County Department of Planning
H2M Architects and Engineers

TOWN OF ORANGETOWN
2021 NOV 10 A 11:39
TOWN CLERK'S OFFICE

Rocklandgov.com

