



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
June 25, 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:

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. Administrator (Highway Dept)
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
Brendon Carton, IT Department
Donald Butterworth, Police Chief

Pledge of Allegiance to the Flag

PRESENTATIONS:

Day Camp Scholarship Presentation

Kyle John Boyce Memorial Scholarship Committee presents a check to the Parks and Recreation Day Camp for two children to attend the 2024 summer camp program

Eagle Scout Project Presentation

Joshua Rodgers / Eagle Scout Fence Project at the James H. Anderson American Legion Post #1199 in Orangeburg (Exhibit 06-25-A)

DISCUSSION:

WORKSHOP OF AGENDA ITEMS

RESOLUTION NO. 320

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:

SK Bailey, Jerry Ilowite, Joseph Ende, Danny Coscia and Andrew Goodwillie, S. Nyack, are thrilled about the Town purchasing the church property on Piermont Rd and getting the Yeshiva up to code. They are concerned with environmental impacts, access to the water, retaining sea-walls, parking, security, safety and respect to neighboring properties.

Brian & Caroline Clerkin, Pearl River, spoke about flooding from Cherry Brook and complained that the Cherry Brook project (to reduced flooding) was incomplete.

RESOLUTION NO. 321
CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

Councilperson Jerry Bottari 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. 322
ZONE TEXT AMENDMENT PETITION WITHDRAWN / DISCONTINUE PUBLIC HEARING / SPECIAL PERMIT USE / FARM WINERY/CIDERY

WHEREAS, pursuant to Town Board Resolution No. 2023-502, the Town Board accepted the petition of the owner of the premises located at 68 Sickletown Road, Orangeburg, New York for a text amendment to the Town zoning code to permit "Farm Winery/Cidery and Agrotourism" as a Special Permit Use in the R80 and R40 zoning districts, and

WHEREAS, the petitioner, through its counsel, has advised the Town Clerk that they seek to withdraw the petition and discontinue the public hearing thereon, and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby discontinues the public hearing regarding the petition for a Proposed Zone Text Amendment to Special Permit Uses to include Farm Winery/Cidery in the R80 and R40 zoning districts, with no further action to be taken on the petition.

Councilperson Brian Donohue 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. 323
OPEN PUBLIC HEARING / PROPOSED ZONE CHANGE FOR 283 NORTH MIDDLETOWN ROAD, (68.12-3-24) PEARL RIVER

RESOLVED, that the public hearing regarding a proposed Local Law amending Chapter 43, § 2.2 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) is hereby opened.

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

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication, Postings & mailing and comments from other agencies, which are labeled Exhibit 06-25-B and made a part of these minutes.

Donald Brenner, attorney for petitioner, presented and explained the Petition (Exhibit 06-25-C).

Summary of Public Comments: None

**RESOLUTION NO. 324
CLOSE PUBLIC HEARING / PROPOSED ZONE CHANGE FOR 283 NORTH MIDDLETOWN ROAD, (68.12-3-24) PEARL RIVER**

RESOLVED, that the public hearing regarding a proposed Local Law amending Chapter 43, § 2.2 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) is hereby closed.

Councilperson Jerry Bottari 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. 325
ADOPT A NEGATIVE DECLARATION / AMENDING THE TOWN ZONING LAW TO CHANGE THE ZONING DISTRICT, FOR 283 NORTH MIDDLETOWN ROAD, PEARL RIVER TAX LOT 68.12-3-24 FROM "MFR" TO "RG"**

WHEREAS, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the parcel known as 283 North Middletown Road in the hamlet of Pearl River, tax lot Section 68.12 Block 3 Lot 24 from Multi Family Residence ("MFR") to General Residence ("RG"), and

WHEREAS, on or about May 22, 2024, pursuant to Town Board Resolution 2024-262 the Town Board circulated amongst various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

WHEREAS, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

WHEREAS, acting in its capacity as Lead Agency for environmental review, and after taking a "hard look" at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the zoning classification of the subject parcel affected by the proposed Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or her designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board's responsibilities as Lead Agency.

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. 326
ADOPT LOCAL LAW 7, 2024 / CHANGE ZONE / 283 NORTH MIDDLETOWN ROAD / TAX LOT 68.12/3/24 / FROM MFR TO RG**

WHEREAS, the Town Board of the Town of Orangetown (the "Town Board") is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town's Zoning Law; and

WHEREAS, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2 to change the zoning district of the parcel known as 283 North Middletown Road in the hamlet of Pearl River, identified as section 68.12 block 3 (portion of) lot 24 on the Town of

RESOLUTION NO. 326 - Continued

Orangetown tax map, being located in the "MFR" (Multi Family Residence), to "RG" (General Residence) a zoning district that already directly abuts the property, and

WHEREAS, by Resolution No. 262 of 2024, after notice duly given, and there being no other involved agency, by resolution duly adopted this 25th day of June, 2024, the Town Board assumed the role of Lead Agency under SEQRA for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town's Zoning Law and determined the issuance of Negative Declaration is appropriate; and

WHEREAS, following due notice, a public hearing was conducted on the proposed zone change amendment; and

WHEREAS, the Board has concluded that the proposed zone change which changes the zoning classification of the subject parcel to a zoning district which already abuts the parcel due to a previous zone change, is consistent with the Town's Comprehensive Plan wherein it indicates on page IV-2 that "encouraging additional residential uses along this roadway would also be beneficial, strengthening the roadway's mixed-use character", and otherwise is in the best interests of the Town and the owner of the parcel, who has requested the change of zoning classification; and

WHEREAS, the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the County Planning Department, pursuant to General Municipal Law §§ 239 l & m, have each reviewed the proposed law; and

WHEREAS, the Town Planning Board, by Memorandum, dated June 26, 2019, following due consideration at a public meeting held on the same date, has indicated that it does not object to the Town Board serving as Lead Agency and

WHEREAS, the Town Board finds that amending the zoning classification of this property will not have a significant impact on traffic or emergency services in the area, , and

WHEREAS, the County Department of Planning, by letter review dated June 3, 2024, has remanded the matter for "local decision":

NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED, that the Town Board hereby adopts the within Local Law, amending the Town Zoning Law, and the Town Zoning Map made a part of the Town Code at Chapter 43, § 2.2., and changes the zoning classification of a portion of the referenced parcel known as 283 North Middletown Road, Pearl River, tax lot 68.12/3/24 from "MFR" to "RG".

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

**LOCAL LAW 7, 2024
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 property:

A portion of 283 North Middletown Road (Tax Map Designation Section 68.12 Block 3 Lot 24) from the "MFR" (Multi Family Residence) zoning district to the "RG" (General Residence) zoning district. The metes and bounds description is as follows:

LOCAL LAW 7, 2024 - Continued

ALL That certain plot, piece or parcel of land, with the building and improvements Thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland and State of New York more particularly bounded and described as follows:

BEGINNING at a point on the Northerly line of tax lot 68.12-3-28 said point being N85°47'00"W, a distance of 500.07' from the Northeasterly comer of tax lot 68.12-3-25; **RUNNING THENCE** along the Northerly line of tax lot 68.12-3-28 N 85°47'00" W, a distance of 67.97'; **THENCE** through tax lot 68.12-3-24 N 4°13'04" E, a distance of 99.91' to the Southerly line of tax lot 68.12-3-22; **THENCE** along the Southerly line of tax lot 68.12-3-22 S 85°47'00" E, a distance of 67.97'; **THENCE** through tax lot 68.12-3-24 S 4°13'00" W, a distance of 99.91' to the **POINT OF BEGINNING** containing 6,791.04 Sq. Ft. More or less;

See Map depicting the area attached.

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

**RESOLUTION NO. 327
APPROVE / WAIVE BUILDING DEPARTMENT FEE / EAGLE SCOUT FENCE PROJECT
JAMES H. ANDERSON AMERICAN LEGION POST #1199**

RESOLVED, they Town Board hereby approves the request to waive the Building Department fees for Joshua Rodgers' Eagle Scout Fence Project at the James H. Anderson American Legion Post # 1199 located at 61 Hunt Road, Orangeburg in the amount of \$204 for a permit fee and for \$220 for GIS and Stream Maintenance fees, for a total amount of \$424.

