



**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING MINUTES
January 28, 2025**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:
Councilperson Paul Valentine
Councilperson Jerry Bottari
Councilperson Brian Donohue
Councilperson Dan Sullivan
Supervisor Teresa M. Kenny

Also Present:
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

DISCUSSION:
WORKSHOP OF AGENDA ITEMS

**RESOLUTION NO. 30
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: 5 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue,
Councilperson Dan Sullivan, Supervisor Teresa M. Kenny
Noes: None

Summary of Public Comments:
Yasmin Dhar, S. Nyack, complained that there wasn't any public hearing or notification to public or permits for Nyack College's event. She informed the Board that Kaiser Bus Service excessively speeds and idles as well as golf carts being driven on the roads.
Thomas Finsterwald, Orangeburg, is in-favor of the construction at the intersection of Mountainview Ave & Route 303 only if it improves the inter section. He is not in-favor if it benefits the warehouse.
Chris Krelbronski & David Rosen, Old Tappan, and Vanessa Lapins, Blauvelt, are concerned there are too many data centers in Orangetown. They suggested making 159 Hunt Rd, Orangeburg a parking lot for the Pearl River Little League.

RESOLUTION NO. 31
CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 32
OPEN 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 opened.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

Rosanna Sfraga, Town Clerk presented the Affidavits of Posting & Publication and comments from outside agencies, which are labeled Exhibit 01-28-A and made a part of these minutes.

Summary of Public Comments:

James McCafferty, Blauvelt, believes the Town Board is overstepping their bounds. It's a private residence and the owner should be able to rent out as many rooms as wished.

Barbara Delo, Blauvelt, claims one room is not enough for some.

Patty Pogeweit, Pearl River, - the Town Board is trying to protect us from LLCs' buying homes and having multiple boarders in a single-family home.

Yasmin Dhar, S. Nyack, agrees with the limit of two boarders.

Thomas Hargaden, Orangeburg, asked what about the homes religious groups own?

MaryEllen Flanagan, Pearl River, is in-favor of limiting the number of boarders. The house next to hers was sold and the new owners made it a boarding house.

Katie Dizzine & Chris Dunnigan, Pearl River, sent an email (Exhibit 01-28-B).

RESOLUTION NO. 33
CLOSE 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.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 34
DESIGNATION OF LEAD AGENCY, AMENDING CHAPTER 43, ARTICLE XI AND ADOPTING A NEW ARTICLE XIX OF CHAPTER 43 THE TOWN CODE AND DETERMINATION UNDER SEQRA / DEFINE FAMILY / ADDRESS USE & OCCUPANCY OF RESIDENTIAL DWELLINGS

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review, 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.

RESOLUTION NO. 34 - Continued

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 35

ADOPTION OF LOCAL LAW NO. 2 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 AS AMENDED

RESOLVED, that the Town Board hereby adopts proposed Local Law No. 2 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" as amended.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

LOCAL LAW NO. 2 OF 2024, AMENDING ARTICLE XI OF CHAPTER 43 (ZONING) OF THE CODE OF THE TOWN OF ORANGETOWN SO AS TO AMEND THE DEFINITION OF FAMILY

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

Section 1 - Recitals and Legislative Intent.

It is hereby found that, in accordance with the objectives as set forth in the Town of Orangetown's ("Town") 2023 Comprehensive Plan, changes to the existing Town Code are necessary in order to provide a clear guideline to achieve such objectives. Among such objectives is to preserve the character of residential neighborhoods by providing for a more detailed definition of a "family" that is consistent with preserving the character of residential neighborhoods in a manner that is consistent with long established precedent in the State of New York, and the practice of the Town of Orangetown.

Section 2 - The definition of the word "family," set forth in § 11.2 (Definitions) of Article XI (Definitions and Word Usage), of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended to read as follows:

FAMILY

- (a) One person or a group of persons occupying a dwelling unit and living together in, and operating as a single nonprofit housekeeping unit.
- (b) It shall be presumptive evidence that four or more persons living in a single dwelling unit, who are not related by blood, marriage or legal adoption, do not constitute a single housekeeping unit.
- (c) In determining whether persons are living together as a single housekeeping unit, the following criteria must be met:
 - (1) The group of persons is one which, by its size, appearance, structure and function, resemble a "family" unit as customarily defined outside of this code.
 - (2) The group of persons must share the entire dwelling unit, and live and cook together as a single nonprofit housekeeping unit. A dwelling unit, in which the various occupants act as separate roomers, shall not be deemed to be occupied as a single housekeeping unit.

