



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
August 20, 2024**

This meeting was opened at 7:03 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
Supervisor Teresa M. Kenny

Absent:

Councilperson Dan Sullivan

Also Present:

Denis Troy, Deputy Supervisor
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
James Dean, Superintendent of Highways
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
James Acheson, Police Captain
Michael Shannon, Police Captain

Pledge of Allegiance to the Flag

ANNOUNCEMENT:

ALS Ice Bucket Challenge / September 7, 2024 / 1 pm / Splash Pad at Veterans Memorial Park in Orangeburg / Visit www.orangetown.com to sign up

DISCUSSION:

WORKSHOP OF AGENDA ITEMS

RESOLUTION NO. 386

OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

PUBLIC COMMENT PORTION – Continued

No public comments were made.

**RESOLUTION NO. 387
CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 388
OPEN PUBLIC HEARING / RENEWAL OF FRANCHISE AGREEMENT / VERIZON NEW YORK INC.**

RESOLVED, that the public hearing to hear comments concerning the renewal of Verizon New York Inc.'s franchise agreement with the Town of Orangetown is hereby opened.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication and Posting, which are labeled Exhibit 08-20-A and made a part of these minutes.

No public comments were made.

**RESOLUTION NO. 389
CLOSE PUBLIC PORTION / RENEWAL OF FRANCHISE AGREEMENT / VERIZON NEW YORK INC.**

RESOLVED, that the public comment portion of this public hearing is hereby closed.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 390
SEQRA / LEAD AGENCY / TYPE II ACTION / NEGATIVE SEQRA DECLARATION
RENEWAL OF FRANCHISE AGREEMENT / VERIZON NEW YORK INC.**

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to the matter of extending the Verizon New York Franchise agreement; and further determines that such action is a Type II action pursuant to SEQRA, that the action will not have a significant adverse environmental impact, and, therefore, no further action is necessary with respect thereto under the State Environmental Quality Review Act.

RESOLUTION NO. 390 - Continued

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 391

AUTHORIZING THE TOWN OF ORANGETOWN TO RENEW A CABLE FRANCHISE AGREEMENT WITH VERIZON NEW YORK, INC. TO OPERATE A CABLE SYSTEM IN THE TOWN OF ORANGETOWN

WHEREAS, the Town of Orangetown (the “Town”) is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

WHEREAS, the Town, executed a franchise agreement with Verizon New York, Inc. (the “Franchisee”) on March 12, 2007, which was thereafter confirmed and made effective by the New York State Public Service Commission (“Commission”) on April 20, 2007 for a term of fifteen (15) years (Case No.07-V-0321), and

WHEREAS, said franchise agreement expired on April 19, 2022; and

WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating its system within the Town for a term of 5 (five) years; and

WHEREAS, The Town and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Town has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Town has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a Cable System within the Town and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Town to be heard on the proposed Franchise Renewal Agreement was held before the Town on August 20, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and

BE IT FURTHER RESOLVED that the Town Council hereby authorizes the Town Supervisor to enter into the Franchise Renewal Agreement with Verizon New York, Inc. and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Town of Orangetown.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 392

ACCEPT DONATION / BROSNAN RISK CONSULTANTS, LTD. / FURNITURE

RESOLVED, upon the recommendation of the Director of the Office of Building, Zoning, Planning, Administration & Enforcement, the Town Board hereby accepts, with gratitude, the donation of furniture from Brosnan Risk Consultants, Ltd.

