



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday October 08, 2024

This Town Board Meeting was opened at 7:00 PM.

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

☼ Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ Orangetown Shredding Event - Saturday, October 19, 2024 / 8:00 a.m. - 11:30 a.m. Hosted by Orangetown Town Clerk, Rosanna Sfraga, Rockland Green and People to People. Please bring non-perishable food items for a donation to People to People.
- ◆ Orangetown Photo Contest for New Town Website / Deadline to submit photos is November 1, 2024 / Visit www.orangetown.com for more details

DISCUSSION:

- ◆ Potential Changes to Town Code regarding Roomers and Subletting
- ◆ Workshop of Agenda Items

PUBLIC COMMENT:

1. OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

2. CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

AGENDA ITEMS:

TOWN BOARD

- 3. OPEN PUBLIC HEARING / OCTOBER 8, 2024 AT 7:00 P.M. / ONE-YEAR CONTRACT / BLAUVELT VOLUNTEER FIRE COMPANY, INC. / 2025**

RESOLVED, that the public hearing on the proposed contract between the Town of Orangetown and the Blauvelt Volunteer Fire Company, Inc., for fire protection services in and throughout the Blauvelt Fire Protection District within the Town of Orangetown, for the calendar year 2025, is hereby opened.

PRESENTATION of Affidavit of Public Hearing posting and publication.

SUMMARY OF COMMENTS:

- 4. CLOSE PUBLIC HEARING / ONE-YEAR CONTRACT / BLAUVELT VOLUNTEER FIRE COMPANY, INC. / 2025**

RESOLVED, that the public hearing is hereby closed.

- 5. OPEN PUBLIC HEARING / OCTOBER 8, 2024 AT 7:10 P.M. / ONE-YEAR CONTRACT / ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY, AND THE TAPPAN FREE LIBRARY / CALENDAR 2025**

RESOLVED, that the public hearing on the proposed 2025 contracts between the Town of Orangetown and the Orangetown Library District is hereby opened.

PRESENTATION of Affidavit of Public Hearing posting and publication.

SUMMARY OF COMMENTS:

- 6. CLOSE PUBLIC HEARING / OCTOBER 8, 2024 AT 7:10 P.M. / ONE-YEAR CONTRACT / ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY, AND THE TAPPAN FREE LIBRARY / CALENDAR 2025**

RESOLVED, that the public hearing is hereby closed.

- 7. OPEN PUBLIC HEARING / OCTOBER 8, 2024 AT 7:15 P.M. / 2025 PRELIMINARY BUDGET**

RESOLVED, that the public hearing on the 2025 Preliminary Budget is hereby opened.

PRESENTATION of Affidavit of Public Hearing posting and publication.

SUMMARY OF COMMENTS:

8. **CONTINUE PUBLIC HEARING / 2025 PRELIMINARY BUDGET**

RESOLVED, that the public hearing is hereby continued to _____.

9. **OPEN PUBLIC HEARING / OCTOBER 8, 2024 AT 7:20 P.M. / PROPOSED LOCAL LAW AMENDING CHAPTER 1, ENTITLED "CODE OF ETHICS" / STANDARDS OF CONDUCT / AUDIO AND VIDEO RECORDING**

RESOLVED, that the public hearing to hear public comments on the proposed Local Law Amending Chapter 1, entitled "Code of Ethics" to address audio and video recording is hereby opened.

PRESENTATION of Affidavit of Public Hearing posting and publication.

SUMMARY OF COMMENTS:

10. **CLOSE/CONTINUE PUBLIC HEARING / PROPOSED LOCAL LAW AMENDING CHAPTER 1, ENTITLED "CODE OF ETHICS" / STANDARDS OF CONDUCT / AUDIO AND VIDEO RECORDING**

RESOLVED, that the public hearing is hereby closed or continued to _____.

11. **DESIGNATION OF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL LAW NO. ___ OF 2024, / AMENDING CHAPTER 1 OF THE TOWN CODE AND DETERMINATION UNDER SEQRA**

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to a proposed Local Law No. ___ of 2024, amending Chapter 1 of the Town Code, entitled "Ethics", Article I entitled "Standards of Conduct"; 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.