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. 328
AUTHORIZATION FOR THE TOWN OF ORANGETOWN TO PURCHASE REAL PROPERTY
LOCATED AT 149-157 PIERMONT AVE., (66.54-2-11) S. NYACK, NEW YORK / SUBJECT
TO PERMISSIVE REFERENDUM**

WHEREAS, the LIVING CHRIST CHURCH OF THE CHRISTIAN AND MISSIONARY ALLIANCE, INC. f/k/a SIMPSON MEMORIAL CHURCH, Inc. (the "Seller") is the owner of that certain parcel of real property located in the Town of Orangetown, County of Rockland, and State of New York, containing approximately 6.5 acres, and having the Tax Map Identification Number: 66.54-2-11 (the "Property"); and

WHEREAS, the Seller desires to sell the Property to the Town of Orangetown (the "Town") and the Town desires to purchase the Property from the Seller, for public purposes, including but not limited to, the development of unspecified Town facilities for use by the public; and

WHEREAS, the Town Board of the Town of Orangetown desires to act as Lead Agency for the purpose of completing an assessment of the potential adverse environmental impacts related to a proposed acquisition of the Property pursuant to Article 8 of the Environmental Conservation Law of the State of New York and the regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as "SEQRA");

NOW THEREFORE BE IT RESOLVED that the proposed acquisition of the Property constitutes an Unlisted Action as that term is defined pursuant to 6 NYCRR § 617.2(al) of the SEQRA regulations subject to an uncoordinated review conducted by the Town Board as Lead Agency pursuant to SEQRA; and be it further

RESOLUTION NO. 328 - Continued

RESOLVED that upon completing Parts 1, 2 and 3 of a Short Environmental Assessment Form ("EAF") assessing the potential adverse environmental impacts of the proposed acquisition of the Property, and having thoroughly analyzed the identified areas of relevant environmental concern and comprehensively reviewed and deliberated upon the pertinent information contained in the EAF, as well as all documentation associated with the proposed acquisition, including the EAF Mapper results accompanying the EAF and the criteria set forth in 6 NYCRR § 617.7(c) of the SEQRA regulations, the Town determines that the proposed acquisition of the Property does not present a potential significant adverse environmental impact; and

RESOLVED that the Town Board therefore issues a Negative Declaration pursuant to 6 NYCRR § 617.7 of the SEQRA regulations for the proposed acquisition of the Property; and be it further

RESOLVED that the Supervisor for the Town of Orangetown (the "Supervisor") or her designee is hereby authorized to execute an agreement to purchase the Property for \$3,050,000.00 (Three Million Fifty Thousand Dollars) on the terms and conditions detailed in that certain Purchase and Sale Agreement between the Seller and Town and to execute any and all documents necessary to effectuate the purchase, transfer and acquisition of the Property from Seller; and be it further

RESOLVED that the Supervisor or her designee is hereby authorized and directed to have performed appropriate inspections of the property, and to have a title search performed by a licensed New York State title agency, and upon completion of sale, have recorded with the Rockland County Clerk the bargain and sale deed and, as necessary, any other documentation related to the purchase of the Property by the Town of Orangetown; and be it further

RESOLVED that this resolution be subject to Permissive Referendum; and be it further

RESOLVED that the Town Clerk duly advertise for the Permissive Referendum related to the purchase of the Property, as required by law; and be it further

RESOLVED that the Town Clerk of the Town of Orangetown shall cause a certified copy of this Resolution to be duly recorded in the Office of the Clerk of Rockland County within ten (10) days of the adoption of this Resolution.

Councilperson Jerry Bottari 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. 329**ACCEPT HOLD HARMLESS AND INDEMNIFICATION / LIFRIERI / 2 HENRY STREET ORANGEBURG (74.09-2-49)**

RESOLVED, upon the recommendation of the Superintendent of Highways and upon review and approval of the Town Attorney, accept a Hold Harmless and Indemnification / License Agreement from Frank Lifrieri and Patricia Lifrieri, 2 Henry Street, Orangeburg, New York, with respect to two stone pillars in Town right of way, and authorize the Town Attorney to execute same on behalf of the Town.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine 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. 330
APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX
CERTIORARI PROCEEDING RE. PIERMONT RIVER ESTATES LLC V. TOWN OF
ORANGETOWN (TAX LOTS #66.54-2-16.1 & 16.2)**

RESOLVED that, upon the recommendation of the Tax Assessor, approve and authorize Robert V. Magrino, Town Attorney, and any of his Deputy Town Attorneys, to sign settlement documents regarding the tax certiorari proceeding *Piermont River Estates LLC v. Town of Orangetown, and Nyack Union Free School District* (NYS Supreme Court, Rockland County, Index Numbers 033214/2020, 034402/2021, 033245/2022 & 033527/2023), for property commonly known as 170-190 Piermont Avenue, South Nyack (Tax Map Designations: 66.54-2-16.1 & 66.54-2-16.2), for the tax certiorari filing years 2020 through 2023, for a total refund by the Town of \$4,592.00, a total refund by the School District of \$13,713.00, and a total refund by the County of \$1,353.00. The Board of Education, of the Nyack Union Free School District, has approved of this settlement. Interest on the Town's liability, as a result of a property tax assessment decrease or refund, is waived if payment is made within sixty (60) days after a copy of the Court Order, based upon the settlement, is served on the Rockland County Finance Department.

Councilperson Brian Donohue 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. 331
APPROVE / STIPULATION OF SETTLEMENT / THE VILLAGE OF SOUTH NYACK V.
YESHIVA VIZNITZ DKHAL CHAIM, INC.**

WHEREAS, the Village of South Nyack commenced an action under Rockland County Index No. 031081/2021 entitled *The Village of South Nyack v. Yeshiva Viznitz Dkhal Chaim, Inc.* with respect to the use and occupancy of certain properties located in the former village that is owned by the named defendant, which formally constituted the grounds of Nyack College, and

WHEREAS, upon the dissolution of the Village of South Nyack, the Town of Orangetown, pursuant to the relevant sections of Article 17-a of the New York General Municipal Law, undertook to prosecute the matter in the name of the Town of Orangetown as plaintiff, and or against the local government entity to be dissolved shall abate by reason of its dissolution, and the case now being prosecuted by "The Town of Orangetown as successor to Village of South Nyack", and

WHEREAS, the parties to the action had been directed by the Court to participate in mediation in an effort to resolve the matter, and, as part of the mediation process, the defendant has undertaken to obtain necessary approvals, including building permits and certificates of occupancy, for various buildings on the campus, to the satisfaction of the Town's Office of Building Zoning, Planning, Administration and Enforcement (OBZPAE) and the Court, and the parties have agreed to resolve the matter through a Stipulation of Settlement, a copy of which is annexed hereto for reference,

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the matter to be settled by entering into a Stipulation of Settlement between the Town and the defendant, which Stipulation requires the defendant to not perform any physical or structural alterations at the property without appropriate permits, and to not occupy any buildings without appropriate approvals, otherwise the defendant would be subject to contempt proceedings under New York State Judiciary Law, and authorizes counsel for the Town to execute any and all documents necessary to implement the purposes of this resolution.

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. 332
APPROVE RETAINER AGREEMENT WITH WILSON ELSER / FAY v. ORANGETOWN**

RESOLVED, on the recommendation of the Town Attorney, approve the retainer of Wilson Elser to represent the Town in connection with the matter of Fay v. Orangetown, Rockland Index No. 031509/2024, on the terms and conditions set forth in a proposed Engagement Letter, incorporated by reference herein, and authorize the Supervisor, or her designated representative, to execute a copy thereof.

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. 333
AWARD BID/ SCHULTZ FORD/ 2024 FORD ESCAPE HYBRID**

RESOLVED, based on the recommendation of the Superintendent of Highways, award bid for (1) 2024 Ford Escape Hybrid to Schultz Ford, Nanuet, NY, the low bidder in the amount of \$ 38,352.83 in accordance with NYS OGS Vehicle Marketplace Solicitation 23166 to be charged to H.5130.200.08.

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. 334
APPROVE / AMEND RESOLUTION NO. 237/2024 / REVISED 2024 PAVEMENT PRESERVATION PROGRAM LIST OF ROADS AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES / ORANGETOWN 2024 PAVEMENT PRESERVATION REPAIR / IMPROVEMENT PROGRAM**

WHEREAS, Resolution No. 2024-237 approved the agreement expenditure of Highway Monies/ Orangetown 2024 Pavement Preservation/ Repair Improvement Program.

WHEREAS, the Superintendent of Highways has submitted a revised list of roads which will be treated in the 2024 Pavement Preservation Program.