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 Jerry Bottari, Councilperson Brian Donohue, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 393

APPROVE AGREEMENT / PAYMENT IN LIEU OF TAXES (PILOT) / INSTRUMENTATION LABORATORY COMPANY / 526 ROUTE 303 ORANGEBURG

RESOLVED, that upon the recommendation of the Town Attorney, the Supervisor is hereby authorized to execute a Payment in Lieu of Taxes Agreement ("PILOT"), between and among the Town of Orangetown, Instrumentation Laboratory Company, the South Orangetown Central School District, the County of Rockland and the County of Rockland Industrial Development Agency, relating to real property known as and located at 526 Route 303, Orangeburg, NY (Tax Map designation Section 70.19 Block 1 Lot 45), commencing with the 2025 tax assessment roll through and including the 2034 tax assessment roll as set forth more fully in the agreement.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 394

AWARD MINI-BID / FRIENDLY FORD OF HAMILTON / TWO 2024 FORD F-150 / LIGHTNING PRO ELECTRIC VEHICLES

RESOLVED, upon the recommendation of the Supervisor's Office and in accordance with NYS OGS Vehicle Marketplace Solicitation #23166 and Mini-Bid Award # 001-2024, the Town Board hereby awards the Mini-Bid for two (2) 2024 Ford F-150 Lightning Pro Electric Vehicles to Friendly Ford of Hamilton, NY, the lowest qualified bidder, in the amount of \$88,466.66, to be paid using grants funds with the overage charged to Account Nos: A.7110.200 (Parks) and G.8120.200 (DEME).

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 395
APPROVE / FUND OVERAGE / STATE AND MUNICIPAL (SAM) GRANT / WATER
REFILLING STATIONS / JOSEPH B. CLARKE RAIL TRAIL**

WHEREAS, 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 water refilling stations for the Joseph B. Clarke Rail Trail 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,

WHEREAS, the Town Board hereby finds the purchase of water refilling stations for the Joseph B. Clarke Rail Trail and acceptance of the grant a Type II action under SEQRA which requires no further review with respect to SEQRA;

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 towards the purchase of the water refilling stations for the Joseph B. Clarke Rail Trail; and,

BE IT FURTHER RESOLVED, the Town Board agrees to fund the remainder of the cost and any overages, through the Parks Trust, for the water refilling stations, not to exceed \$10,000; 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 water refilling stations for the Joseph B. Clarke Rail Trail in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 396
APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT
DOCUMENTS / TAX CERTIORARI PROCEEDING RE. SHULTER LLC C/O CVS
PHARMACIES #00631-02 V. TOWN OF ORANGETOWN (TAX LOT #69.13-1-22)**

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 *Shulter LLC c/o CVS Pharmacies #00631-02 v. Town of Orangetown* (NYS Supreme Court, Rockland County, Index Numbers 033380/2023 & 034299/2024), for property commonly known as 19 North Middletown Road, Pearl River (Tax Map Designation: 69.13-1-22), for the tax certiorari filing years 2023 and 2024, for a total refund by the Town of \$0.00, a total refund by the School District of \$2,672.00, and a total refund by the County of \$0.00. The Pearl River 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 Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 397
ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF ANTHONY
LIMANDRI /HIGHWAY MAINTENANCE SUPERVISOR III / HIGHWAY
DEPARTMENT EFFECTIVE AUGUST 16, 2024**

RESOLVED, that the Superintendent of Highways and the Town Board accepts with regret, the resignation/retirement of Anthony Limandri, Highway Maintenance Supervisor III from the Orangetown Highway Department, after 35 years, effective August 16, 2024.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 398
ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF DARRELL D.
BUTLER /LABORER / HIGHWAY DEPARTMENT / EFFECTIVE AUGUST 30, 2024**

RESOLVED, that the Superintendent of Highways and the Town Board accepts with regret, the resignation/retirement of Darrell D. Butler, Laborer from the Orangetown Highway Department, after 29 years, effective August 30, 2024.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 399
GRANT PERMISSION / POLICE DEPARTMENT / DET. MARK DURNEY / CRIMES
AGAINST CHILDREN CONFERENCE / DALLAS TX**

RESOLVED, that permission is hereby granted to Det. Mark Durney to attend the Crimes Against Children Conference as part of a county contingent being sponsored by the Rockland County District Attorney's Office from August 10-15, 2024 at no cost to the Town of Orangetown, nunc pro tunc.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 400
DECLARE SURPLUS VEHICLES/POLICE DEPARTMENT**

