



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday November 12, 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:

- ◆ **Thanksgiving Dinner Bag Giveaway for Orangetown Veteran and Military Families on Saturday, November 23, 2024 from 9 am - 11 am. Please call the Supervisor's Office to reserve your dinner bag at (845) 359-5100.**
- ◆ **33rd Annual Santa Claus 5K Run on Sunday, December 8, 2024. Please visit orangetown.com to sign up.**

DISCUSSION:

- ◆ **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. **RESUME PUBLIC HEARING OF OCTOBER 8, 2024 WHICH WAS CONTINUED TO OCTOBER 22, 2024 AND NOVEMBER 12, 2024 / 7:05 P.M. / 2025 PRELIMINARY BUDGET**

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

4. **CLOSE / CONTINUE PUBLIC HEARING / 2025 PRELIMINARY BUDGET**

RESOLVED, that the Public Hearing regarding the 2025 Preliminary Budget is hereby closed or continued to _____.

5. **APPROVE AMENDMENTS / 2025 PRELIMINARY BUDGET**

Note: Vote on amendments to the 2025 Preliminary Budget.

Changes to Supervisor stage:

| | | <u>2025</u> <u>Preliminary</u> | <u>2025</u> <u>Adopted</u> | <u>Change</u> |
|---------------|---|-----------------------------------|-------------------------------|---------------|
| A.1220.011 | SUPERVISOR.PERMANENT STAFF | \$ 55,237 | \$ 82,855 | \$ 27,618 |
| A.1220.013 | SUPERVISOR.SEASONAL & PART TIME | \$ 5,000 | \$ 20,714 | \$ 15,714 |
| A.1310.011 | FINANCE.PERMANENT STAFF | \$ 403,905 | \$ 359,546 | \$ (44,359) |
| A.1410.015 | TOWN CLERK.APPOINTED OFFICIALS | \$ 98,700 | \$ 100,700 | \$ 2,000 |
| D.9030.800.04 | SS / MEDICARE.FRINGE BENEFITS.PART TOWN | \$ 187,690 | \$ 237,690 | \$ 50,000 |
| D.9030.800.05 | SS / MEDICARE.FRINGE BENEFITS.TOWNWIDE | \$ 258,073 | \$ 208,073 | \$ (50,000) |
| B.9040.800.16 | WORKERS COMPENSATION.FRINGE BENEFITS.POLICE | \$ 1,196,640 | \$ 1,396,640 | \$ 200,000 |
| A.9040.800 | WORKERS COMPENSATION.FRINGE BENEFITS | \$ 951,837 | \$ 551,837 | \$ (400,000) |
| A.1910.043 | UNALLOCATED INSURANCE. INSURANCE RISK.INSURANCE | \$ 367,980 | \$ 567,980 | \$ 200,000 |
| A.7180.455 | SPECIAL RECREATIONAL FACILITIES.UTILITIES | \$ 70,000 | \$ 100,000 | \$ 30,000 |
| A.2026 | LEAGUE CONTRIBUTIONS | \$ (8,000) | \$ (80,000) | \$ (72,000) |
| B.3120.011.16 | POLICE.PERMANENT STAFF.POLICE | \$ 14,108,052 | \$ 14,137,450 | \$ 29,398 |
| A.5010.015 | SUPT. OF HIGHWAYS.APPOINTED OFFICIALS | \$ 4,000 | \$ 6,817 | \$ 2,817 |
| | | | | |
| Total | | | | \$ (8,813) |

6. **APPROVE 2025 PRELIMINARY BUDGET AS AMENDED**

RESOLVED, that the Town Board hereby approves the 2025 Preliminary Budget, as amended, as the 2025 Adopted Budget.

BE IT FURTHER RESOLVED, the Director of Finance is authorized to adjust the fund balance to accommodate these changes, all the while, staying under the levy tax cap.