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Highways, approve the following revise list roads to be treated in the 2024 Pavement Preservation Program:

PEARL RIVER

Adams Ct	Buchanan St	Eric Dr
Fillmore St	Franklin Ave	Harding St
Hawk St	Jay St	Kerry Ct
Lark St	Mercury Dr	Mountainview Ave
Railroad Ave	Renee Ln	Robin St
Stone Haven Rd	Van Buren St	Villa Dr

ORANGEBURG

Bunker Hill Rd	Deer Park Rd	Fort Lee Pl
Jim Dean Dr	Kingswood Dr	Monmouth Ct
North Queen's Ct	Prince's Gate	Ramland Rd
Rutgers Rd E.	Rutgers Rd W.	South Queen's Ct

BLAUVELT

Blauvelt Rd	Burrows Ln	Derfuss Ln
Eisenhower Ct	Ellsworth Dr	Garber Hill Rd
Glenwood Dr	Holly Ct	Hoover St
John F Kennedy Dr	Johnson Ln	Lapin Ln

RESOLUTION NO. 334 - Continued**BLAUVELT - Continued**Michael Dr
Paul CtMilton Grant Dr
Terry Ln

North Moison Rd

TAPPANBrandt Ave
Rockland Park Ave
Wayne LnCampbell Ave
Van Wardt PlLexington Rd
Washington Ave**SOUTH NYACK**Chase Ave
Lowland Drive
Upland DriveCollege Ave
Prospect Street
Washington StElysian Ave
Ross Ave
White Ave**SPARKILL**

William St

Councilperson Brian Donohue 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. 335**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 four (4) warrants (Exhibit 06-25-D) for a total of **\$2,238,948.69**.

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. 336**ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session were Supervisor Kenny, Councilpersons Dan Sullivan, Paul Valentine, Jerry Bottari and Brian Donohue, Robert Magrino, and Jeff Bencik.

RESOLVED, at 7:47 pm, the Town Board entered Executive Session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine 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. 337**RE-ENTER RTBM / ADJOURNED**

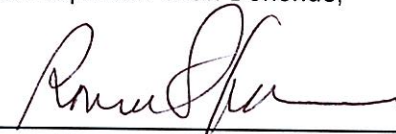
RESOLVED, at 8:32 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned.

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

Eagle Scout Service Project Proposal

American Legion Fence and Clean up

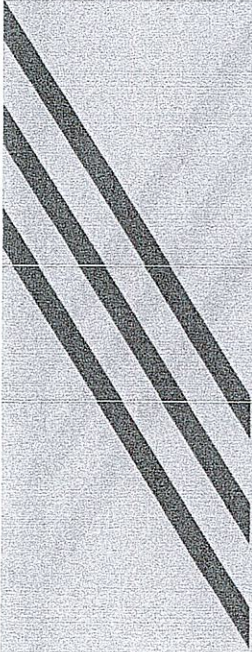
Joshua A. Rodgers, Troop 36 Pearl River, NY



EXHIBIT

06-25-A

Overview



Project Steps

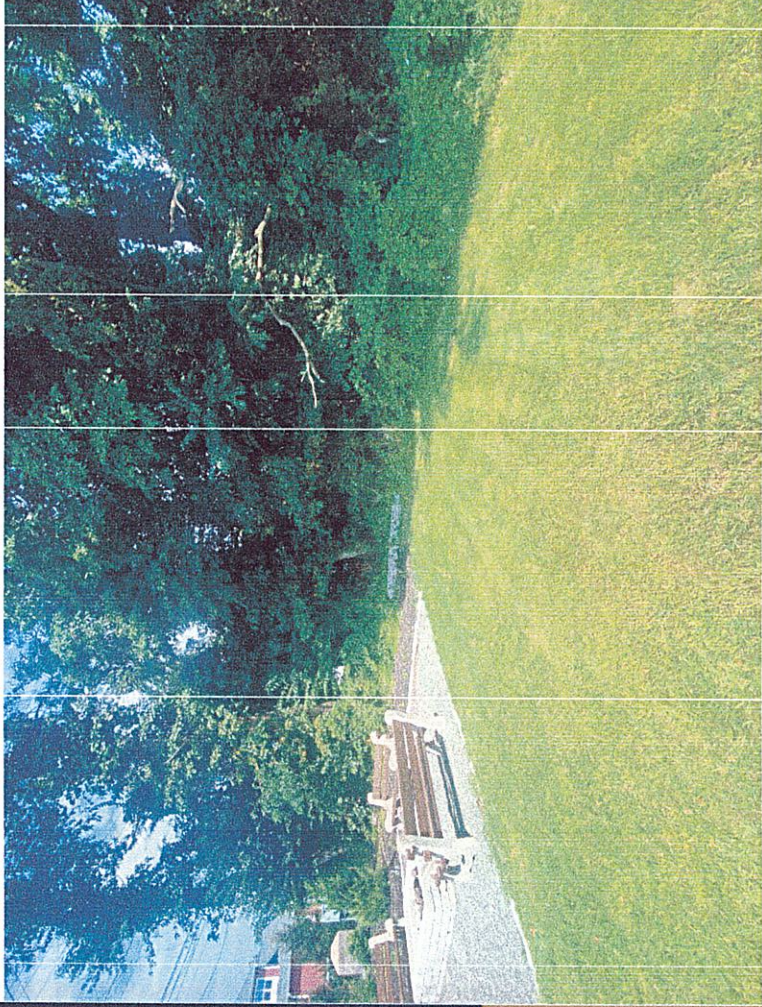
For my project I will be doing landscaping as well as installing two fences for the American Legion outpost in Orangeburg, N.Y.

- Clear Brush:** I will begin my project by cleaning out the area to the left of the driveway that has been overtaken by weeds and brush. As well as removing the pile of old mulch in that area.
- Tree Removal:** Next I will be removing any dead or unwanted trees in that area and trimming many of the larger trees.
- Fencing:** Finally I will be installing two fences. A six foot stockade fence, approximately one hundred sixty feet long, along the left side of their property. And a split rail fence around two sides of the garden that was put in by an eagle scout from my troop.

Importance

By cleaning out the brush and trees, it will make the area more usable in the future and make it more appealing. The stockade fence along their property line will give them privacy on that side, while the split rail fence will enclose the garden and match the fence on the other side of the driveway. Many Eagle scouts have done their projects for the American Legion in the past, including three people from my troop. My project will be opening the door to new eagle project opportunities, such as creating a new picnic area since the area will be cleaned up.

Landscaping



The area along the tree line has been overrun by weeds and brush.



This image shows the pile of mulch along with all of the brush that needs to be removed.

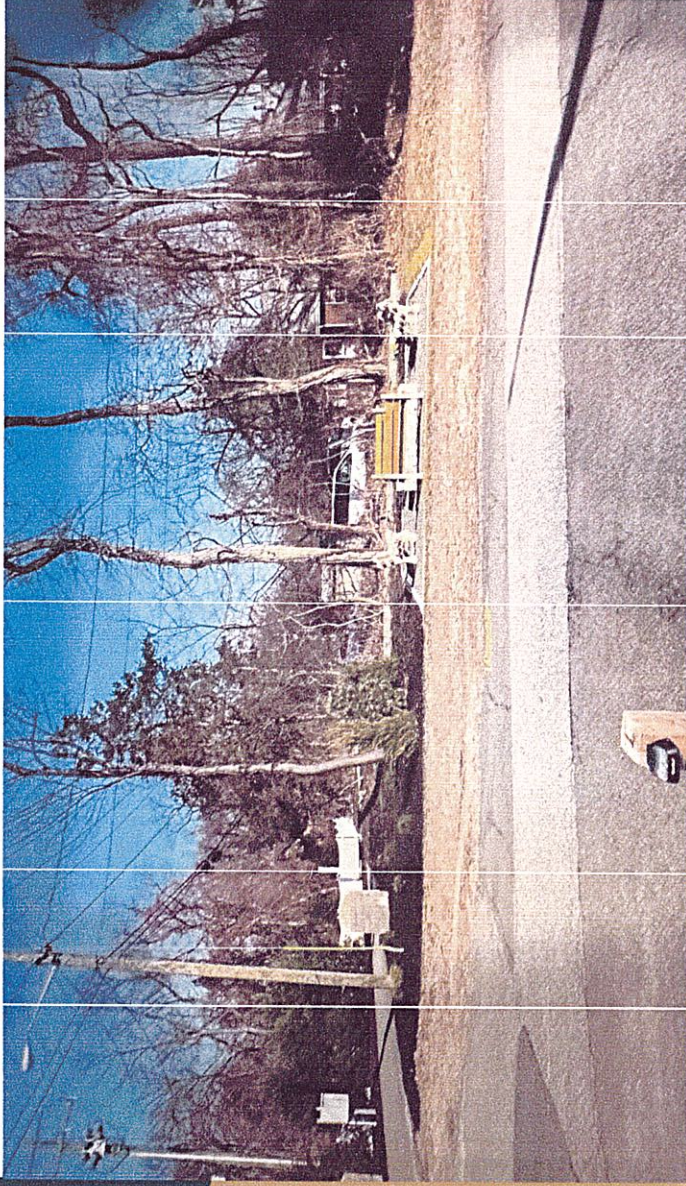
Tree Removal



Many of the trees need to be trimmed in order to make the space more usable. The dead trees are a hazard and will be removed.