12. **ADOPT LOCAL LAW NO. ___ OF 2024, AMENDING CHAPTER 1 OF THE TOWN CODE REGARDING ETHICS / STANDARDS OF CONDUCT / AUDIO AND VIDEO RECORDING**

RESOLVED, that the Town Board hereby adopts proposed Local Law No. ___ of 2024, amending Chapter 1 entitled "Code of Ethics", Article I entitled "Standards of Conduct" of the Town Code, regarding the audio and video recording of persons or proceedings regarding Town business without consent.

**LOCAL LAW NO. ____ OF 2024 OF THE
TOWN BOARD OF THE TOWN OF ORANGETOWN, NEW YORK,
TO AMEND CHAPTER 1 OF THE ORANGETOWN CODE, ENTITLED “CODE OF ETHICS,”
SO AS TO ADDRESS AUDIO AND VIDEO RECORDING BY COVERED EMPLOYEES**

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

Section 1. A new Paragraph “I,” of §1-5 (Standards of conduct), of Article I (Standards of conduct), of Chapter 1 (Code of Ethics), of the Code of the Town of Orangetown, is added to read as follows:

1. Each elected official, covered employee and Town employee shall be barred from recording via video and/or audio device any individual or proceeding involving Town business without the knowledge or consent of each of the individual(s) who are being video and/or audio recorded. Notwithstanding the foregoing, any individual who is acting as agent or under the direction or on behalf of law enforcement, whether local, state or federal, is permitted to video- and/or audiotape if such conduct is at the law enforcement agency's direction. This provision shall not apply to audio or video systems that are part of Town government operations, such as recordings of public meetings, telecommunications or surveillance systems operated by the Town; nor is this prohibition intended, and should not be interpreted, to interfere with the rights of employees to engage in any concerted activity that is protected under Section 7 of the National Labor Relations Act.

Section 2. Paragraph “A,” of §1-8 (Violations and penalties; enforcement), of Article I (Standards of conduct), of Chapter 1 (Code of Ethics), of the Code of the Town of Orangetown, is amended to read as follows:

1. Any person who shall violate any of the provisions of § 1-5of this local law shall be subject to a civil fine in an amount not to exceed \$5,000.00 for each violation. Assessment of a civil penalty hereunder shall be made by the Board.

Section 3. Severability Clause.

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Town Board hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

Section 4. Effective Date.

This Local Law shall take effect immediately upon the filing of a copy with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.

13. APPROVE RETAINER AGREEMENT WITH KEANE & BEANE, P.C. / PERSONNEL MATTER

RESOLVED, on the recommendation of the Town Attorney, approve the retainer of Keane & Beane, White Plains, New York to provide legal services with respect to a personnel related matter. 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.

HIGHWAY

14. AWARD CONTRACT / SIDEWALK SAWCUTTING / PRECISION SAFE SIDEWALKS

RESOLVED, that upon the recommendation of the Superintendent of Highways, to approve the RFP for Sidewalk Sawcutting to Precision Safe Sidewalks, Arlington, VA, the only qualified bidder to meet Town Specifications, at a cost of \$69.65 per inch/foot, not to exceed \$26,000. Work completed under this contract will be charged to Account #A.5410.457 and paid for out of the 2024 operating budget.

POLICE

15. APPOINT LISA PORCO / SENIOR CLERK-TYPIST / PROVISIONAL / GRADE 5, STEP 3 / EFFECTIVE OCTOBER 21, 2024

RESOLVED, that upon the recommendation of the Chief of Police, appoint Lisa Porco to the position of Senior Clerk-Typist, Provisional, Grade 5, Step 3 at a salary of \$54,674 effective October 21, 2024.

DEME

16. ACCEPT WITH REGRET, THE RESIGNATION / RETIREMENT OF ALDO LEONE / LABORER / D.E.M.E./SEWER DEPARTMENT / EFFECTIVE SEPTEMBER 28, 2024

RESOLVED, that the Commissioner of D.E.M.E. and the Town Board accepts with regret, the resignation/retirement of Aldo Leone, Laborer, from D.E.M.E./Sewer Department, after 30 years, effective September 28, 2024.

