



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday January 28, 2025

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

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. OPEN PUBLIC HEARING / 7:05 P.M. / PROPOSED AMENDMENT TO CHAPTER 43 TOWN CODE / DEFINE FAMILY/ ADDRESS USE & OCCUPANCY OF RESIDENTIAL DWELLINGS

RESOLVED, that the public hearing on a proposed Local Law Amending Chapter 43 Town Code to define family and address use & occupancy of residential dwellings is hereby opened.

4. **CLOSE/CONTINUE PUBLIC HEARING / PROPOSED AMENDMENT TO CHAPTER 43 TOWN CODE / DEFINE FAMILY / ADDRESS USE & OCCUPANCY OF RESIDENTIAL DWELLINGS**

RESOLVED, that the public hearing on a proposed Local Law Amending Chapter 43 Town Code to define family and address use & occupancy of residential dwellings is hereby closed or continued to _____.

5. **DESIGNATION OF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL LAW NO. ___ OF 2025, AMENDING CHAPTER 43, ARTICLE XI AND ADOPTING A NEW ARTICLE XIX OF CHAPTER 43 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 2025, amending Chapter 43 of the Town Code as follows: Article XI entitled "Definitions and Word Usage", specifically related to the definition of "Family"; by amending the Table of General Use Regulations with respect to roomers; and adopting a new Article, identified as Article XIX entitled "Illegal Occupancies"; and further determines that such action is a Type II action pursuant to SEQRA (6 NYCRR 617.5(c)(18)(21)(25)(32)(33), 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.

6. **ADOPTION OF LOCAL LAW NO. ___ OF 2025 / AMENDING CHAPTER 43, ARTICLE XI AND ADOPTING A NEW ARTICLE XIX OF CHAPTER 43 THE TOWN CODE / DEFINITION OF "FAMILY" / ADDRESSING ILLEGAL OCCUPANCIES OF RESIDENTIAL DWELLINGS**

RESOLVED, that the Town Board hereby adopts proposed Local Law No. ___ of 2025, by Amending Chapter 43 of the Town Code as follows: Article XI entitled "Definitions and Word Usage", specifically related to the definition of "Family"; by amending the Table of General Use Regulations with respect to roomers; and adopting a new Article, identified as Article XIX entitled "Illegal Occupancies". See attached proposed local law.

7. **OPEN PUBLIC HEARING / 7:10 P.M. / AMENDING TOWN CODE CHAPTER 11 DUMPING AND TRESPASS, SECTION 3-2, FOOD SCRAPS AND SECTION 4(B) VIOLATIONS AND PENALTIES**

RESOLVED, that the public hearing on a proposed Local Law to amend the Town Code, Chapter 11 Dumping and Trespass, Section 3-2, Food Scraps and Section 4(B), Violations and Penalties is hereby opened.

8. **CLOSE/CONTINUE PUBLIC HEARING / AMENDING TOWN CODE CHAPTER 11 DUMPING AND TRESPASS, SECTION 3-2, FOOD SCRAPS AND SECTION 4(B) VIOLATIONS AND PENALTIES**

RESOLVED, that the public hearing on a proposed Local Law to amend the Town Code, Chapter 11 Dumping and Trespass, Section 3-2, Food Scraps and Section 4(B), Violations and Penalties is hereby closed or continued to _____.

9. **DESIGNATION OF LEAD AGENCY AND DETERMINATION OF SEQRA / PROPOSED LOCAL LAW AMENDING TOWN CODE CHAPTER 11 DUMPING AND TRESPASS, SECTION 11.3-2, FOOD SCRAPS and SECTION 4(B), VIOLATIONS AND PENALTIES**

RESOLVED, that the Town Board declares itself Lead Agency in this matter, 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.

10. **ADOPT LOCAL LAW ____, 2025 / AMENDING TOWN CODE CHAPTER 11, DUMPING AND TRESPASS and SECTION 4(B) VIOLATIONS AND PENALTIES**

RESOLVED, that the Town Board hereby adopts Local Law ____, 2025 to amend the Town Code, Chapter 11, Dumping and Trespass, Section 3-2, Food Scraps and Section 4(B), Violations and Penalties. See attached proposed local law.