Local Law 2, 2025 – Continued

- (3) The group of persons share expenses for food, rent or ownership costs, utilities, and other household expenses.
- (4) The group of persons is non-transient and stable. Evidence of being non-transient and stable includes, but is not necessarily limited to:
 - (i). The presence of minor dependent children regularly residing in the household and who are enrolled in local schools.
 - (ii). Members of the group have the same address for purposes of voter's registration, driver's license, motor vehicle registration and filing of taxes.
 - (iii). Members of the group are employed in the area.
 - (iv). The members of the group have been living together as a single housekeeping unit for a year or more, whether in the current dwelling unit or other dwelling units.
 - (v). There is common ownership, among the members of the group, of furniture and appliances.
 - (vi). The group of persons is not transient or temporary in nature.
- (5) Any other factor reasonably related to whether the group of persons is occupying the dwelling as a single housekeeping unit.

Section 3 - Adoption of a new Article XIX, of Chapter 43 (Zoning), of the Code of the Town of Orangetown, to be entitled “Illegal Occupancies.”

A new Article XIX, of Chapter 43 (Zoning), of the Code of the Town of Orangetown (“Orangetown Code”), to be entitled “Illegal Occupancies,” is hereby inserted into the Orangetown Code to read as follows:

Article XIX. Illegal Occupancies

§ 19-1. Legislative Intent; purpose.

The Town of Orangetown (“Town”) hereby finds that there exists serious conditions in the Town arising from the rental of dwelling units that are substandard, inadequate in size, overcrowded and/or dangerous and/or in violation of Local, County and/or State laws and codes, and that the rental of such dwelling units poses a significant threat to life, health and property of Town residents, and their guests and invitees, and others, and tends to promote, and encourage, deterioration of housing within the Town, contributes to excessive motor vehicle traffic and parking problems, and overburdens, and has a detrimental effect upon, municipal services. The Town Board finds that the current Orangetown Code provisions are inadequate to adequately deter, and/or eliminate, the existence of such dwelling units, and that adequate local legislation regulating these occupancies is required to promote and preserve the public health, safety and welfare, and the good order and governance of the Town. The enactment of the regulations set forth in this Article, which regulations are remedial in nature and effect, shall result in enhancing the public health, safety and welfare, and the good order and governance of the Town.

§ 19-2. Scope.

This Article shall apply to all real property located within the Town, whether or not the use and occupancy thereof shall be permitted under the applicable use regulations for the Zoning District in which such real property is located.

§ 19-3. Applicability.

The provisions of the Article shall be deemed to supplement applicable Local, County and State laws, ordinances, codes and regulations. Nothing in this Article shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, the County or the State, or existing requirements of any other provision of Local Law or Ordinance of the Town, or of the County or the State; in situations where there is a conflict between any provisions of this Article and any applicable State, County or Local Law, ordinance, code or regulation, the more restrictive provision or requirement shall prevail.

§ 19-4. Illegal occupancy.

It shall be unlawful to occupy, or to allow, consent or cause to be occupied, or to assist or abet in the

Local Law 2, 2025 – Continued

occupancy of, a dwelling unit in the Town under circumstances where the number of occupants exceeds the permitted number of occupants.