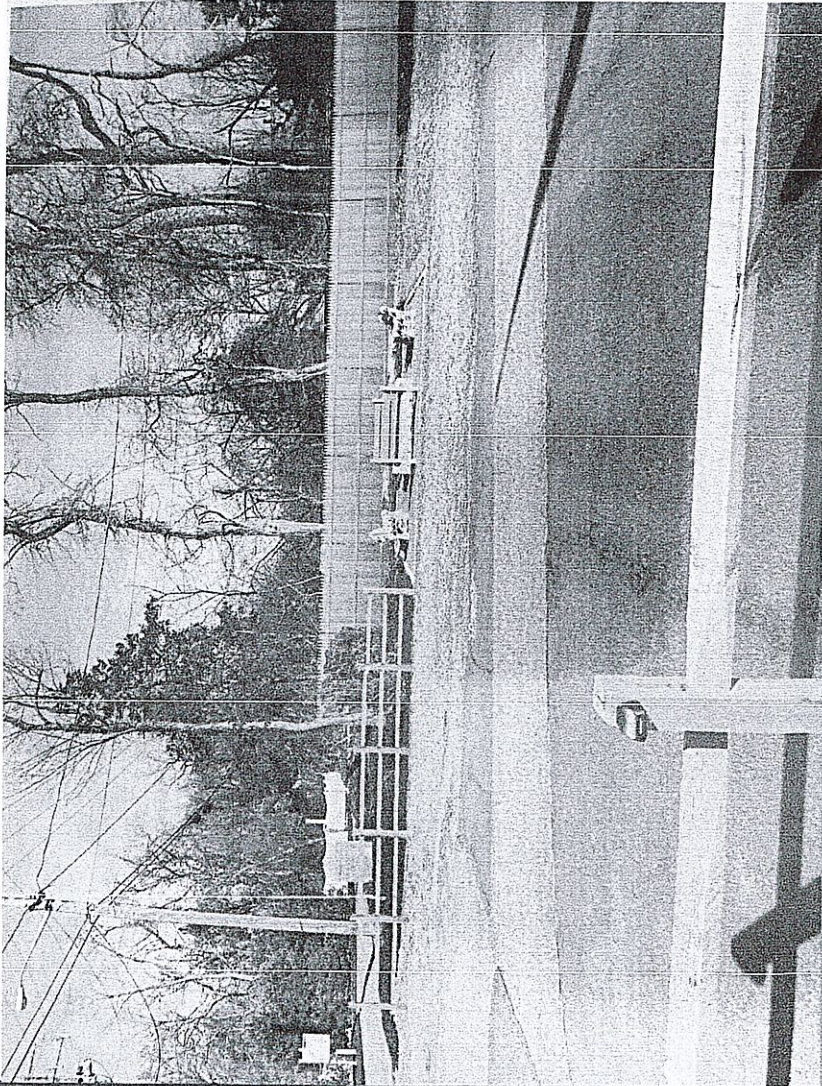
Fencing

The stockade fence will run behind the firepit. It will give the fire pit area some privacy and will extend to the area to the right where I will be cleaning out to give that area some privacy as well.

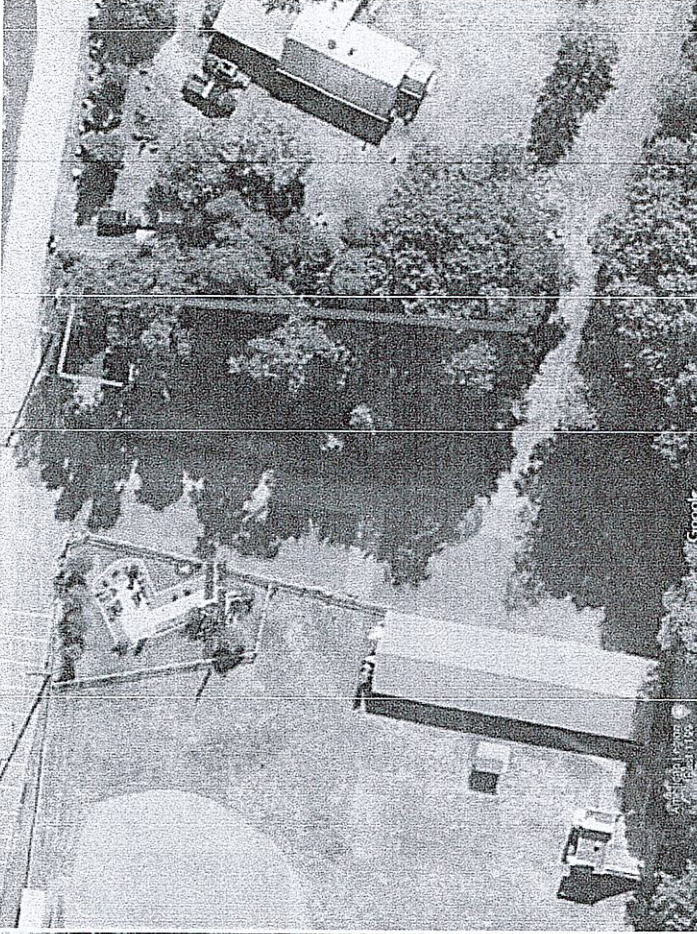


The split rail fence will be installed along the left side and the front of the garden. It will be a two rail fence rather than a three rail, in order to match the fence on the other side of the driveway.

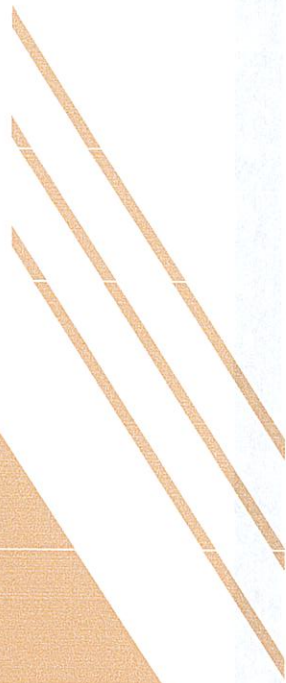
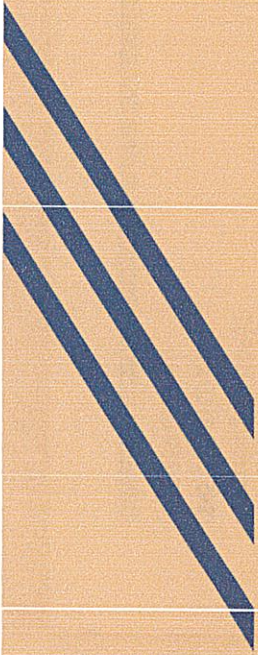
Fencing



- The red line represents the 6 foot fence.
- The yellow line represents the split rail fence around the garden.



Planning



Permits

Permit For an Eagle Scout Project inbox x



Jane Slavin

to me, Kirk, Kirk ▾

▶ 5:33

Joshua,

A building permit is required for the fence installation. Typically this type of work would also need to go to the architectural review board, however due to the location, I will waive that requirement.

Have a great day!

Sincerely,

Jane Slavin, RA.