RESOLVED, that upon the recommendation of the Chief of Police, the Town Board hereby declares the following vehicles are to be declared as surplus:

1. 2FAFP71W16X145386 / 2006 / Ford Crown Viv / Blue / 92,000 miles / end of serviceable life /body rust

RESOLUTION NO. 400 – Continued

- 2. FAFP71V48X134294 / 2008 //Ford Crown Vic / Blue / 89,000 miles – end of serviceable life / body rust
- 3. 1FM5K8AR6FGA35472 / 2015 / Ford Explorer / Black / 120,000 miles – totaled beyond repair / in motor vehicle accident

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 401

ESTABLISHING FEE / CERTIFICATE OF SEWER REGISTRATION / CHAPTER 30

WHEREAS, pursuant to the newly amended Chapter 30, Section 30-6 of the Town Code, entitled “Sewers, Rules and Regulations” the Town Board is authorized to determine and set the fees for permits to be issued pursuant to said Chapter for certificates of sewer registration; and

WHEREAS, the Town Board having taken into consideration the recommendation of the Commissioner of the Department of Environmental Management and Engineering (DEME) and the costs to the Town associated with the issuance of such permits, ,

NOW THEREFORE IT IS HEREBY RESOLVED THAT, the Town hereby sets the fee for certificates of sewer registration pursuant to §30-6 of the Town Code at \$250.00 (Two Hundred and Fifty Dollars).

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 402

APPROVE BID / INGERSOLL AUTO OF DANBURY / PURCHASE OF ONE (1) 2024 CHEVROLET SILVERADO 3500HD DUMP TRUCK

WHEREAS, the Commissioner of the Department of Environmental Management and Engineering duly advertised for sealed bids for the purchase of One (1) 2024 Chevrolet Silverado 3500HD Dump Truck and the sealed bids were received by the Orangetown Clerks Office and opened on May 21, 2024; and,

WHEREAS, one bid was received from Ingersoll Auto of Danbury for which the bid documents and the bid tabulation are attached as exhibits; and,

NOW THEREFORE, BE IT RESOLVED, upon the recommendation of the Commissioner of the Department of Environmental Management and Engineering that this bid is awarded to Ingersoll Auto of Danbury in the amount of \$67,197 to furnish One (1) 2024 Chevrolet Silverado 3500HD Dump Truck that met the specification of the aforementioned bid, paid with Bonded Funds previously approved using account H.8120.200.24.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 403
APPROVE / SURPLUS EQUIPMENT AND VEHICLES / D.E.M.E.

RESOLVED, upon the recommendation of the Commissioner of D.E.M.E., the Town Board hereby declares the following vehicles and equipment surplus available for auction or surplus for scrap:

- a. 2004 Ford F-250 Pickup with Western Plow, VIN #: 1FTNX21L84EA67296
- b. 2007 Jeep Grand Cherokee, VIN #: 1J8GR48K47C622927
- c. 1999 Bobcat Skid Steer Model 873, VIN #: 514124130
- d. Toro Grounds Master 345 Ride-on Mower
- e. Western 60308 8'6" Pro-Plow
- f. 1999 Bobcat 8709 Backhoe Attachment
- g. 1986 Ingersoll-Rand G-1600 Air Compressor
- h. Wallace Model SG10-15SAC, 3-ton Gantry

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 Jerry Bottari, Councilperson Brian Donohue, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 404
APPROVE / AGREEMENT / TROY & BANKS / UTILITY AUDIT

RESOLVED, the Town Board authorizes the Director of Finance to enter into an agreement with Troy & Banks to conduct a utility audit on the Town's bills. There is no cost to the Town unless savings are found. If overcharges are found, Troy & Banks is entitled to 24% of the refund, while the Town gets 76%. Similarly, for a period of 1 year, future savings will recur at the same rate. After 1 year, all of the savings revert to the Town.

