



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
May 21, 2024**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

Councilperson Paul Valentine
Councilperson Jerry Bottari
Councilperson Brian Donohue
Councilperson Dan Sullivan
Supervisor Teresa M. Kenny

Also Present:

Denis Troy, Deputy Supervisor
Allison Kardon, Supervisor's Confidential Assistant
Carmel Reilly, Director of Economic Development & Tourism
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Janice Ganley, Supervisor of Fiscal Services
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEMA
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob Urban, Human Resource Coordinator
Matthew Lenihan, Computer Network Specialist
Brendon Carton, IT Department
Donald Butterworth, Police Chief

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

Recognizing May 2024 as ALS Awareness Month

PRESENTATIONS:

Proclamation for Mental Health Awareness to NAMI Rockland

DISCUSSIONS:

**Proposed Zone Change / Western Hwy and Ellsworth Drive
Workshop of Agenda Items**

RESOLUTION NO. 258

OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue,
Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

Summary of Public Comments: None

**RESOLUTION NO. 259
CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 260
APPROVE / WATERCOURSE DIVERSION – 64 & 140 LEBER ROAD, BLAUVELT, NY**

WHEREAS, on March 27, 2024, the Town of Orangetown Planning Board conducted a public hearing and declared itself lead agency relating to the application of Onyx Management Group, LLC, for site plan approval, relating to property located at 64 and 140 Leber Road, Blauvelt, New York, Section 70.06, Block 1, Lots 47 (140 Leber Road) and 50.4 (64 Leber Road), PB # 24-08, for which the instant 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 for the watercourse diversion;

WHEREAS, on March 28, 2024, the applicant through its attorney Seth M. Mandelbaum, Esq., from the law firm of McCullough, Goldberger & Staudt, LLP, filed with the Clerk of the Town of Orangetown pursuant to the Town Code of the Town of Orangetown Chapter 41, an application for a watercourse diversion permit relating to the property located at 64 and 140 Leber Road, Blauvelt, New York;

WHEREAS, upon review by the Town of Orangetown Planning Board, Highway Department, Department of Environmental Management and Engineering (DEME), Town Attorney’s Office, and Office of Building, Zoning, Planning, Administration and Enforcement (OBZPAE), respectively, indicating no objection to the application for said watercourse diversion permit;

NOW THEREFORE, BE IT RESOLVED, pursuant to Town of Orangetown Town Code Chapter 41, the request from Seth Mandelbaum, Esq., attorney for Onyx Management Group, LLC, the property owner of 64 and 140 Leber Road, Blauvelt, New York, Section 70.06, Block 1, Lots 47 (140 Leber Road) and 50.4 (64 Leber Road), for a watercourse diversion permit is hereby approved.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 261
SET PUBLIC HEARING ON PROPOSED RENEWAL OF THE CABLEVISION OF
ROCKLAND/RAMAPO, LLC FRANCHISE AGREEMENT / JUNE 11, 2024 AT 7:05 PM**

RESOLVED, that the Town Board will hold a public hearing on June 11, 2024 at 7:05 pm in the Town Hall of the Town of Orangetown, New York, for all interested persons to be heard in favor of or in opposition to the proposed renewal of the Cablevision of Rockland/Ramapo, LLC franchise agreement for a period of fifteen years.

RESOLUTION NO. 261 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

RESOLUTION NO. 262

ACCEPT PETITION/REQUEST FOR ZONE CHANGE AND DIRECT CIRCULATION OF PROPOSED LOCAL LAW, AMENDING TOWN ZONING MAP (283 N MIDDLETOWN RD, PEARL RIVER / 68.12-3-24

WHEREAS, the owner of premises located at 283 North Middletown Road, Pearl River, New York, being located in the "MFR" (Multi Family Residential) zoning district, has petitioned the Town Board to change the zoning classification of the property to that of "RG" (Residential), a zoning district that directly abuts the property; and

WHEREAS, upon preliminary review, the Town Board is favorably disposed to such a change, because property currently abuts an RG zone, the lot is already partially zoned as RG, and the proposed use as a single-family residence, would be an appropriate use on the site; and

WHEREAS, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as review by other interested agencies; and

WHEREAS, upon review of the Petition, and a Short Environmental Assessment Form prepared at the Town Board's request by the Office of Building, Zoning, Planning and Administration and Enforcement, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:
 - Orangetown Planning Board;
 - Rockland County Department of Planning;
 - Rockland County Highway Department

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- 1 & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Zoning Map, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 263
SET PUBLIC HEARING ON PROPOSED ZONE CHANGE FOR 283 NORTH
MIDDLETOWN ROAD PEARL RIVER / 68.12-3-24 / JUNE 25, 2024 AT 7:10 PM**

RESOLVED that the Town Board will hold a public hearing on June 25, 2024 at 7:10 p.m., on a proposed Local Law, as follows, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel known as 283 North Middletown Road, tax lot 68.12/3/24 in the hamlet of Pearl River from “MFR” (Multi Family Residential) to “RG” (General Residence).