Director

Office of Building, Zoning, Planning, Administration and Enforcement

Town of Orangetown

20 Greenbush Road

Orangetown, NY 10962

(845)359-8410 x4302

(845)359-8526 fax

<https://www.orangetown.com/groups/department/building/>

No permit is needed for the landscaping

Logistics

- I will go over the project details with the American Legion again, and discuss with them any changes in the project.
- I will create a detailed material list and have a more accurate amount of money that I need to raise.
- I will submit fundraising application and begin fundraising.
- I will acquire the permit needed for the fence before installation.
- I will find suitable work days and inform all volunteers of the dates, as well as being conscious of the weather in case of any necessary changes.
- I will have a detailed plan for each workday, and make everyone aware of any safety concerns.

Equipment & Cost

Materials: \$2,758

- 21 - 6ft.x8ft. pressure treated fence panels
- 22 - 8ft.x4in.x4in. pressure treated fence posts
- 10 - 11ft.x4in.x3in. pressure treated split rail fence pieces
- 6 - 3 in. x 6 in. x 5 - 1/3 ft. pressure treated 2 hole split rail posts
- 84 bags of concrete
- 14 bags of gravel
- Wood screws

Supplies: \$256

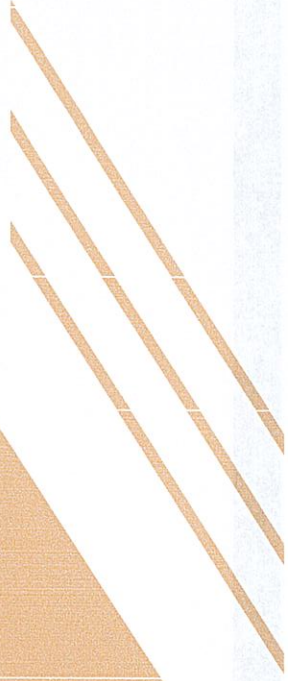
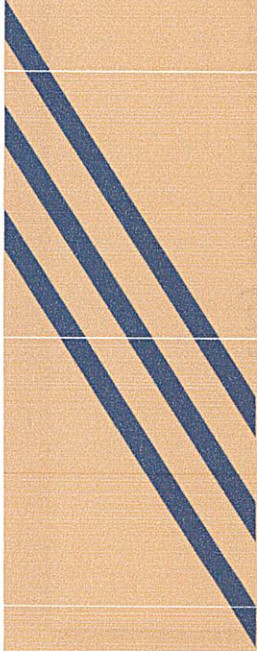
- Water for cement
- Refreshments
- Food
- Gloves
- Masks
- Garbage bags

Tools: \$120

- Shovels
- Post hole diggers
- Post level
- Screw gun
- Rakes
- Stump Grinder (may or may not be needed)

Total Cost: \$3,134

Fundraising

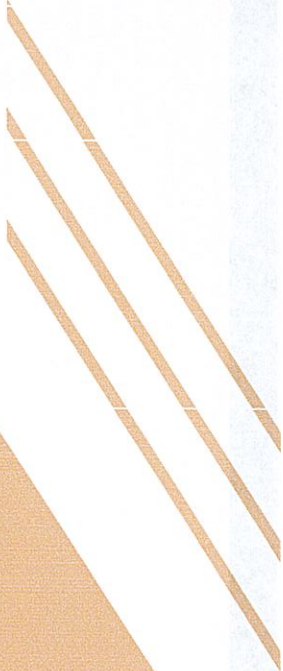


Fundraising Ideas

- GoFundMe is a great way to raise money.
- Luigi O'Grady's Deli & Catering fundraiser. Through this fundraiser 10% of any purchase that is made when someone mentions my project will be donated to my project.
- I will also be seeking donations from stores, such as Lowes and Home Depot, to see if they will give me a discount if i purchase all my materials through them.



Safety



Safety

- Two Adults 21+ with YPT are to be present for work all days.
- I will call 811 (You dig NY) before doing any digging.
- All BSA scouting health and safety guidelines will be followed. Including proper tool usage based on age. For example, only adults will be operating heavy machinery, and only adults and older scouts will be using power tools
- BSA approved first aid kit will be at the location site.
- Adults will be working with scouts while tools are in use and whenever scouts are at the location.
- Proper work clothing will be required (no open toed shoes and gloves).
- Work days will likely be warm so water will be available at all times, and on sunny days sunscreen will be available.

**Thank You for Your Time
and Consideration!**

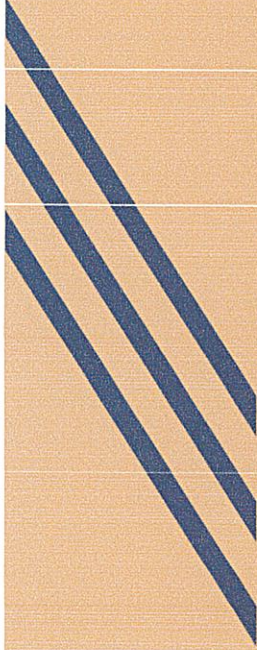


EXHIBIT
16-25-B

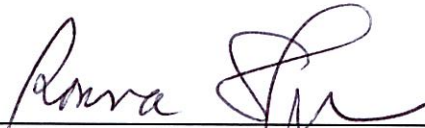
STATE OF NEW YORK }
COUNTY OF ROCKLAND }
TOWN OF ORANGETOWN } SS.

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 22nd day, May, 2024, 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.

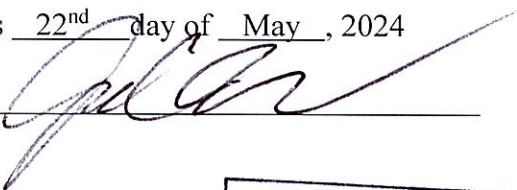
- 1. Town Hall Bulletin Boards
- 2. Town's Website
- 3.
- 4.
- 5.

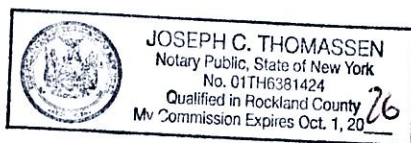


Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 22nd day of May, 2024





**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on May 21, 2024, a public hearing will be held by the Town Board on a proposed Local Law, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel known as 283 N Middletown Rd, Pearl River, NY (68.12-3-24). This public hearing is scheduled for the 25th day of June, 2024 at 7:10 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: May 22, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Linda Futt being duly sworn, deposes and says she is the Principal Clerk of **The Journal News**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

06/10/2024

Linda Futt

Subscribed and sworn to before me this 10 day of June, 2024

Nancy Heyrman

Notary Public
State of Wisconsin, County of Brown

Nancy Heyrman
Notary Public, State of Wisconsin
Commission Expires,

5.15.27

TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on May 21, 2024, a public hearing will be held by the Town Board on a proposed Local Law, amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel known as 283 N Middletown Rd, Pearl River, NY (68.12-3-24). This public hearing is scheduled for the 25th day of June, 2024 at 7:10 am, 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: May 22, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney
June 10 2024
LNYS0107010

**TOWN OF ORANGETOWN
AFFIDAVIT OF POSTING AND MAILING NOTICES
FOR SPECIAL PERMIT / ZONE CHANGE**

Project Name: 283 N. Middletown Road - Zone Change

Address: 283 N. Middletown Rd, Pearl River, N.Y. 10965

Helen Ingalls being duly sworn, deposed that he/she is the applicant
(Name)

herein, or is representing the applicant herein:

That he/she resides at 91 Riverside Terr, Blauvelt, N.Y. 10913

That heretofore and the 11th day of June, 2024

Postings

He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article 10.44 by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5-days immediately preceding the hearing date. The sign was not set back more than 10 feet from any property or street line, was not less than two feet or more than six feet above grade at the property line and was clearly visible from the property line.

Notices

He/She mailed the required Notice of Public Hearing as required pursuant to Orangetown Code, Chapter 43, Article 10.44, by mailing the Notice to property owners within at least 500 feet of the subject property as measured from the front, side and rear lot lines of the subject parcel (excluding public roadways, rights of way, and property owned by any public utility or public entity in measuring the 500 feet) as well as all properties within 500 feet of the subject parcel along both sides of parcel, along both sides of any street or roadway on which the subject parcel abuts, at least 10-days prior to the public hearing.

Helen Ingalls
(Signature)

Subscribed and sworn to before me

This 11th day of June, 2024

Donald Brenner

DONALD BRENNER
NOTARY PUBLIC, State of N.Y.
No. 02BR4510200
Qualified in Rockland County
Commission Expires May 31, 2027

Please Note that this affidavit shall be notarized with the "Notice" & list of abutting property owners to whom the notices were sent and shall be submitted to the Town Clerk before or at the commencement of the Public Hearing.