11. **OPEN PUBLIC HEARING / 7:15 P.M. / AMENDING CHAPTER 18A AND CHAPTER 2 OF THE TOWN CODE / HAVOR MEMBERSHIP AND AUTHORITY**

RESOLVED, that the public hearing on a proposed Local Law amending Chapters 18A of the Town Code entitled "Historical Areas Board of Review" (HAVOR) and Chapter 2 of the Town Code entitled "Architecture and Community Appearance Board of Review" (ACABOR) regarding the membership and authority of HAVOR is hereby opened.

12. **CLOSE/CONTINUE PUBLIC HEARING / AMENDING CHAPTER 18A AND CHAPTER 2 OF THE TOWN CODE / HAVOR MEMBERSHIP AND AUTHORITY**

RESOLVED, that the public hearing on a proposed Local Law amending Chapters 18A of the Town Code entitled "Historical Areas Board of Review" (HAVOR) and Chapter 2 of the Town Code entitled "Architecture and Community Appearance Board of Review" (ACABOR) regarding the membership and authority of HAVOR is hereby closed or continued to _____.

13. **DESIGNATION OF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL LAW NO. __ OF 2025, AMENDING CHAPTER 18A AND CHAPTER 2 OF THE TOWN CODE / 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 2025, amending Chapters 18A of the Town Code entitled "Historical Areas Board of Review" (HAVOR) and Chapter 2 of the Town Code entitled "Architecture and Community Appearance Board of Review" (ACABOR) regarding the membership and authority of HAVOR; and further determines that such action is a Type II action pursuant to SEQRA (6 NYCRR 617.5(c) (11), (12), (18), (26) and (33), 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.

14. ADOPTION OF LOCAL LAW NO. ___ OF 2025 / AMENDING CHAPTER 18A AND CHAPTER 2 OF THE TOWN CODE / HAVOR MEMBERSHIP AND AUTHORITY

RESOLVED, that the Town Board hereby adopts proposed Local Law No. ___ of 2025, by Amending Chapter 18A of the Town Code and Chapter 2 of the Town Code to provide for five members to constitute the Historic Area Board of Review (HAVOR), and to provide that permit applications in the Historic Area are to be referred to HAVOR instead of the Architecture and Community Appearance Board of Review (ACABOR). See attached proposed local law.

15. RESUME PUBLIC HEARING OF SEPTEMBER 24, 2024 WHICH WAS CONTINUED TO DECEMBER 17, 2024 / 7:20 P.M. / PROPOSED ZONE CHANGE FOR 676 AND 680 WESTERN HIGHWAY AND THE NORTH END OF ELLSWORTH DRIVE, BLAUVELT (SECTION 70.05 BLOCK 1 AND LOTS 14.1, 14.2 & 17.1)

RESOLVED, that the public hearing on a proposed zone change for 676 and 680 Western Highway and the North End of Ellsworth Drive, Blauvelt (Section 70.05 Block 1 and Lots 14.1, 14.2 & 17.1) is hereby resumed.

16. CLOSE/CONTINUE PUBLIC HEARING / PROPOSED ZONE CHANGE FOR 676 AND 680 WESTERN HIGHWAY AND THE NORTH END OF ELLSWORTH DRIVE, BLAUVELT

RESOLVED, that the public hearing on a proposed Zone Change for 676 and 680 Western Highway and the North End of Ellsworth Drive, Blauvelt is hereby closed or continued to ____.

17. APPROVE / CHANGE ORDERS AND EXTEND CONTRACT TO DEC 31, 2024 / VANAS CONSTRUCTION CO, INC, FANSHAWE INC. D/B/A ROCKLAND ELECTRIC AND CALGI CONSTRUCTION COMPANY, INC.