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 Jerry Bottari, Councilperson Brian Donohue, Supervisor Teresa M. Kenny

Noes: None

Absent: Councilperson Dan Sullivan

LEND ASSISTANCE

RESOLUTION NO. 405
COMBINE / APPROVE AGENDA ITEMS #21 TO 27

RESOLVED, the Town Board hereby combines and approves agenda items #21 to 27.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 406
APPROVE / LEND ASSISTANCE / 2024 SONS OF ITALY ITALIAN FEAST
SEPTEMBER 5-8, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways and the Chief of Police that the Town Board hereby authorizes these departments to lend assistance which includes the use of fencing, cones, barricades, message board, trash cans & barrels from the Highway Department & police detail from the Police Department. This event will be held from September 5 - September 8, 2024.

RESOLVED, upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board use of the showmobile at a rental cost of \$500.00 by the Sons of Italy for their Italian Feast, Thursday, September 5 to Sunday, September 8, 2024, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 407
APPROVE / LEND ASSISTANCE / SOUTH NYACK 10- MILER / SEPTEMBER 8, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades from the Highway Dept., and police detail from OPD, for the South Nyack Road Race to be held on Sunday, September 8, 2024.

RESOLVED, upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board the rental of porto-jons (10 regular) for use at the South Nyack 10 Miler on September 8, 2024. With the organization providing a certificate of insurance naming the Town of Orangetown as being an additional insured.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 408
APPROVE / LEND ASSISTANCE / TAPPAN 9/11 MEMORIAL DAY SERVICE SEPT 11, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways that the Town Board hereby authorizes the Highway Department to lend assistance which includes the use of two message boards from August 19th to September 11th for the Tappan 9/11 Memorial Service, to be held on Monday, September 11, 2024 from 8am-11am.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 409
APPROVE / LEND ASSISTANCE / PEARL RIVER HOOK AND LADDER / WET
DOWN / SEPTEMBER 13, 2024**

RESOLVED, upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board use of the showmobile at a rental cost of \$500.00 by the Pearl River Hook and Ladder for their wet down on Saturday, September 14, 2024, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 410
APPROVE / LEND ASSISTANCE / TAPPAN FIRE DEPARTMENT / WET DOWN
SEPTEMBER 28, 2024**

RESOLVED, upon the completion of the necessary paperwork, the Superintendent of Parks, Recreation & Building Maintenance has forwarded for approval by the Town Board use of the showmobile at a rental cost of \$500.00 and the rental of 5 porto-jons (4 regular and 1 handicapped) by the Tappan Fire Department for their wet down on Saturday, September 28, 2024, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 411
APPROVE / LEND ASSISTANCE / PEARL RIVER MIDDLE SCHOOL COLOR RUN
SEPTEMBER 14, 2024**

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Highway Dept to lend assistance, which includes the use of barricades & cones, for the PRMS Color Run, to be held on Saturday, September 14, 2024.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 412
APPROVE / LEND ASSISTANCE / 2024 PEARL RIVER HIGH SCHOOL PEP RALLY
& BONFIRE / SEPTEMBER 27, 2024**

RESOLVED, upon the recommendation of the Superintendent of Highways and Chief of Police, that the Town Board hereby authorizes these two departments to lend assistance which includes the use of barricades, barrels and sand from the Highway Department & the presence of

RESOLUTION NO. 412 - Continued

Auxiliary Police from the Police Department for the Pearl River High School Pep Rally & Bonfire to be held on Friday, September 27, 2024 at 7pm.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 413