**TOWN OF ORANGETOWN
AFFIDAVIT OF POSTING AND MAILING NOTICES
FOR SPECIAL PERMIT / ZONE CHANGE**

Project Name: 283 N. Middletown Road - Zone Change

Address: 283 N. Middletown Rd, Pearl River, N.Y. 10965

Agnieszka Taranowski being duly sworn, deposed that he/she is the applicant
(Name)

herein, or is representing the applicant herein:

That he/she ^{office} resides at 283 N. Middletown Rd., Pearl River, N.Y. 10965

That heretofore and the 18th day of June, 2024

Postings

He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article 10.44 by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5-days immediately preceding the hearing date. The sign was not set back more than 10 feet from any property or street line, was not less than two feet or more than six feet above grade at the property line and was clearly visible from the property line.

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ATA

(Signature)

Subscribed and sworn to before me

This 18th day of June, 2024

Helen M. Ingalls

HELEN M. INGALLS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01IN6129380
Qualified in Rockland County
Commission Expires June 20, 2025

Please Note that this affidavit shall be notarized with the "Notice" & list of abutting property owners to whom the notices were sent and shall be submitted to the Town Clerk before or at the commencement of the Public Hearing.

**Planning Board
Town of Orangetown**

TO: Town of Orangetown Town Board

FROM: Planning Board 

DATE: June 12, 2024

RE: **Referral- Proposed Local Law Amending Chapter 43, Section 2.2 to Adjust the Zoning District of parcel known as 283 North Middletown Road, Pearl River (66.12-3-24)**

At the June 12, 2024 Planning Board Meeting, the Board reviewed the submitted Referral and had no comment. The Board made a motion to consent to the Town of Orangetown Town Board to be Lead Agency.

The motion was made by Michael Mandel, Vice Chairman and seconded by Andrew Andrews and carried as follows:
Thomas Warren – Chairman, aye; Denise Lenihan, aye;
Michael Mandel, Vice Chairman, aye; Kevin Farry, aye;
Michael McCrory, aye; Lisa DeFeciani, aye, Bruce Bond, (alternate member), not voting; and Andrew Andrews, aye.

Town of Orangetown Town Board

Date: May 22, 2024

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amending Chapter 43, § 2.2 to to Adjust the Zoning District of parcel know as
283 N Middletown Rd, Pearl River (68.12-3-24)**

The Planning Board, Town of Orangetown agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

June 12, 2024
Date


(Signature)

Thomas C. Warren
(Print Name and Title)

Orangetown Planning Board
(Name of Agency)

Encl.

Town of Orangetown Town Board

Date: May 22, 2024

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amending Chapter 43, § 2.2 to to Adjust the Zoning District of parcel know as
283 N Middletown Rd, Pearl River (68.12-3-24)**

The Rockland County Highway Department agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

06.25.24

Date



(Signature)

Dyan Rajasingham, Engineer

(Print Name and Title)

Rockland County Highway Department

(Name of Agency)

Encl.

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

Richard M. Schiafo
Deputy Commissioner

June 12, 2024

Orangetown Town Board
20 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.12-3-24

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/25/2023

Date Review Received: 06/03/2024

TOWN OF ORANGETOWN
2024 JUN 13 A 8:07
TOWN CLERK'S OFFICE

Item: 283 North Middletown Road (GML-24-0012)

A zoning map amendment to change a 0.156-acre portion of a 1.83-acre lot from the Multifamily Residence (MFR) zoning district to the General Residence (RG) zoning district. The western 0.54 acres of the parcel is currently zoned RG while the remaining 1.29 acres is within the MFR district. West side of North Middletown Road, approximately 320 feet south of Crooked Hill Road, and the northern terminus of Charles Street

Reason for Referral:

County Route 33 - N Middletown Rd, State Route 304

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:

Remand for Local Decision

This department recognizes the need for additional housing. Based on the 2023 aerial imagery made available by the Rockland County GIS division, the western portion of the parcel is not actively being utilized for a residential use. The proposed rezoning will allow for the creation of two additional residential lots that are contiguous with the existing RG zoning district and a residential neighborhood. Since the proposed rezoning will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

- 1 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The Board may have already addressed these points or may disregard them without any formal vote under the GML process:
 - 1.1 The site plan by Paul Gdanski P.E. PLLC is undersized and difficult to read. For the purposes of our GML

283 North Middletown Road (GML-24-0012)

reviews, a full-sized map that is proportionate to the scale indicated should be provided.

- 1.2 The petition provided indicates that the owner of the property wishes to develop the western portion of the parcel into two residential structures. We request the opportunity to review any subdivision applications necessary to do so, as required by General Municipal Law,



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
NYS Department of Transportation
Rockland County Highway Department
Rockland County Planning Board
Donald Brenner, P.E., LL.B.

*The review undertaken by the County of Rockland Department of Planning 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 determine whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as 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.

Pursuant to New York State General Municipal Law §§ 239-m and 239-n, the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action.

TIME RECEIVED
June 4, 2024 at 9:32:20 AM EDT

REMOTE CSID
5343463548

DURATION
38

PAGES
1

STATUS
Received

06-04-24 09:26 FROM-

T-467 P0001/0001 F-134

Town of Orangetown Town Board

Date: May 22, 2024

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amending Chapter 43, § 2.2 to to Adjust the Zoning District of parcel know as
283 N Middletown Rd, Pearl River (68.12-3-24)**

The Rockland County Planning Dept agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

6/4/24
Date

Jake Palant
(Signature)

Jake Palant Associate Planner
(Print Name and Title)

Rockland County Planning Dept
(Name of Agency)

Encl.

TOWN OF ORANGETOWN
2024 JUN -5 A 10: 01
TOWN CLERK'S OFFICE

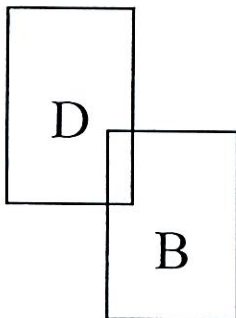
EXHIBIT
06-25-C

TOWN BOARD
TOWN OF ORANGETOWN

283 NMR, LLC
NORTH MIDDLETOWN ROAD
PEARL RIVER, NY 10965

AMENDMENT TO THE ZONING ORDINANCE
OF THE TOWN OF ORANGETOWN
FROM AN "MFR" DISTRICT TO AN "RG" DISTRICT

JUNE 2024



DONALD BRENNER, P.E., LL.B.

4 INDEPENDENCE AVENUE, TAPPAN, NEW YORK 10983 (845) 359-2210

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE</u>
Introduction and Background	1
Zone Change Standards	2
School District Effect	3
Benefit to Town	3
Conclusion	4

INTRODUCTION AND BACKGROUND

The property in question was acquired by my clients, 283 NMR, LLC in 2021. It is the western portion of a parcel of land which is not being presently used. The entire parcel is located on the west side of North Middletown Road, south of the Meadows at Pearl River Condominiums, partially north of an office complex known as 275 N. Middletown Road, LLC, three residential units on East Carol Street which are in an RG residential zone and Charles Street, and east of a parcel of land which was recently acquired by the Town of Orangetown for flood control purposes. The entire parcel has a land area of 79,819 square feet or 1.83 acres. It is identified on the Orangetown Tax Map as Section 68.12, Block 3, Lot 24.

The parcel is in an MFR zone, bordered by MFR to the north, CO to the east, CO partial to the south and the residual RG to the south and west. The property is being used for a contractors storage facility.

The Petitioners propose to use the total rezoned area for two residential lots. The residential lots would be in the RG zone and surrounded by the residential RG zone property. The remainder of the parcel would remain in the MFR zone and, as related to land areas, conform to the requirements of the Town Zoning Code.

As stated the Petitioners propose to use this property to build two residential lots.

ZONE CHANGE STANDARDS

To assist the Board, I have enclosed a “check-off” sheet which highlights the critical factors which should be reviewed before the requested Zone Change is granted.

The first three factors are location, size, and character of change, and what effect each would have on the neighboring community.

The next two items relate to the fact that the change would not be detrimental to the site, nor to the adjacent properties.

I will now present to the Board Mr. Karl Ackerman, a local architect who is actively engaged in real estate development in our Town. His testimony will assure the Board that this project will in no way devalue or be detrimental to the adjacent properties.

The next critical factor is access to the abutting street, and the fact that the change in pedestrian and/or vehicular traffic will not be hazardous.