WHEREAS, pursuant to March 22, 2022 RTBM Resolution No. 136 and April 12, 2022 RTBM Resolution No. 182, the Town Board approved contracts for Vanas Construction Co, Inc , Fanshawe Inc. d/b/a Rockland Electric and Calgi Construction Company, Inc. for the Town Hall expansion; and,

WHEREAS, change orders were approved by the Town Supervisor and/or the Town Board due to unforeseen circumstances during construction; and, now therefore, be it

RESOLVED, that the Town Board hereby authorizes the following changes to the original contract amount for Vanas Construction Co, Inc , Fanshawe Inc. d/b/a Rockland Electric and Calgi Construction Company, Inc. and extends these contracts to the end of 2024. The amended contract amounts reflect previously approved change orders and the requirement for additional time on site to complete the Town Hall expansion.

<u>Contractor</u>	<u>Resolution Date</u>	<u>Original Contract Amount</u>	<u>Approved Change Orders</u>	<u>Overage</u>	<u>Revised Contract Amount</u>
Vanas Construction Co., Inc.	03/22/22	13,927,000	548,558		14,475,558
Fanshawe Inc. d/b/a Rockland Electric	03/22/22	3,525,000	92,709		3,617,709
Calgi Construction Company, Inc.	04/12/22	585,700	-	191,087	776,787

18. COMBINE / APPROVE AGENDA ITEMS #19 TO 30

RESOLVED, the Town Board hereby combines and approves agenda items #19 to 30.

19. ACCEPT WITH REGRET, THE RESIGNATION OF MARGARET RASO / MEMBER & CHAIRPERSON / HISTORICAL AREAS BOARD OF REVIEW (HABOR) / EFFECTIVE JANUARY 15, 2025

RESOLVED that, Margaret Raso, Member and Chairperson of the Historical Areas Board of Review (HABOR) has resigned effective January 15, 2025.

20. REAPPOINT THOMAS WARREN / CHAIRPERSON / ORANGETOWN PLANNING BOARD / 2025 / 1-YEAR TERM

RESOLVED, that THOMAS WARREN is hereby reappointed CHAIRPERSON to the Orangetown Planning Board for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025.

21. REAPPOINT ANDREW ANDREWS / MEMBER / ORANGETOWN PLANNING BOARD / 7-YEAR TERM

RESOLVED, that ANDREW ANDREWS is hereby reappointed as MEMBER to the Orangetown Planning Board for a 7-year term, commencing January 1, 2025 and expiring on December 31, 2031.

22. REAPPOINT BRUCE BOND / ALTERNATE MEMBER / ORANGETOWN PLANNING BOARD / 2025 / 1-YEAR TERM

RESOLVED, that BRUCE BOND is hereby reappointed as an ALTERNATE MEMBER to the Orangetown Planning Board for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025.

23. REAPPOINT SHIRLEY GOEBEL-CHRISTIE / CHAIRPERSON / ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW / 2025 / 1-YEAR TERM

RESOLVED, that SHIRLEY GOEBEL-CHRISTIE is hereby reappointed as CHAIRPERSON to the Orangetown Architecture and Community Appearance Board of Review for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025.

24. REAPPOINT SHARON BURKE / MEMBER / ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW / 3-YEAR TERM

RESOLVED, that SHARON BURKE is hereby reappointed as Member to the Orangetown Architecture and Community Appearance Board of Review for a 3-year term, commencing January 1, 2025 and expiring on December 31, 2027.

25. REAPPOINT MICHAEL BOSCO / CHAIRPERSON / ORANGETOWN ZONING BOARD OF APPEALS / 2025 / 1-YEAR TERM

RESOLVED, that MICHAEL BOSCO is hereby reappointed CHAIRPERSON to the Orangetown Zoning Board of Appeals for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025.

26. REAPPOINT MICHAEL BOSCO / MEMBER / ORANGETOWN ZONING BOARD OF APPEALS / 5-YEAR TERM

RESOLVED, that MICHAEL BOSCO. is hereby reappointed as MEMBER to the Orangetown Zoning Board of Appeals for a 5-year term, commencing January 1, 2025 and expiring on December 31, 2029.

27. REAPPOINT ANTHONY DEROBERTIS / ALTERNATE MEMBER / ORANGETOWN ZONING BOARD OF APPEALS / 2025 / 1-YEAR TERM

RESOLVED, that ANTHONY DEROBERTIS is hereby reappointed as an ALTERNATE MEMBER to the Orangetown Zoning Board of Appeals for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025.