17. RECOGNIZE APPOINTMENT OF SEAN FLYNN / MOTOR EQUIPMENT OPERATOR II / PROBATIONARY / GRADE 12, STEP 8/13 / EFFECTIVE OCTOBER 14, 2024

RESOLVED, that the Town Board hereby recognizes the appointment of Sean Flynn by the Commissioner of DEME, to the position of Motor Equipment Operator II, Probationary, Grade 12, Step 8/13 at a salary of \$91,032, effective October 14, 2024.

TRAFFIC ADVISORY BOARD

18. APPROVE / INSTALLATION OF STREET LIGHT / 39 SCHUYLER ROAD / BLAUVELT

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of a street light at 39 Schuyler Rd, Blauvelt (Utility Pole# 60786/39565) is hereby approved to be paid from the following budget line item B.5182.452.17.

JUSTICE COURT

19. AUTHORIZE/ ORANGETOWN TOWN COURT / JCAP GRANT

RESOLVED, that the Town Board hereby authorizes the Orangetown Town Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.00.

LEND ASSISTANCE

20. COMBINE / APPROVE AGENDA ITEMS #21 TO 25

RESOLVED, the Town Board hereby combines and approves agenda items #21 to 25.

21. APPROVE / LEND ASSISTANCE / ORANGETOWN MOTORFEST / OCTOBER 12, 2024

RESOLVED, upon the recommendation of the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades and a message board from the Highway Department, and auxiliary police from OPD, for the Noble Ninth Motorfest to be held on Saturday, October 12, 2024 from 10am-9pm.

22. APPROVE / LEND ASSISTANCE / MEET THE CANDIDATES NIGHT / OCTOBER 16, 2024

RESOLVED, upon the recommendation of the Superintendent of Highways the Town Board hereby authorizes this department to lend assistance which includes the use of two message boards from the Highway Department for the Tappan Fire Department Meet the Candidates night Tuesday, October 16, 2024 from 6:30pm to 9:30pm.

23. APPROVE / LEND ASSISTANCE / SHOWMOBILE & PORTO-JONS / PEARL RIVER DAY / OCTOBER 19, 2024

RESOLVED, that upon the completion of the necessary paperwork the Superintendent of Parks, Recreation & Building Maintenance has forwarded to the Town Board for approval the use of the showmobile at a cost of \$500.00 and the rental of porto-jons, 10 regular and 2 handicapped for use at the Pearl River Day event to be held on October 19, 2024. A certificate of insurance naming the Town of Orangetown as an additional insured is provided.

24. APPROVE/ LEND ASSISTANCE/ ROCKLAND GAA PROJECT CHILDREN 5K / SUNDAY, OCTOBER 20, 2024

RESOLVED, upon completion of all necessary paperwork and the recommendation of the Superintendent of Highways and Chief of Police, the Town Board hereby authorizes these departments to lend assistance which includes the use of cones and a recycling bins from the Highway Department, and the presence of Auxiliary Police from the Police Department for the Rockland GAA Project Children 5k on Sunday, October 20, 2024 from 9am-12pm.

25. **APPROVE / LEND ASSISTANCE / 2024 TAPPAN FIRE DEPARTMENT 5K RUN/ SUNDAY, NOVEMBER 10, 2024**

RESOLVED, upon the recommendation of the Superintendent of Highways and Chief of Police the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades, cones and a message board from the Highway Department, five porto-jons (4 regular & 1 ADA) from the Parks, Recreation & Building Maintenance Department and the presence of Auxiliary Police from the Police Department for the Tappan Fire Department 5K Run on Sunday, November 10, 2024 from 8am-12pm.

AUDIT

26. **PAY VOUCHERS**

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of three (3) warrants (attached) for a total of \$867,560.18.

EXECUTIVE SESSION

27. **ENTER EXECUTIVE SESSION**

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

ADJOURNMENTS

28. **RE-ENTER RTBM / ADJOURNED / MEMORY**

RESOLVED, at ____ pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of:

- ❖ **Patrick Frawley**, Resident of Pearl River and Father-in-Law of Orangetown DEMA Commissioner Eamon Reilly
- ❖ **John "Jack" Murphy**, Resident of Pearl River