Residential dwellings will generate a peak traffic impact of two (2) cars. A multi-family dwelling with the bulk land area outlined in the zone change would generate a peak traffic impact of four (4) cars.

Therefore, under the existing zone, the parcel could generate traffic 200% greater than that generated by the requested zone change.

The next key factor is that this project would not require additional public facilities or services, nor would it create additional fiscal burdens on the Town.

The following various services as related to this project are available:

Water	Veolia
Sewer	Town of Orangetown
Gas & Electric	Orange & Rockland
Police	Town of Orangetown
Fire	Pearl River Fire Department

In all instances, the demand from these departments under the proposed Zone Change will be less than under the present zoning.

PEARL RIVER SCHOOL DISTRICT EFFECT

Under the existing MFR zone, the developer would be permitted to have four (4) single bedroom units or three (3) two bedroom units. This, theoretically, could result in six (6) new pupils. By permitting the RG zone, the residential units would generate one (1) to four (4) pupils.

Therefore, this change would not in any way burden the school district.

AREA TO BE REZONED

See Exhibits 1, 2 and 3.

CONCLUSION

We have attempted to provide the Board with a full presentation as to the advantages of the proposed Zone Change to RG. If you review your check-off sheet, I believe you will

see that we discussed every factor which is essential in approving a Zone Change and furthermore, you will see that the change is to the betterment of the community and will not impose any negative effects.

EXHIBIT 1

EXHIBIT "1"

LAND AREA WHICH WAS REZONED BY THE TOWN IN 2008

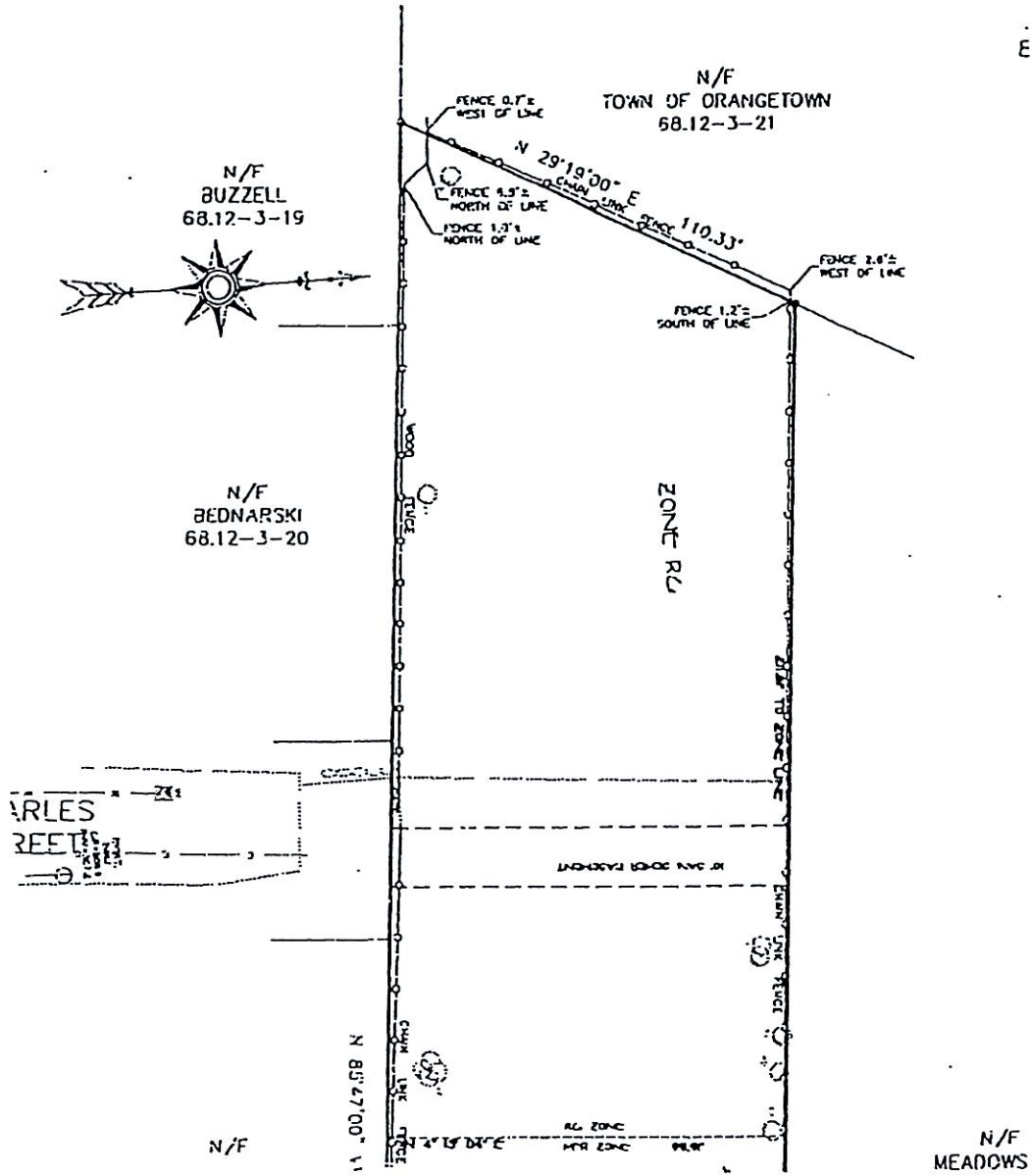


EXHIBIT 2

EXHIBIT "2"