BE IT FURTHER RESOLVED, the Director of Finance is authorized to make the 2025 Adopted Budget available on the Town's website and file it in the Office of the Town Clerk.

7. **ACCEPT GRANTS / FUND OVERAGE / THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) / \$10,000 & \$125,000 CLEAN ENERGY COMMUNITY ACTION GRANT / ELECTRIC VEHICLES AND ELECTRIC LANDSCAPING EQUIPMENT**

WHEREAS, under the New York State Energy Research and Development Authority's (NYSERDA) Clean Energy Communities program, the Town of Orangetown recently achieved a 1-Star and 2-Star Designation by becoming a Bronze-Certified Climate Smart Community, and thus became eligible for \$10,000 and \$125,000 Action Grants; and,

WHEREAS, to demonstrate the Town's commitment to lowering greenhouse gas emissions, the Town of Orangetown applied for and received both the \$10,000 and \$125,000 grants for electric vehicles and electric landscaping equipment on October 17, 2024 and November 4, 2024, respectively; and,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby agrees to accept both NYSEDA grants totaling \$135,000 for the purposes of purchasing electric vehicles and electric landscaping equipment according to the Town's procurement policy; and,

BE IT FURTHER RESOLVED, the Town Board agrees to fund any overages in costs for the electric vehicles and electric landscaping equipment, not to exceed \$5,000 and to be charged to account # A.7110.200; and,

BE IT FURTHER RESOLVED, the Town Board authorizes and directs the Supervisor or her designee to execute any and all documents necessary for the financial and administrative processes of the grant programs.

8. **APPROVE PROPOSAL / FELLENER ENGINEERING LLP / ENGINEERING SERVICES / NEW TOWN HALL**

RESOLVED, that at the recommendation of the New Town Hall Construction Committee, the Town Board hereby approves the proposal from Fellenzer Engineer, LLP, for engineering services for the review of the design, installation, and operation of the HVAC system in the New Town Hall addition and alteration project, at a cost not to exceed \$19,600.00 to be charged to A.1622.200.

9. **APPROVE PROPOSAL GC-140 / VANAS CONSTRUCTION CO, INC. / NEW WATERPROOFING FLOORING SYSTEM / NEW TOWN HALL PROJECT**

RESOLVED, that at the recommendation of the New Town Hall Construction Committee, the Town Board hereby approves the following change order proposals for the installation of a waterproofing flooring system, with related electrical and plumbing work: Vanas Construction Co., Inc. in the amount of \$58,749.00 for the installation of a waterproofing flooring system; S&L Plumbing in the amount of \$2,266.01 for condensate piping; and Rockland Electric .Rockland Electric in the amount of \$1,341.48 for related electrical work.

The total cost for the waterproofing is as follows-

| | |
|--------------------------------|--------------------|
| GC Waterproofing | \$58,749.00 |
| EC 220A outlet | \$1,341.48 |
| MC Condensate Revisions | \$2,266.01 |
| Total | \$62,356.49 |

TOWN ATTORNEY

10. **ACCEPT SETTLEMENT / OPIATE LITIGATION / MCKINSEY & CO. / US DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA**

WHEREAS, the Town of Orangetown has sustained financial damages directly arising out of the fraudulent and negligent manufacture and distribution of opioids, including, but not limited to, increased insurance and other workplace costs; and

WHEREAS, in connection with the aforesaid, the Town, among other municipalities, retained the Tate Law Group, of Savannah, Georgia ("Tate"), on a contingency fee basis, to represent its interests in nationwide litigation against the major pharmaceutical and other companies principally responsible for the manufacture and distribution of opioid products over the last decade; and

WHEREAS, the Town has been notified by Tate of a settlement reached between with McKinsey & Company, which was a consultant to the opiate industry, which class action settlement was in the U.S. District Court for the Northern District of California, case no. 3:21-md-02966, and;

WHEREAS, the Town's share of the settlement amount, less Tate's fees, is \$4,592.75; and,

NOW, THEREFORE, BASED ON THE AFORESAID, BE IT RESOLVED, that the Town Board hereby accepts the Town's settlement amount in the class action opiate suit in the US District Court for the Norther District of California against McKinsey & Company, in the amount of \$ 4,592.75, and authorizes the Town Attorney to execute appropriate documents to effectuate the purposes of this resolution.