28. REAPPOINT CHARLES (SKIP) VEZZETTI / CHAIRPERSON / ORANGETOWN SANITATION COMMISSION / 2025 / 1-YEAR TERM

RESOLVED, that CHARLES (SKIP) VEZZETTI is hereby reappointed as CHAIRPERSON to the Orangetown Sanitation Commission for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025.

29. REAPPOINT CHRISTOPHER HUBER / MEMBER / ORANGETOWN SANITATION COMMISSION / 5-YEAR TERM

RESOLVED, that CHRISTOPHER HUBER is hereby reappointed as MEMBER to the Orangetown Sanitation Commission for a 5-year term, commencing January 1, 2025 and expiring on December 31, 2029.

30. APPOINT / STEPHEN MUNNO / CLERK TO THE SANITATION COMMISSION / 2025 / ONE-YEAR TERM

RESOLVED, that STEPHEN MUNNO is hereby appointed Clerk to the Sanitation Commission for a term of one-year, commencing January 01, 2025 and expiring on December 31, 2025.

TOWN BOARD / IT

31. APPROVE / PURCHASE OF WEBSITE SERVICES FROM REVIZE

WHEREAS, the Town Board recognizes the importance of maintaining an accessible and user-friendly municipal website to enhance communication and services for residents; and

WHEREAS, the Confidential Assistant to the Town Supervisor and the Information Services and Equipment Specialist conducted interviews and meetings with 6 different website development companies; and

WHEREAS, Revize, LLC has provided a proposal for website design, hosting, and maintenance services tailored to the needs of the Town; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the purchase of website services from Revize, LLC, in the amount of \$12,350, year one and \$4,500 each for years 2-5 and further authorizes the Supervisor or her designee to execute all necessary documents related to this agreement, upon review and approval of the Town Attorney, to be charged to account # A.1682.457.

TOWN ATTORNEY

32. APPROVE CARETAKER AGREEMENT 2025/ NIKE PARK / INCREASE

RESOLVED, that the caretaker agreement for the property located at 1 Nike Lane, Orangeburg, New York (Nike Park), with an increase, for a fee of ONE THOUSAND THREE HUNDRED SIXTY AND 00/100 (\$1,360.00) per month for a term from January 1, 2025 through December 31, 2025, between the Town and LOUIS CAPUTO is hereby approved and the Supervisor is hereby authorized to sign same.

33. APPROVE CARETAKER AGREEMENT 2025 / HENRY V. BORST PARK / INCREASE

RESOLVED, that the caretaker agreement for the property located at 212 North Main Street, Pearl River, New York (Henry V. Borst Park), with an increase, for a fee of ONE THOUSAND FOUR HUNDRED AND 00/100 (\$1,400.00) DOLLARS per month, for a term from January 1, 2025 through December 31, 2025, between the Town and BRIAN EDWARDS is hereby approved and the Supervisor is hereby authorized to sign same.

34. APPROVE 2025 AGREEMENT WITH HUDSON VALLEY HUMANE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR SHELTER/POUND SERVICES

RESOLVED, that the Town Board authorizes and approves an Agreement with Hudson Valley Humane Society for the Prevention of Cruelty to Animals by quarterly payments for fiscal year 2025 for the statutory shelter/pound services required to be provided by the Town, in accordance with the terms of the Agreement, a copy of which is expressly incorporated herein by reference, and the Supervisor is hereby authorized to sign same.

35. **APPROVE ONE YEAR CONTRACT 2025/ FIRE PROTECTION SERVICES/ BLAUVELT FIRE PROTECTION DISTRICT/ BLAUVELT VOLUNTEER FIRE COMPANY INC.**

RESOLVED, that the Town Board hereby approves a ONE (1) YEAR contract with the Blauvelt Volunteer Fire Company, Inc., for Fire Protection Services in and throughout the Blauvelt Fire Protection District, within the Town, for year 2025, in the sum of SIX HUNDRED NINETY THOUSAND AND 00/100 (\$ 690,000.00) DOLLARS, (which sum includes Workers Compensation Insurance), and as otherwise in accordance with the terms of the Contract incorporated herein by reference.