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**PROPOSED LOCAL LAW
AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF
ORANGETOWN
TO CHANGE THE ZONING DISTRICT OF CERTAIN PROPERTY
IN THE HAMLET OF PEARL RIVER**

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

Section 1: The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended to change the zoning district of the following properties:

283 North Middletown Road (Tax Map Designation Section 68.12 Block 3 Lot 24) from the “MFR” (Multi Family Residential) zoning district to the “RG” (General Residence) zoning district.

Section 2: This law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION NO. 264
GRANT EXTENSION / UNPAID LEAVE OF ABSENCE / EMPLOYEE # 2152 /
REFERENCE RESOLUTION 2024-181**

RESOLVED, that the Town Board hereby, pursuant to the terms and conditions of the current Collective Bargaining Agreement, approves the request of Employee # 2152, for an extension of an unpaid Leave of Absence, with continuing health benefits, which Leave commenced on April 3, 2024 and is hereby extended through June 25, 2024.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 265
APPROVE / CHANGE ORDER #1 / FRANKLIN STREET BASKETBALL COURTS /
CURBING REPAIR & REPLACEMENT**

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance approve change order number one for the Franklin Street Basketball Court project for the repair and replacement of curbing in the amount of \$8,500.00. Bringing the original contract amount with Sport Tech Construction from \$160,000.00 to \$168,500.00, which is covered by grant funding.

RESOLUTION NO. 265 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 266
APPROVE INSTALLATION OF STOP SIGN AT INTERSECTION OF SOUTH BROADWAY AND ELIZABETH PLACE IN SOUTH NYACK / 6-MONTH POLICE REGULATION**

RESOLVED that, upon the recommendation of the Orangetown Traffic Advisory Board, and in accordance with the NYS Manual on Uniform Traffic Control Devices (MUTCD), the Town Board approves the installation of a stop sign on South Broadway, heading south, at the intersection of South Broadway and Elizabeth Place, in South Nyack, under a 6-month Police Regulation to be reviewed between 5 and 6 months after implementation.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 267
COMBINE / APPROVE AGENDA ITEMS #11 TO 16**

RESOLVED, the Town Board hereby combines and approves agenda items #11 to 16.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 268
APPROVE / LEND ASSISTANCE/ PALISADES MEMORIAL DAY CEREMONY**

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Palisades Memorial Day Parade to be held on Monday, May 27, 2024 from 8:45 am - 9:45 am.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 269
APPROVE / LEND ASSISTANCE / SPARKILL MEMORIAL DAY PARADE**

RESOLVED, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades from the Highway Dept., and auxiliary police detail from the Police Dept., for the Sparkill Memorial Day Parade to be held on Monday, May 27, 2024, from 11:30 am - 12:30 pm.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 270
APPROVE/ LEND ASSISTANCE/ CLAUSLAND MOUNTAIN WATCHFIRE/ MAY 30, 2024**

RESOLVED, upon the recommendation of the Superintendent of Highways, that the Town Board hereby authorizes these departments to lend assistance which includes the use of a 500-gallon tank from the Highway Department for the Clausland Mountain Watchfire at Nike Park, to be held on Thursday, May 30, 2024.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 271
APPROVE / LEND ASSISTANCE / PEARL RIVER SCHOOL DISTRICT / SHOWMOBILE
JUNE 1, 2024**

RESOLVED, that upon the completion of the necessary paperwork the Superintendent of Parks, Recreation & Building Maintenance forwards to the Town Board for approval the use of the Orangetown Showmobile by the Pearl River School District for their Art's in the Park event to be held at Central Avenue Field on June 1, 2024 with the District providing an insurance certificate naming the Town of Orangetown as an additional insured and the fee of \$500.00 is waived..

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

**RESOLUTION NO. 272
APPROVE/ LEND ASSISTANCE/ ST. JOHN HENRY NEWMAN EUCHARISTIC
PROCESSION / JUNE 2, 2024**

RESOLVED, upon the recommendation of the Superintendent of Highways and the Chief of Police that the Town Board hereby authorizes these departments to lend assistance which includes road use from the Highway Department and police assistance from the Police Department for the St. John Henry Newman Eucharistic Procession on Sunday, June 2, 2024 from 9:50am- 10:30am.