A. Presumptions of illegal occupancies in single (or one) family dwellings.

- (1) In all civil and criminal prosecutions brought for the enforcement of code provisions with respect to illegal occupancies, there shall be a rebuttable presumption that a single (or one) family dwelling unit is occupied by more than one family if any two or more of the following features are found to exist on the premises by the Town's Office of Building, Planning and Zoning Administration and Enforcement ("OBZPAE"), which shall include the Building Inspectors, Fire Inspectors and/or Code Enforcement Officers (a/k/a Code Enforcement Officials or Code Enforcers), authorized to enforce, or investigate, violations of the Orangetown Code, or any laws, codes, rules and regulations of the State of New York (hereinafter such Inspectors, Officers and Officials may be referred to as "Code Enforcers"):
 - (a) More than one mailbox, mail slot, or post office address, or any combination thereof.
 - (b) The number of exterior doorways exceeds the number permitted by the most recently approved site development plan(s), and/or architectural drawing(s), or any subsequent variances that may have been granted by the Town's Zoning Board of Appeals.
 - (c) More than one natural gas meter.
 - (d) More than one electric meter.
 - (e) More than one water meter.
 - (f) More than one connecting line for cable television/internet service, or a "split" cable television/internet line not authorized by the cable company to be split.
 - (g) More than one satellite antenna, satellite dish, or similar satellite receiving equipment.
 - (h) More than one exterior telephone line.
 - (i) Separate entrances for segregated parts of the dwelling unit, including, but not limited to, bedrooms.
 - (j) Partitions, or internal doors, with "key locks" that can serve to bar access between segregated portions of the dwelling unit, including, but not limited to, bedrooms.
 - (k) Separate written, or oral, leases or rental agreements or arrangements, including, but not limited to, separate payments, or agreements or arrangements, to pay for occupancy of portions of the dwelling unit, between the owner(s) of the real property and its occupants.
 - (l) The inability of any occupant to have lawful access to all parts of the dwelling unit.
 - (m) Two or more kitchens, unless approved by OBZPAE with a Certificate of Occupancy granted.
 - (n) Any entrance which has not been set forth on any architectural or engineering plans or drawings approved by, and on file with, OBZPAE.
 - (o) Two or more motor vehicles parked on the dwelling lot registered to persons with two or more different surnames.
- (2) In addition to the foregoing, it shall also be a rebuttable presumption of an illegal occupancy if a portion of a single (or one) family dwelling has been advertised, or listed or published with any newspaper, magazine, local advertising publication, or real estate broker or agent, whether physically published or printed, or posted online on the internet, as being available for sale or rent or lease, or has been orally advertised as being available for rent or lease.

B. Presumptions of illegal occupancies in multiple-family dwellings.

- (1) In all civil and criminal prosecutions brought for the enforcement of code provisions with respect to illegal occupancies, there shall also be a rebuttable presumption that a multiple-family dwelling unit is occupied by more than the permitted number of families if any two or more of the following circumstances are found to exist at the premises by a Code Enforcer:

Local Law 2, 2025 – Continued

- (a) The number of mailboxes, mail slots or post office addresses exceeds the number of permitted families.
 - (b) The number of doorbells, or exterior entrance doorways, exceeds the number of permitted families.
 - (c) The number of natural gas meters exceeds the number of permitted families.
 - (d) The number of electric meters exceeds the number of permitted families.
 - (e) The number of water meters exceeds the number of permitted families.
 - (e) The number of connecting lines for cable television/internet service exceeds the number of permitted families.
 - (f) The number of satellite antennas, satellite dishes, or similar satellite receiving equipment, exceeds the number of permitted families.
 - (g) The number of exterior telephone lines exceed the number of permitted families.
 - (h) The number of kitchens, each containing one, or more, of the following: a refrigerator, sink and/or range/cooktop, oven, hotplate, microwave, or other similar devices customarily used for cooking or the preparation of food, exceeds the number of permitted families.
 - (i) The number of motor vehicles parked on the dwelling lot, registered to persons with different surnames, exceeds the number of permitted families.
 - (j) The number of entrances for segregated parts of the dwelling unit(s), including, but not limited to, bedrooms, exceeds the number of permitted families.
 - (k) Partitions, or internal doors, with "key locks" that can serve to bar access between segregated portions of the dwelling unit(s), including, but not limited to, bedrooms.
 - (l) Separate written, or oral, leases or rental agreements or arrangements, including, but not limited to, separate payments, or agreements or arrangements, to pay for occupancy of portions of the dwelling unit, between the owner(s) of the real property and its occupants.
 - (m) The inability of any occupant to have lawful access to all parts of the dwelling unit(s).
 - (n) Any entrance which has not been set forth on any architectural or engineering plans or drawings approved by, and on file with, OBZPAE.
- (2) In addition to the foregoing, it shall also be a rebuttable presumption of an illegal occupancy if a portion of a multiple-family dwelling has been advertised, or listed or published with any newspaper, magazine, local advertising publication, or real estate broker or agent, whether physically published or printed, or posted online on the internet, as being available for sale or rent or lease, or has been orally advertised as being available for rent or lease, for a number of families in excess of the permitted number of families.
- C. Verified statement. If any two or more of the elements set forth in the above subsections A(1) or B(1) are found to exist on the premises by a Code Enforcer, the Code Enforcer may request that the owner of the building, or dwelling, provide a verified statement that the building, or dwelling unit(s), is/are in compliance with all of the provisions of the Orangetown Code, the New York State Uniform Fire Prevention and Building Code (Title 19 of the New York Codes, Rules and Regulations), and the sanitary and housing regulations of the County of Rockland. If the owner fails to submit such verified statement, in writing, to the Code Enforcer within 10 days of such request, such shall be deemed a violation of this Article.
- D. Owner's right to inspection and report upon demand. A person charged with a violation of this Article may demand an inspection by OBZPAE of the subject premises to rebut any of the presumptions hereunder. Such demand shall be in writing, and addressed to a Code Enforcer. The Code Enforcer shall prepare a report of the findings of the inspection, together with photographs, if appropriate.
- E. Presumptive evidence that dwelling unit is rented or leased. The presence, or existence, of any of the following shall create a presumption that a dwelling unit is rented or leased:
- (1) The dwelling unit is occupied by someone other than the owner, and the owner of the dwelling unit represents, in writing or otherwise, to any person, establishment,