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

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

1. Town Board Meeting minutes: July 9, 2024 Police Commission Meeting; July 9 & 23, 2024 Regular Town Board Meetings.
2. Amended & Restated Memorandum of Understanding & Developer's Agreement with Reveil, LLC for property located at 334 Rt 9W, Palisades (78.13-1-1).
3. Second Amendment for Extension of the Sub-recipient Agreement with Rockland County on behalf of its American Rescue Plan Act for Grant Funds for the Franklin Street Park Improvements Project.
4. NYS Comptroller Debt Statement, dated July 10, 2024.
5. Deed for property located at 334 Route 9W, Palisades (78.10-1-1) related to the MOU between the Town and Reveil, LLC. Reveil purchased the property under a new entity name (Palisades Renewal Center Company, LLC).
6. Restrictive Covenant (the Town's 5-year right of first refusal to purchase the property located at 334 Route 9W, Palisades (78.10-1-1) Reveil purchased the property under a new entity name (Palisades Renewal Center Company, LLC).
7. Dichter Law LLC, engagement ltr for 2024 O & R rate increase case.
8. Annual Comprehensive Financial Report for Fiscal Year Ended December 31, 2023.
9. Restrictive Covenant (Amended), St Dominics Family Services, 2 Covenant Rd. Contract of Sale between Living Christ Church etc and the Town of Orangetown for the property located at 149-157 Piermont Ave, S. Nyack (66.54-2-11).

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

RESOLUTION NO. 414

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 six (6) warrants (Exhibit 08-20-B) for a total of \$3,509,779.47.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 415
ENTER EXECUTIVE SESSION**

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

RESOLVED, at 7:25 pm, the Town Board entered Executive Session to discuss personnel matters.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan

**RESOLUTION NO. 416
RE-ENTER RTBM / ADJOURNED / MEMORY**

RESOLVED, at 8:13 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Carole Finning**, *Mother of Orangetown Town Justice Richard Finning*; **Peter Fitzpatrick**, *Resident of Pearl River*; **Brigid "Della" Kivlehan**, *Resident of Orangeburg*; and **Layla So**, *Resident of Pearl River*.

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

Motion: 4 - 0

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

Noes: None

Absent: Councilperson Dan Sullivan



Rosanna Sfraga, Town Clerk

EXHIBIT

08-20-A

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

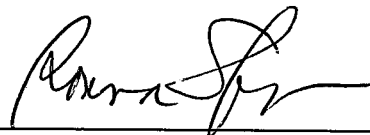
SS.

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 25TH day, July, 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 25th day of July, 2024

Rima A. DelVecchio

RIMA A. DELVECCHIO
Notary Public, State of New York
No. 01DE622835
Qualified in Rockland County
My Commission Expires June 1, 2026

TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING

For the approval of a Cable Television Agreement between Verizon New York, Inc and the Town of Orangetown, New York.

PLEASE TAKE NOTICE that the Town of Orangetown will hold a Public Hearing on August 20, 2024 at 7:05 pm at the Town Hall, 26 W Orangeburg Road, Orangeburg, New York. Regarding the granting of a cable television franchise agreement by and between the Town of Orangetown and Verizon New York Inc.

A copy of the cable television franchise agreement is available for public inspection during normal business hours at the Town Clerk's Office, 26 W Orangeburg Road, Orangeburg, New York.

At such public hearing all persons will be given an opportunity to be heard. Written and oral statements will be taken at that time. Time limitations may be imposed for each oral statement as necessary.

Dated: July 23, 2024
By Order of the Board
Town of Orangetown, New York.

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Linda Tuttle 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:

08/05/2024

Linda Tuttle

Subscribed and sworn to before me this 05 day of August, 2024

Kathleen Allen
1-7-25 EAB

Notary Public
State of Wisconsin, County of Brown

KATHLEEN ALLEN
Notary Public
State of Wisconsin

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Dated: July 23, 2024
By Order of the Board
Town of Orangetown, New York.
August 5 2024
LNYS0134834

Town of Orangetown

DATE: August 20, 2024

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	071724	\$ 186,703.05 Utilities
	072424	\$ 6,406.21 Utilities & Dichter
	073124	\$ 1,001,052.57 Utilities and Other
	080624	\$ 300,584.13
	080724	\$ 19,600.86 Utilities and Other
	082024	\$ 1,995,432.65

\$ 3,509,779.47

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

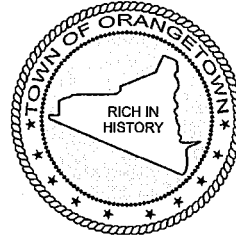
Supervisor Teresa M. Kenny

EXHIBIT

08-20-B

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 08/15/24
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 08/20/2024 consists of 6 warrants for a total of \$3,509,779.47.