36. **APPROVE / ONE YEAR CONTRACT FOR LIBRARY SERVICES 2025/ ORANGETOWN LIBRARY DISTRICT / CONTRACTS WITH THE BLAUVELT FREE LIBRARY, THE ORANGEBURG LIBRARY, THE PALISADES FREE LIBRARY, AND THE TAPPAN FREE LIBRARY**

RESOLVED, that the Town Board hereby approves a ONE (1) Year Contract with the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district as set forth within the Orangetown Library District (and including the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012) in the Town for calendar year 2024, as follows:

BLAUVELT: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for SEVEN HUNDRED FOURTEEN THOUSAND FOUR HUNDRED AND 00/100 (**\$714,400.00**) DOLLARS, with the Blauvelt Free Library to provide library services to residents of Blauvelt, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

ORANGEBURG: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for FIVE HUNDRED EIGHTY TWO THOUSAND SIX HUNDRED TWENTY-FOUR AND 00/100 (**\$582,624.00**) DOLLARS, with the Orangeburg Library to provide library services to residents of Orangeburg, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

PALISADES: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for FOUR HUNDRED EIGHT THOUSAND AND 00/100 (**\$408,000.00**) DOLLARS, with the Palisades Free Library to provide library services to residents of Palisades, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

TAPPAN: RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a ONE (1) year contract, on behalf of the Town, as proposed and written, for SEVEN HUNDRED THIRTY EIGHT THOUSAND TWENTY-TWO AND 00/100 (**\$738,022.00**) DOLLARS, with the Tappan Free Library to provide library services to residents of Tappan, as well as to the residents of the Sparkill area delineated in subdivision (e) of Section 1 of

Chapter 494 of the Laws of 2012, within the Town, and otherwise in accordance with the terms of a contract incorporated herein by reference.

37. APPROVE LETTER OF INTENT / SALE OF 159 HUNT ROAD, ORANGEBURG / TAX LOT 73.15-1-17 / WHARTON INDUSTRIAL C/O WHARTON EQUITY PARTNERS

WHEREAS, the Town of Orangetown owns a certain parcel of land identified as 159 Hunt Road, Orangeburg, New York, tax lot 73.15/1/17 consisting of approximately 10 acres of land currently utilized by the Town for storage by the Parks and Recreation and Highway Departments, as well as a Town sewer pump station, and

WHEREAS, Wharton Industrial c/o Wharton Equity Partners (Wharton) has expressed an interest in purchasing approximately 8 acres of said property, exclusive of the sewer pump station, for purposes of developing a data center at the site and has submitted a non-binding Letter of Intent (LOI) to pursue such purchase, and

WHEREAS, Wharton has proposed undertaking to relocate existing Town facilities to available vacant Town land located at the former Rockland Psychiatric Center (RPC), and

WHEREAS, it is in the best interests of the Town to pursue the potential sale of the property as the current facilities would be relocated to a more convenient location and updated to meet the Town's needs, which relocation would be to an underutilized Town owned property, and the current property thus no longer needed for Town purposes,

NOW THEREFORE, BE IT RESOLVED, that the Town Supervisor and/or her designee is authorized to sign a non-binding Letter of Intent (LOI) with Wharton to pursue the sale of approximately 8 acres of Town owned property located at 159 Hunt Road, Pearl River, New York, under the terms and conditions as set forth in the LOI dated January 17, 2025, for the net sale price of \$2.75 Million Dollars, and

BE IT FURTHER RESOLVED, that Wharton shall deposit with the Town upon the execution of the LOI a \$ 25,000.00 refundable deposit to be held in escrow by the Town and/or an agreed upon escrow agent, and

BE IT FURTHER RESOLVED, in the event the Town decides to proceed with the sale of the property to Wharton, that the parties would enter into a separate purchase sale agreement (PSA), which PSA would be subject to permissive referendum.