RESOLUTION NO. 272 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

RESOLUTION NO. 273

APPROVE / LEND ASSISTANCE / SHOWMOBILE & PORTO-JONS / BLUE HILL GOLF COURSE CENTENNIAL CELEBRATION / JULY 19, 2024

RESOLVED, that upon the completion of the necessary paperwork the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board the use of the Orangetown Showmobile and providing of porto-jons for the Blue Hill Golf Course Centennial Celebration to be held on July 19, 2024 at the Blue Hill Golf Course

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

RESOLUTION NO. 274

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 two (2) warrants (attached) for a total of \$1,032,571.66.

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

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

RESOLUTION NO. 275

ENTER EXECUTIVE SESSION

In attendance, at this Executive Session were Supervisor Kenny, Deputy Supervisor Troy, Councilpersons Jerry Bottari, Paul Valentine, Dan Sullivan and Brian Donohue, Robert Magrino, and Aric Gorton.

RESOLVED, at 7:35 pm, the Town Board entered Executive Session to discuss matters relating to employment and the proposed acquisition/sale/lease of real property when publicity might affect value.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 276
RE-ENTER RTBM**

RESOLVED, at 8:23 pm, the Town Board re-entered the Regular Town Board Meeting.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 277
APPOINT / ANTHONY DEROBERTIS / ALTERNATE MEMBER / ORANGETOWN
ZONING BOARD OF APPEALS / 1-YEAR TERM**

RESOLVED, that Anthony DeRobertis is hereby appointed as an ALTERNATE MEMBER to the Orangetown Zoning Board of Appeals for a period of 1-year, commencing May 22, 2024 and expiring on December 31, 2024.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 278
APPOINT / MICHAEL SANDHAGE / MEMBER / ORANGETOWN ARCHITECTURE
AND COMMUNITY APPEARANCE BOARD OF REVIEW / 3-YEAR TERM**

RESOLVED, that Michael Sandhage is hereby appointed as Member to the Orangetown Architecture and Community Appearance Board of Review for a Period of 3-years, commencing May 22, 2024 and expiring on December 31, 2026.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None

**RESOLUTION NO. 279
ADJOURNED / MEMORY**

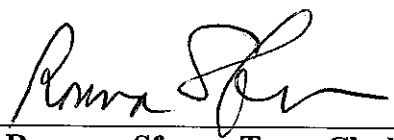
RESOLVED, at 8:25 pm, the Town Board adjourned in memory of: **Josephine Urban**, Resident of Orangeburg and Former Chairperson of the Orangetown Senior Citizen Club and **Mark Woods**, Town of Clarkstown Councilman.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue, Councilperson Dan Sullivan, Supervisor Teresa M. Kenny

Noes: None



Rosanna Sfraga, Town Clerk

Town of Orangetown

DATE: May 21, 2024

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	051524	\$ 285,669.49 utilities
	052124	\$ 746,902.17
		\$ 1,032,571.66

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

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

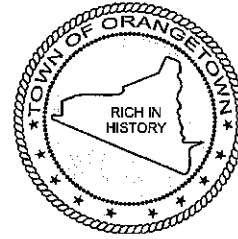
Councilman Daniel Sullivan

Councilman Brian Donohue

Supervisor Teresa M. Kenny

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 05/16/24
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 05/21/2024 consists of 2 warrants for a total of \$1,032,571.66.

The first warrant was for \$285,669 and was for utilities.

The second warrant had 139 vouchers for \$746,902 and had the following items of interest.

1. CANDLE (p10) - \$12,500 for substance abuse programs.
 2. Capasso & Sons (p11) - \$90,817 for recycling.
 3. Collier's Engineering & Design (p12) - \$5,945 for Villa drive survey.
 4. Cotter, Michael (p13) - \$6,325 for title searches.
 5. Crown Castle Fiber (p13) - \$6,748 for connectivity.
 6. Fleet Pump Services (p15) - \$9,850 for sewer equipment.
 7. Fred Devens Construction (p17) - \$308,759 for Tier IV pump station repairs.
 8. Global Montello (p31) - \$43,293 for fuel.
 9. Goosetown Enterprises (p19) - \$12,754 for Police leases.
 10. JP Morgan Equipment Finance (p21) - \$53,838 for energy performance contract.
 11. Kuehne Chemical Co. (p22) - \$7,427 for sewer chemicals.
 12. RCSWMA (p35) - \$11,019 for solid waste removal.
 13. S & L Plumbing & Heating (p36) - \$43,628 for new town hall HVAC.
 14. Sport-Tech Acrylics (p37) - \$24,700 for crack repairs at in-line rink.
 15. WW Grainger (p48) - \$6,439 for sewer equipment.
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Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA
845-359-5100 x2204