11. **APPROVE / STREET NAMING PRIVATE ROAD / CAPTAIN ESPOSITO LANE / PEARL RIVER**

WHEREAS, pursuant to the development of property located in the vicinity of Gatto Lane in Pearl River, and identified on the Town of Orangetown tax map as Section 68.07 Block 2, Lot 1 which was approved as a "Planned Adult Community (PAC)" by Town Board Resolution 2022-410; and

WHEREAS, the developer/owner of the property has the option to designate a private road name for the resulting development, which was granted Final Site Plan Approval pursuant to PB# 24-27; and

WHEREAS, Rockland County 911 Emergency Services requires that such roads with addressable structures be formally named, and the United States Postal Service requires numbered and named street addresses for mail delivery; and

WHEREAS, the naming of private roads will assist Emergency 911 personnel in the event of a response to an emergency situation at the address; and will aid the United States Postal Service in delivery of mail to homeowner thereupon; and

WHEREAS, the property developer/owner has requested that said private road be named "**Captain Esposito Lane**" in honor of the service and sacrifice of Captain Phillip T. Esposito; and

WHEREAS, the property developer/owner expressly acknowledges that the private road is not owned nor maintained by the Town of Orangetown; and

WHEREAS, the property developer/owner acknowledges that the Town of Orangetown has standardized requirements for street signs, and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Orangetown hereby authorizes and directs that the private road consisting of Orangetown Tax Lot Section 68.07 Block 2, Lot 1 shall be forever named and known as "**Captain Esposito Lane**" and all future maps depicting said area indicate the naming of this private road as "**Captain Esposito Lane**"; and authorizes and directs that any such street sign posted shall follow the Town of Orangetown Highway Department "Requirements for Street Sign Specifications".

PARKS AND RECREATION

12. **ACCEPT DONATION / MEMORIAL BENCH / CONNOLLY**

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance, the Town Board hereby accepts with gratitude the donation of a memorial bench to be placed on the JBC Rail Trail near the Blauvelt Library. Engraving to read:

Gerry and Patricia Connolly
"Come Sit With Us Awhile"

13. ACCEPT DONATION / MEMORIAL BENCH / O'DONOHUE

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance, the Town Board hereby accepts with gratitude the donation of a memorial bench to be placed in Franklin St. Park. Engraving to read:

In Loving Memory of Tim O'Donohue
If love could have saved you, you would have lived forever

TRAFFIC ADVISORY BOARD

14. APPROVE INSTALLATION OF STOP SIGNS AT MULTIPLE LOCATIONS IN ORANGEBURG AND BLAUVELT / 6-MONTH POLICE REGULATION

RESOLVED, that upon the recommendation of the Orangetown Traffic Advisory Board, and in accordance with the NYS Manual on Uniform Traffic Control Devices (MUTCD), the Town Board approves the installation of stop signs, under a 6-month Police Regulation to be reviewed 6 months after implementation, at the following locations in Orangeburg and Blauvelt:

1. Jim Dean Dr and Route 303, Orangeburg
2. Devon Dr & Parkway Dr, Orangeburg
3. Carlton Dr & Parkway Dr, Orangeburg
4. Chestnut Oval south entrance & Parkway Dr, Orangeburg
5. Cypress Ln west entrance & Parkway Dr, Orangeburg
6. Cypress Ln east entrance & Parkway Dr, Orangeburg
7. Chestnut Oval west entrance & Parkway Dr, Orangeburg
8. Chestnut Oval north/east entrance & Parkway Dr, Orangeburg
9. Birchwood Rd & Parkway Dr, Blauvelt
10. Birchwood Ct & Parkway Dr, Blauvelt
11. Hoffman Ln & Parkway Dr, Blauvelt
12. Ashwood Dr south entrance & Parkway Dr, Blauvelt
13. Beechwood Rd & Parkway Dr, Blauvelt
14. Ashwood Dr north entrance & Parkway Dr, Blauvelt
15. East Rd & Parkway Dr, Blauvelt