Local Law 2, 2025 – Continued

- (2) business, institution or government agency, that he resides at an address other than the dwelling unit in question.
- (2) Persons residing in the dwelling unit represent that they pay rent to the owner, or an agent or manager of the owner, of the dwelling unit.
- (3) Utilities, cable, telephone, or other services, are in place, or are requested to be installed, or used at the dwelling unit, in the name of someone other than the owner.
- (4) Testimony by a witness that it is common knowledge in the community that a person other than the owner resides in the dwelling unit.

F. Presumptions rebuttable by conclusive evidence. Any and all of the presumptions of non-compliance, or violations, raised by proof of the existence of any such conditions or circumstances, as set forth in this Article, may be rebutted, but only by conclusive evidence that such conditions or circumstances do not, in fact, exist, or that such conditions or circumstances, or the dwelling unit or the occupancy thereof, in fact, comply with the codes.

§ 19-5. Penalties for offenses.

Any natural person, business entity, company, association or organization who shall violate any of the provisions of this Article shall be punishable by a penalty as set forth in Chapter 41A of the Orangetown Code.

§ 19-6. Nonpayment of penalties.

Should the aforesaid penalties not be paid within 30 days of being sentenced by a Town Justice, and after notice of said failure to pay is sent to the violator by U.S. Postal Service First Class Mail, then the real property that is the subject of such judicial sentence shall be assessed against the record owner of the property; and the penalties so assessed shall constitute a lien and charge on such real property on which it is levied until paid, or otherwise satisfied or discharged, and shall be collected in the same manner, and at the same time, as Town property taxes and charges.

§ 19-7. Enforcement.

- A. The Director of OBZPAE, and/or any Code Enforcer, and/or any of their deputies and/or assistants, shall be responsible for investigating, and documenting, violations of any case of illegal occupancy within the Town.
- B. Prosecutions for violations of this Article may be instituted in the Town Justice Court, or any other court of competent jurisdiction.
- C. The Orangetown Town Attorney may institute an action in the Supreme Court of the State of New York, County of Rockland, for appropriate injunctive relief pursuant to New York State Town Law.

Section 4 - Severability.

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 of the Town of Orangetown 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 5 - Authority

This proposed Local Law is enacted and adopted pursuant to NYS Municipal Home Rule Law §10, and in accordance with the procedures prescribed in NYS Municipal Home Rule §20.

Section 6 - 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.

**RESOLUTION NO. 36
OPEN 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 opened.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication, Mailing and Postings, which are labeled Exhibit 01-28-C and made a part of these minutes.

Summary of Public Comments:

Rogera Michel, Pearl River, asked the Town to educate the public more as to what is considered food scraps.