The first warrant had 20 vouchers for \$186,703 and was for utilities.

The second warrant had 9 vouchers for \$6,406 and was for utilities and the O&R rate case.

The third warrant had 32 vouchers for \$1,001,052 and had the following items of interest.

1. Capasso & Sons (p1) - \$102,926 for recycling.
2. CSEA Employee Benefit Fund (p3) - \$33,948 for dental benefits.
3. DeLage Landen (p4) - \$24,868 for golf cart leases.
4. Fred Devens Construction (p5) - \$36,810 for Tier IV pump station project.
5. John Vance Motors (p5) - \$45,727 for sewer vehicle.
6. MetLife (p6) - \$14,500 for Police dental benefits.
7. Rockland Paramedic Services (p7) - \$127,642 for Advanced Life Support Services.
8. Schultz Ford (p8) - \$38,352 for Highway vehicle (bonded).
9. Troon Golf (p10) - \$198,047 for golf course management contract.
10. Vanas Construction (p11) - \$240,560 GC new town hall.

The fourth warrant had 157 vouchers for \$300,584 and had the following items of interest.

11. Beckmann Appraisals (p11) - \$10,000 for assessor professional services.
 12. Hudson Machinery LLC (p26) - \$26,491 for sewer equipment (bonded).
-

13. Joe Lombardo Plumbing & Heating (p30) - \$8,500 for HVAC seasonal tune-ups various locations.
14. Kuehne Chemical Co. (p32) - \$7,425 for sewer chemicals.
15. Pace Analytical Testing (p37) - \$7,396 for sewer testing.
16. RCSWMA (p42) - \$10,185 for solid waste removal.
17. Sport-Tech Construction (p44) - \$32,175 for Franklin St. Project (Parks).
18. Verde Electric (p50) - \$5,600 for street light maintenance.

The fifth warrant had 22 vouchers for \$19,600 and was for utilities.

The sixth warrant had 123 vouchers for \$1,995,432 and had the following items of interest.

19. Altec (p2) - \$13,279 for Highway truck repair.
20. Bauer-Crowley (p6) - \$169,517 for cybersecurity and public officials insurance.
21. Capital Market Advisors (p9) - \$15,380 for financial advisor for bond offering.
22. Capasso & Sons (p9) - \$102,926 for recycling.
23. Crown, Castle Fiber (p11) - \$6,768 for connectivity.
24. Dell Marketing (p13) - \$104,521 for various IT equipment.
25. Dutra Excavating (p13) - \$9,200 for manhole installation.
26. Electrical Power Systems (p13) - \$24,862 for replacement generator (sewer).
27. Emmons Metro LLC (p14) - \$54,413 for replacement pumps (bonded).
28. Glenco Supply Inc. (p19) - \$42,754 for Highway equipment.
29. Global Montello (p20) - \$60,495 for fuel.
30. Goosetown Enterprises (p21) - \$11,050 for Police equipment leases.
31. Longo Electrical-Mechanical (p26) - \$29,870 for sewer pump station repairs.
32. MediaStar (p26) - \$42,766 for IT services.
33. Moody's Investor Services (p27) - \$27,000 for bond rating services.
34. NYPA (p28) - \$21,278 for streetlight project.

35. NYS Dept. of Civil Service (p29) - \$1,028,288 for health care insurance.
36. Orrick, Herrington, & Sutcliffe (p30) - \$19,135 for bond counsel.
37. Sealcoating Inc. (p36) – \$38,988 for Highway supplies.
38. SkyHawk Sports Academy (p37) - \$19,372 for summer camp programs.
39. Tilcon, NY (p39) - \$10,487 for Highway materials.
40. Virtuit Systems (p43) - \$17,500 for IT consulting services.
41. Zarin & Steinmetz (p47) - \$15,255 for outside counsel.

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

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