DEME

15. ACCEPT WITH REGRET, RESIGNATION/RETIREMENT OF JOHN WINTERSTEIGER / ASSISTANT PLANT OPERATOR I / D.E.M.E./SEWER DEPARTMENT / EFFECTIVE OCTOBER 22, 2024

RESOLVED, that the Commissioner of D.E.M.E. and the Town Board accepts with regret, the resignation/retirement of John Wintersteiger, Assistant Plant Operator I, from D.E.M.E./Sewer Department, after 22 years, effective October 22, 2024.

16. RECOGNIZE APPOINTMENT / RYAN MCARDLE / ASSISTANT PLANT OPERATOR I / PROBATIONARY / GRADE 11, STEP 5 / EFFECTIVE NOVEMBER 18, 2024

RESOLVED, that the Town Board hereby recognizes the appointment of Ryan McArdle by the Commissioner of DEME, to the position of Assistant Plant Operator I, Probationary, Grade 11, Step 5 at a salary of \$79,636, effective November 18, 2024.

17. RECOGNIZE APPOINTMENT / BRIAN EDWARDS / LABORER / PROBATIONARY / GRADE 9, STEP 6 / EFFECTIVE NOVEMBER 18, 2024

RESOLVED, that the Town Board hereby recognizes the appointment of Brian Edwards by the Commissioner of DEME, to the position of Laborer, Probationary, Grade 9, Step 6 no change in salary, effective November 18, 2024.

18. RECOGNIZE APPOINTMENT / HUNTER HOVORKA/ LABORER / PROBATIONARY / GRADE 9, STEP 3 / EFFECTIVE NOVEMBER 18, 2024

RESOLVED, that the Town Board hereby recognizes the appointment of Hunter Hovorka by the Commissioner of DEME, to the position of Laborer, Probationary, Grade 9, Step 3 no change in salary, effective November 18, 2024.

19. RECOGNIZE APPOINTMENT / DANIEL KELLY/ LABORER / PROBATIONARY / GRADE 9, STEP 2 / EFFECTIVE NOVEMBER 18, 2024

RESOLVED, that the Town Board hereby recognizes the appointment of Daniel Kelly by the Commissioner of DEME, to the position of Laborer, Probationary, Grade 9, Step 2 no change in salary, effective November 18, 2024.

20. RECOGNIZE APPOINTMENT / ATAKAN UNYURUTEN/ LABORER / PROBATIONARY / GRADE 9, STEP 1 / EFFECTIVE NOVEMBER 18, 2024

RESOLVED, that the Town Board hereby recognizes the appointment of Atakan Unyuruten by the Commissioner of DEME, to the position of Laborer, Probationary, Grade 9, Step 1, at a salary of \$56,265, effective November 18, 2024.

AUDIT

21. 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 (attached) for a total of **\$ 1,778,977.20**.

EXECUTIVE SESSION

22. ENTER EXECUTIVE SESSION

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

ADJOURNMENTS

23. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Dorothea Accetta**, *Resident of Pearl River and Mother of Orangetown Town Clerk's Office Employee Teresa Accetta-Pugh*
- ❖ **Barry W. Conroy III**, *Formerly of Sparkill and Son of Isabel Conroy*
- ❖ **Kristin Hayes**, *Resident of Blauvelt, Daughter of Orangetown Police Department Clerk Patricia Quinn and Orangetown Zoning Board of Appeals Member Thomas Quinn*