**RESOLUTION NO. 37
CLOSE / 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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 38
DESIGNATION OF LEAD AGENCY AND DETERMINATION OF SEQRA / 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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 39
ADOPT LOCAL LAW 3, 2025 / AMENDING TOWN CODE CHAPTER 11, DUMPING AND
TRESPASS SECTION 11.3-2, FOOD SCRAPS and SECTION 4(B) VIOLATIONS & PENALTIES**

RESOLVED, that the Town Board hereby adopts Local Law 3, 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.

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

Motion: 5 - 0

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

Noes: None

**LOCAL LAW NO. 3, 2025 OF THE TOWN OF ORANGETOWN
AMENDING TOWN CODE CHAPTER 11 DUMPING AND TRESPASS, SECTION
11.3-2, FOOD SCRAPS and SECTION 4(B), VIOLATIONS AND PENALTIES OF
THE CODE OF THE TOWN OF ORANGETOWN**

Section 1. – 11 A of the Code of the Town of Orangetown entitled Dumping and Trespass is amended to read as follows:

§ 11-3.2 Disposal of food scraps.

A. In an effort to reduce the level of methane and other pollutants in the environment as well as the number of components in the Municipal Solid Waste stream, the Town has installed food scrap bins at the disposal of residents at 119 Route 303 and Jim Dean Drive, Orangeburg, New York and at 63 Catherine Street, Nyack, New York. Food scraps are defined as: Fruits and vegetables (without stickers, bands, and ties); meat and poultry, (including bones); fish and shellfish (including shells); dairy products; bread; pasta; rice; rice; grains; eggs and eggshells; chips; snacks; beans; nuts; seeds; leftover and spoiled food; coffee grounds (including paper filters); tea bags (without staples); cut flowers

B. No person shall use any of the Town food scrap bins to throw, dump or deposit or place within, or cause to be thrown, dumped or deposited or placed within any items that are not food scraps as defined above, including but not limited to plastic bags; compostable or biodegradable bags; packaging; stickers; rubber bands; twist ties; pet waste; baby wipes; foil; paper plates; paper towels; plastic; glass; metal or kitchenware. Food scraps shall be placed in Rockland Green’s compostable bags prior to discarding.

§ 11-4 Violations and penalties.

- A. Punishment. Any person who commits or permits any violation of the provisions of this ordinance shall be guilty of a violation of this ordinance and upon conviction shall be subject to a penalty as set forth in Article 41A of the Town Code.
- B. In addition to the above provided penalties and punishment, the Town Board may also maintain an action in the name of the Town in any court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this ordinance.

Section 2. Authority

This proposed Local Law is enacted and adopted pursuant to NYS Municipal Home Rule Law §10, and in accordance with the procedures prescribed in NYS Municipal Home Rule §20.

Section 3. Severability

If any section, subdivision, paragraph, clause or phrase of this Local Law shall be adjudged invalid, or held to be unconstitutional, by any court of competent jurisdiction, any judgment or order made thereby shall not affect the validity of this Local Law as a whole, or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date

This Local Law shall take effect upon publishing and posting a copy in the manner prescribed by applicable laws, and upon filing a copy with the NYS Secretary of State.

**RESOLUTION NO. 40
OPEN 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 opened.

RESOLUTION NO. 40 – Continued

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

Motion: 5 - 0

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

Noes: None

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication, Mailing and Postings, which are labeled Exhibit 01-28-D and made a part of these minutes.

Summary of Public Comments: None

RESOLUTION NO. 41

CLOSE 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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 42

DESIGNATION OF LEAD AGENCY / AMENDING CHAPTER 18A AND CHAPTER 2 OF THE TOWN CODE / DETERMINATION UNDER SEQRA / HAVOR MEMBERSHIP AND AUTHORITY

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review, 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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 43

ADOPTION OF LOCAL LAW NO. 4 OF 2025 / AMENDING CHAPTER 18A AND CHAPTER 2 OF THE TOWN CODE / HAVOR MEMBERSHIP AND AUTHORITY

RESOLVED, that the Town Board hereby adopts Local Law No. 4 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.