HIGHWAY

38. APPROVE SUPPLEMENT AGREEMENT / 2021-2022 MUNICIPAL SNOW & ICE AGREEMENT

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the maintenance of State Highways includes the control of snow and ice thereon, and the work of such control of snow and ice may be performed by any municipality, which includes towns, pursuant to an agreement between the governing board of a town and the State Commissioner of Transportation; and,

WHEREAS, pursuant to Resolution #2020 -239, the Town entered into an agreement with the NYSDOT for the Town of Orangetown to provide Snow and Ice Control on State highways located within the Town from 2019 to 2024; and,

WHEREAS, the agreement allows labor costs to be adjusted based on the agreement between the Town and CSEA for the 2021/2022 season; and,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Highways, the Supervisor is hereby authorized to sign a Supplement Agreement to adjust the estimated expenditures for the 2021-2022 Municipal Snow & Ice Agreement, between the Town of Orangetown and the New York State Department of Transportation, to \$219,978.32 an increase of \$22,195.20.

39. **APPROVE/ RETENTION OF COLLIERS ENGINEERING & DESIGN / DESIGN AND CONSTRUCTION INSPECTION SERVICES / IMPROVEMENTS TO TWO TRAFFIC SIGNALS**

RESOLVED, upon the recommendation of the Superintendent of Highways, the Town Board hereby approves the retention of Colliers Engineering & Design to provide Traffic Signal Design and Construction Inspection Services for Improvements to 2 Traffic Signals at Various Locations, at a cost of \$46,300.00 to be charged to H.3310.200.24, pursuant to a written proposal, dated December 2, 2024 incorporated herein by reference and to be filed in the Town Clerk's Office.

40. **APPROVE/ AWARD BID/ ONE (1) 2026 FREIGHTLINER M2-106 VAC-ALL SWEEPER**

RESOLVED, upon the recommendation of the Superintendent of Highways, award the bid for One (1) 2026 Freightliner M2-106 Vac-All Sweeper to Diehl & Sons, Inc. DBA New York Freightliner, Richmond Hill, NY, the only bidder, at a cost of \$558,758.07 to be charged to H.5130.200.24.

41. **AUTHORIZE/ AGREEMENT/ NYSDOT/ PIN 8762.34/ MOUNTAINVIEW AVENUE OVER SPARKILL CREEK CULVERT REPLACEMENT**

WHEREAS, a project for the Mountainview Avenue over Sparkill Creek Culvert Replacement in the Town of Orangetown, Rockland County, P.I.N. 8762.34 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the Town of Orangetown will design, let, and administer all phases of the Project.

WHEREAS, the Town of Orangetown desires to advance the Project by making a commitment of 100% of the costs of Construction, and Construction Inspection work for the Project or portions thereof.

NOW, THEREFORE, the Orangetown Town Board, duly convened does hereby

RESOLVE, that the Orangetown Town Board hereby approves the Project; and it is hereby further

RESOLVED, that the Orangetown Town Board hereby authorizes the Town of Orangetown to pay 100% of the cost of Construction, and Construction Inspection work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of \$1,500,000 is hereby appropriated from H.5110.200.06 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Orangetown Town Board hereby agrees that the Town of Orangetown shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the Town of Orangetown and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Orangetown Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof, and it is further

RESOLVED, that the Orangetown Town Board hereby agrees that the Town of Orangetown hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Orangetown Town Supervisor be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the Town of Orangetown in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the Town of Orangetown will be responsible for all maintenance of the Project; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

PARKS AND RECREATION

42. COMBINE / APPROVE AGENDA ITEMS #43 TO 45

RESOLVED, the Town Board hereby combines and approves agenda items #43 to 45.

43. AWARD MINI-BID / NIELSEN FORD OF MORRISTOWN INC / 2025 MUSTANG MACH-E PREMIUM

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance and in accordance with NYS OGS Vehicle Marketplace Solicitation #23166 and Mini-Bid Award # 24-003, the Town Board hereby awards the Mini- Bid for one 2025 Mustang Mach-E Premium to Nielsen Ford of Morristown Inc, NJ, the lowest qualified bidder, in the amount of \$46,461.17, to be paid using grants funds with the overage charged to Account No: A.7110.200.