LAND AREA TO BE REZONED IN 2024

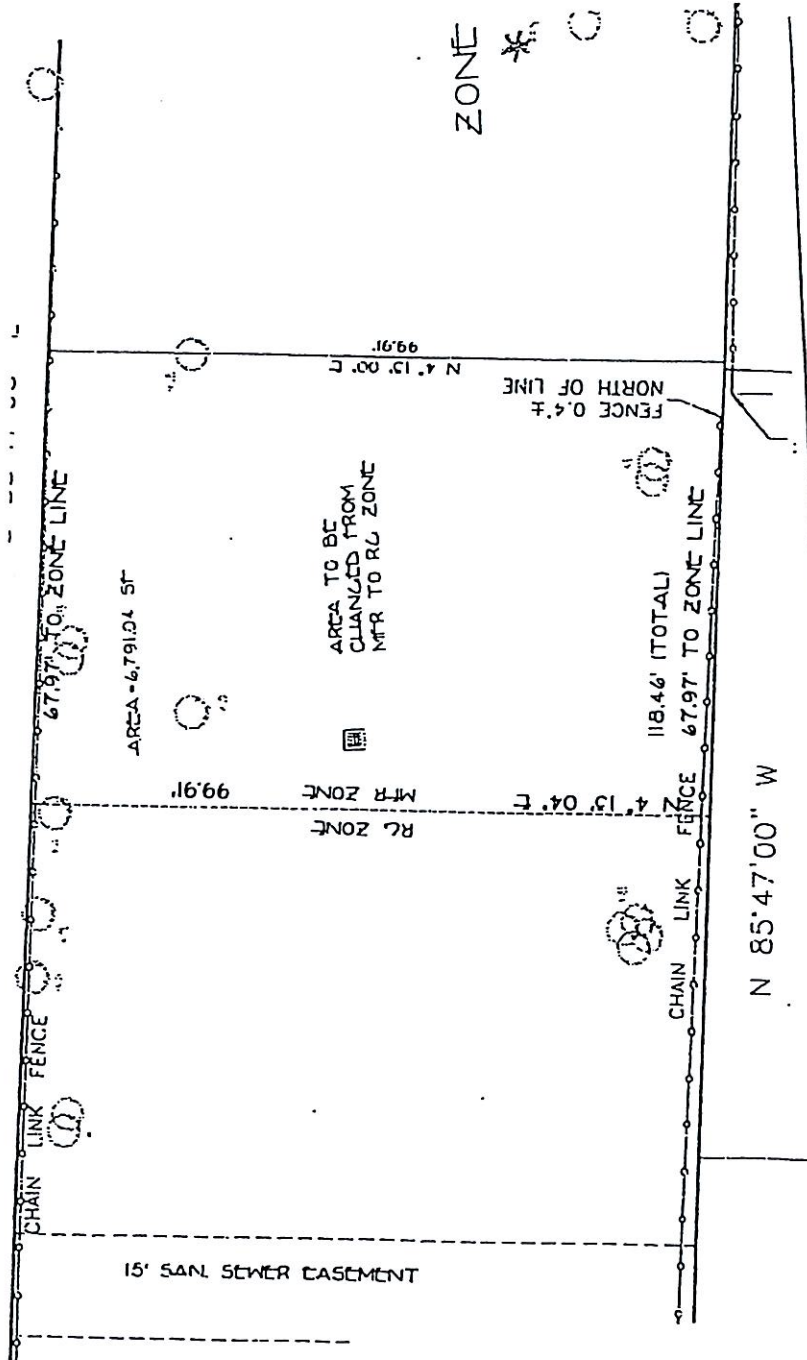
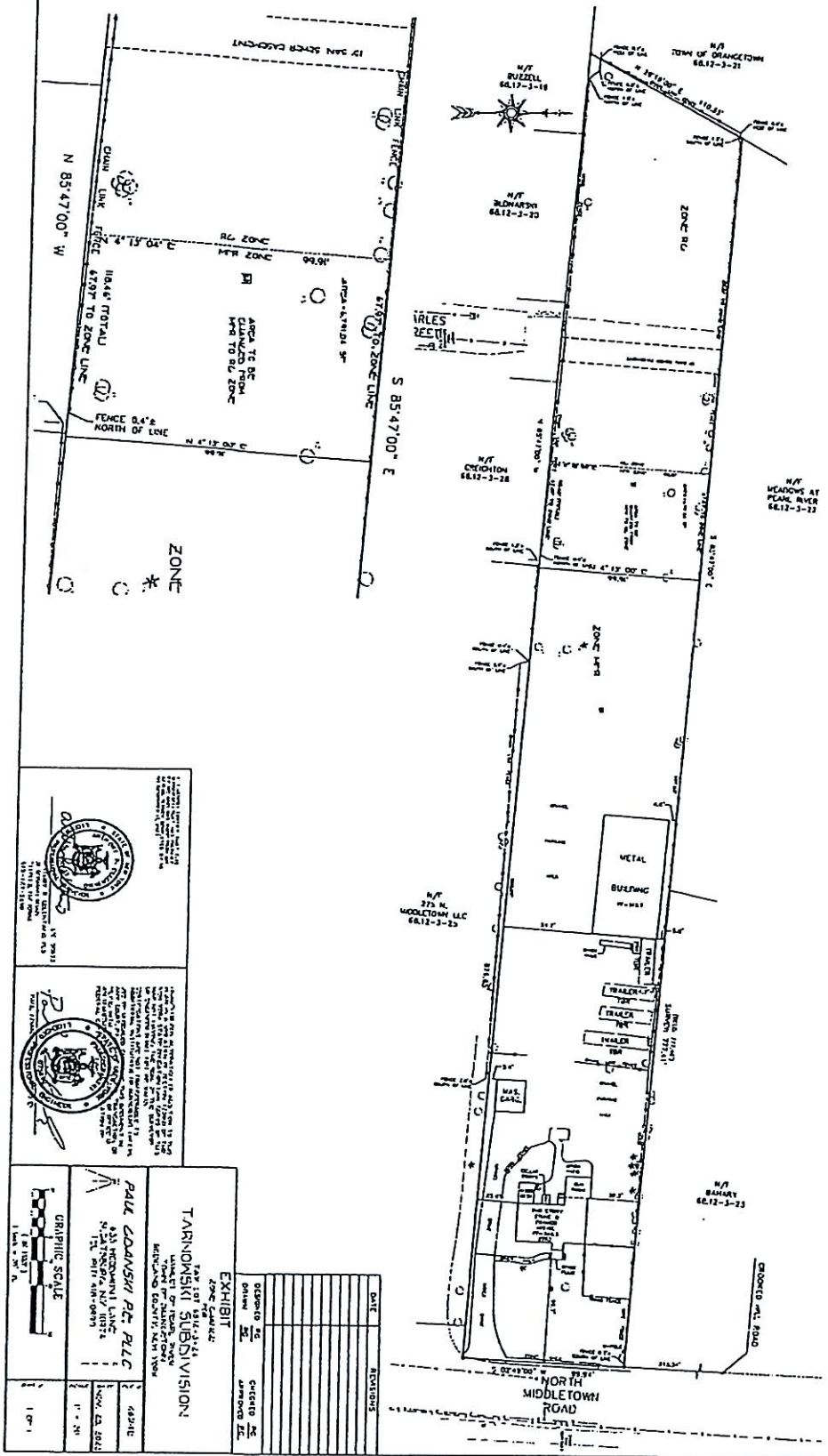



EXHIBIT 3

EXHIBIT "3" FUTURE SUBDIVISION AFTER REZONING



71
80
7


 PAUL GOWANSKI P.C. PLLC
 455 HENDERSON LANE
 WEST HAVEN, CONNECTICUT 06497
 203-792-9891
 12/19/23


 PAUL GOWANSKI P.C. PLLC
 455 HENDERSON LANE
 WEST HAVEN, CONNECTICUT 06497
 203-792-9891

GRAPHIC SCALE
 1" = 100'
 DATE REVISIONS
 DESCRIBED BY
 DRAWN BY
 CHECKED BY
 APPROVED BY
EXHIBIT
2024 Rezoning
TARNOWSKI SUBDIVISION
 TAX MAP SECTION 6012, DIGNITY 3, 11/27/24
 PAUL GOWANSKI P.C. PLLC
 455 HENDERSON LANE
 WEST HAVEN, CONNECTICUT 06497
 203-792-9891
 12/19/23

CHECK OFF SHEET

CHECK OFF SHEET

Zoning Factors

#	Item	Relationship to Community	Yes	No
1	Site Location	Harmonious with neighborhood		
2	Size of Parcel	Harmonious with neighborhood		
3	Character of Change	Harmonious with neighborhood		
4	Effect on Site	Not detrimental		
5	Traffic	Not detrimental nor hazardous		
6	Development of Adjacent Property	No adverse effect		
7	Public Service	Available		
8	School District	Favorable		
9	Benefit to the Town	Favorable		

Town of Orangetown

DATE: June 25, 2024

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	060524	\$ 84,528.48 utilities
	061024	\$ 180,445.62 utilities
	061824	\$ 27,480.00 utilities/Project Graduation/Lowe's
	062524	\$ 1,946,494.59
		\$ 2,238,948.69

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

EXHIBIT
06-25-D

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 06/20/24
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 06/25/2024 consists of 4 warrants for a total of \$2,238,948.69.

The first warrant had 24 vouchers for \$84,528 and was for utilities.

The second warrant had 27 vouchers for \$180,445 and was for utilities.

The third warrant had 20 vouchers for \$27,480 and was for utilities and project graduation.

The fourth warrant had 200 vouchers for \$1,946,494 and had the following items of interest.

1. Beckmann Appraisals (p12) - \$15,000 for certiorari defenses.
 2. Capasso & Sons (p14) - \$90,817 for recycling.
 3. Fred Devens Construction (p25) - \$223,225 for Tier IV pump station project (bonded).
 4. Gentile, Steven (p28) - \$10,541 for 207c payment.
 5. Global Montello (p28) - \$19,535 for fuel.
 6. Goosetown Enterprises (p29) - \$26,350 for Police equipment leases.
 7. Hauser Brothers (p30) - \$22,012 for sewer plant equipment repairs.
 8. Heed Health (p31) - \$9,981 for RN services for daycamp.
 9. Jim Ryan Golf Course Design (p33) - \$9,750 for master plan at Blue Hill.
 10. Lube Squad of NY (p39) - \$6,155 for Highway oil.
 11. Munis (p42) - \$61,253 for Building Dept. software.
 12. NYPA (p44) - \$21,278 for streetlight project.
 13. NYS Dept. of Civil Service (p45) - \$1,016,853 for healthcare benefits.
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14. NYSID (p46) - \$10,844 for Building Dept. scanning project.
15. Pre-cast concrete (p49) – \$5,349 for Highway catch basin work.
16. RCSWMA (p51) - \$5,580 for solid waste removal.
17. Ron’s Quality Automotive (p52) - \$7,766 for Highway truck repairs.
18. Sealcoat USA (p54) - \$39,711 for Highway surface treatment (bonded).
19. Shi International (p56) - \$54,079 for anti virus software licenses.
20. Tilcon NY (p62) - \$15,047 for Highway supplies.
21. Virtuit Systems (p65) - \$99,984 for IT equipment (bonded).

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

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