44. AWARD MINI-BID / VAN BORTEL FORD INC. / 2025 FORD MAVERICK XL

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance and in accordance with NYS OGS Vehicle Marketplace Solicitation #23166 and Mini-Bid Award # 24-001, the Town Board hereby awards the Mini-Bid for one 2025 Ford Maverick XL to Van Bortel Ford, Inc. of East Rochester, the lowest qualified bidder, in the amount of \$29,176.05, to be paid using bonded funds.

45. AWARD MINI-BID / HEMPSTEAD LINCOLN MERCURY MOTOR CORP. / 2 2025 FORD F-250 XL PICKUP TRUCKS

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance and in accordance with NYS OGS Vehicle Marketplace Solicitation #23166 and Mini-Bid Award # 24-002, the Town Board hereby awards the Mini-Bid for two 2025 Ford F-250 XL to Hempstead Lincoln Mercury Motors Corp. of Hempstead, NY, the lowest qualified bidder, in the amount of \$53,962, each, for a total of: \$107,924.00 to be paid using bonded funds.

46. ACCEPT DONATION / MEMORIAL BENCH / LEW

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance accept with gratitude the donation of a memorial bench to be placed along the rail trail. Engraving will read:

In Loving Memory Lucy Lee Lew

47. ACCEPT DONATION / MEMORIAL BENCH / SANDHAGE

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance accept with gratitude the donation of a memorial bench to be placed at Pascack Brook Park. Engraving to read:

Remember the Good Times at the Brook

The Sandhage Family

48. APPOINT RICHARD GODDIN/ GROUNDWORKER / PROBATIONARY / GRADE 9, STEP 1 / EFFECTIVE FEBRUARY 10, 2025

RESOLVED, upon the recommendation of the Superintendent of Recreation and Parks, appoint Richard Goddin, to the position of Groundswoker, Probationary, Grade 9, Step 1, at a salary of \$56,265, effective February 10, 2025.

POLICE

49. ACCEPT FUNDING FROM ROCKLAND COUNTY FOR STOP-DWI ENFORCEMENT

RESOLVED, that upon the recommendation of the Chief of Police, the Town Board hereby accepts funding from Rockland County through the Rockland County Stop-DWI Department in an amount up to \$7,000.00 for the purposes of providing overtime reimbursement for Impaired Driving Enforcement within the Town of Orangetown, New York for the period beginning on January 1, 2025 to December 31, 2025.

50. APPOINT LISA PORCO / SENIOR CLERK-TYPIST / PERMANENT / GRADE 5, STEP 4 / EFFECTIVE JANUARY 29, 2025

RESOLVED, that upon the recommendation of the Chief of Police and Rockland County Personnel, Lisa Porco is hereby appointed to the position of Senior Clerk-Typist, Permanent, from list # 24244010 Grade 5, Step 4 effective January 29, 2025, no change in salary.

51. APPROVE LICENSE AGREEMENT WITH TOWN OF RAMAPO RELATING TO USE OF FIRING RANGE

RESOLVED, that upon the recommendation of the Town Attorney's Office, authorize the Supervisor to sign a License Agreement for the use of the Town of Ramapo Police Firing Range for calendar year 2025, at "NO COST" to the Town of Orangetown, subject to provisions of insurance and indemnification as in past years.

52. APPROVE SECOND EXTENSION TO AGREEMENT / BETWEEN ROCKLAND COUNTY AND TOWN / ROCKLAND COUNTY LEAD (LAW ENFORCEMENT ASSISTED DIVERSION)

WHEREAS, Rockland County, through the District Attorney's Office, in an effort to provide financial assistance to local law enforcement and to the Town for reimbursement of expenditures by the Town Police Department for the law enforcement assisted diversion (LEAD) program associated with Project Connect, and

WHEREAS, the County of Rockland, pursuant to its Resolution No. 424 of 2021 has authorized the County Executive to execute an Intermunicipal Agreement to reimburse the Town of Orangetown in the amount of \$27,500.00 for reimbursement for Law Enforcement Related to Project Connect, and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and

requires that any inter- municipal agreement be approved by each participating municipal corporation by a majority vote of its governing body, and

WHEREAS, the Town Board finds and determines that such previously entered- into agreement dated October 19, 2022 and reimbursement for training is in the best interests of the good and welfare of the Town in the operations of its governmental functions,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the second extension of the previously entered-into October 19, 2022 Inter -municipal Agreement between the Town of Orangetown and County of Rockland as set forth in the County's Resolution No 424 of 2021 with respect to the reimbursement of the sum of \$27,500.00 for reimbursement of expenses related to the training and overtime for Project Connect as part of the LEAD program referenced above, and authorizes the Supervisor to execute the extension of the aforesaid Inter -municipal Agreement and any and all documents necessary to effectuate same. The aforesaid Inter-municipal Agreement shall be extended through September 30, 2025.

DEME

53. **ACCEPT WITH REGRET, RESIGNATION/RETIREMENT OF JAMES DOHERTY / ASSISTANT PLANT OPERATOR I / D.E.M.E./SEWER DEPARTMENT / EFFECTIVE DECEMBER 30, 2024**

RESOLVED, that the Commissioner of D.E.M.E. and the Town Board accepts with regret, the resignation/retirement of James Doherty, Assistant Plant Operator I, from D.E.M.E./Sewer Department, after 22 years, effective December 30, 2024.

PERSONNEL

54. **ACCEPT WITH REGRET, RESIGNATION/RETIREMENT OF EILEEN FITZPATRICK / CLERK TYPIST(LFT) / PERSONNEL/ EFFECTIVE JANUARY 31, 2025**

RESOLVED, that the Town Board accepts with regret, the resignation/retirement of Eileen Fitzpatrick, Clerk Typist (LFT), from Personnel Department, after 20 years, effective January 31, 2025.

FINANCE

55. **ACCEPT WITH REGRET, RESIGNATION/RETIREMENT OF NATALIE SCHUTTER / ACCOUNTANT II / FINANCE/ EFFECTIVE JANUARY 31, 2025**

RESOLVED, that the Town Board accepts with regret, the resignation/retirement of Natalie Schutter, Accountant II, from Finance Department, after 18 years, effective January 31, 2025.

56. APPROVE / ENGAGEMENT LETTER / CAPITAL MARKET ADVISORS / FINANCIAL ADVISOR

RESOLVED, based on the recommendation of the Director of Finance, the Town Board is authorizing the Director of Finance to sign an engagement letter with Capital Market Advisors to act as the Financial Advisor for the Town in any upcoming bond issuance. There is no increase in fees, and the cost associated depends on the size of the bond offering. The cost for the continuing disclosure to the SEC is \$2,700 annually.

JUSTICE COURT

57. ACCEPT RESIGNATION/RETIREMENT OF LIZBETH KALL / SENIOR CLERK TYPIST / JUSTICE COURT/ EFFECTIVE JANUARY 30, 2025

RESOLVED, that the Town Board accepts the resignation/retirement of Lizbeth Kall, Senior Clerk Typist, from Orangetown Justice Court, after 18 years, effective January 30, 2025.

TOWN CLERK

58. 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: 11/26/2024 & 12/17/2024 Regular Town Board Meeting and 12/17/2024 Police Commission.
2. Agreements:
 - Fellenzer Engineering LLP (engineering Services for the HVAC system in the Town Hall Addition – 2024).
 - Cablevision Franchise Agreement
 - Verizon Franchise Agreement
 - NYSERDA Grant for Electric Vehicles & Landscaping Equipment
 - Pearl River Library - 2024 License Agreement- Storage at Municipal Lot
 - LexisNexis 2025-2027 / Legal Research Tool
3. Policies:
 - Travel & Conference Policy – 2025
 - Procurement Policy - 2025

AUDIT

59. 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 (attached) for a total of \$3,573,000.41.

EXECUTIVE SESSION

60. ENTER EXECUTIVE SESSION

RESOLVED, at ____ pm, the Town Board entered Executive Session to discuss matters relating to personnel.

ADJOURNMENTS

61. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Eleanor Casey**, *Resident of Orangeburg and Grandmother of Orangetown Police Officer Patrick Casey*