RESOLUTION NO. 43 - Continued

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

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

Noes: None

LOCAL LAW NO. 4 OF 2025
AMENDING CHAPTER 18A HISTORICAL AREAS OF BOARD REVIEW AND
CHAPTER 2 OF ARCHITECTURE AND COMMUNITY BOARD OF REVIEW OF THE
CODE OF THE TOWN OF ORANGETOWN TO PROVIDE FOR FIVE BOARD
MEMBERS OF HAVOR AND AUTHORIZE HAVOR TO REVIEW BUILDING PERMIT
APPLICATIONS IN HISTORIC DISTRICT IN LIEU OF ACABOR REVIEW

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

Section 1. – Chapter 18A of the Code of the Town of Orangetown entitled Historical Area Board of Review (HAVOR) is amended to read as follows:

§ 18A-2. Board of Review established; terms of office.

There is hereby created in the Town of Orangetown a Board of Review which shall be known as the "Orangetown Historical Areas Board of Review." This Board shall perform all duties and functions delegated to it by this chapter and as authorized elsewhere in the Town Code, as well as all duties and functions delegated to a board of review by any local law which establishes a historical area in any portion of the unincorporated part of the Town of Orangetown.

- A. Any member presently serving out a term of office on the Historical Areas Board of Review shall continue as a member of this Board and shall serve to the end of his/her term of office as if he/she had first been appointed to this Board.
- B. One member shall be appointed for a term of one year; one member shall be appointed for a term of two years; two members shall be appointed for a term of three years; and three members shall be appointed for a term of four years. Thereafter, the terms of office of the members shall be fixed so that a member's term does not exceed five years.
- C. Any vacancy occurring before the end of the term of any member shall be filled by the Town Board by appointment for the remainder of the expired term.
- D. The Town Board shall appoint the Chairperson who shall serve a one-year term ending December 31 of the year.

§ 18A-3. Qualifications of Board members.

- A. The Historical Areas Board of Review shall consist of five members to be appointed by the Town Board.
- B. Any member presently serving on the Historical Areas Board of Review as of the date of this chapter shall continue as members of this Board, and his or her term of office shall continue as if he or she had first been appointed to this Board.
- C. The Town Board shall appoint one member who shall be a resident of the Hamlet of Palisades.
- D. The Town Board shall appoint one member who shall be a resident of the Hamlet of Tappan.
- E. At least one member appointed by the Town Board shall be a member in good standing of a recognized historical or preservation society operating within Rockland County.
- F. The remaining members appointed by the Town Board shall be residents of the Town of Orangetown.

§ 18A-4. Quorum.

Three members of the Board shall constitute a quorum. A majority of the members present shall be required for a determination of any matter presented, but in no event shall a majority be less than three.

Local Law 4, 2025 – Continued**Section 2. Chapter 2 of the Code of the Town of Orangetown entitled Architecture and Community Board of Review (ACABOR), is amended to read as follows**

§2-4 To review applications for building permits.

Every application for a building permit for the construction, reconstruction or alteration of any structure in excess of 1,000 cubic feet of cubical contents proposed for construction, and every application for the development or subdivision of land, and any such application for a building permit, land use or any other development with the Town of Orangetown filed with the Town Board, Planning Board or Building Inspector shall be referred to the Architecture and Community Appearance Board of Review (ACABOR) within seven days of the submission of the application, provided that it conforms in all respects to all other applicable laws and ordinances. This law shall not apply to an application for a single- or two-family residence or residential accessory structure on individual property, except that the Building Inspector, in his discretion, may refer such an application to the Board of Review if it appears, in the light of the standards set forth in § 2-5, that there is a need for such referral. Notwithstanding the foregoing, any property located within an Historic Area as defined in Chapter 12 shall be referred to the Historic Area Board of Review (HABOR) for review of the application under the provisions of this Chapter, in lieu and in place of a referral to the ACABOR referenced above, including for review of any signs located in an Historic Area, as set forth in §2-5(B)(5) of this Chapter.

Section 3. Authority

This proposed Local Law is enacted and adopted pursuant to NYS Municipal Home Rule Law §10, and in accordance with the procedures prescribed in NYS Municipal Home Rule §20.

Section 4. Severability

If any section, subdivision, paragraph, clause or phrase of this Local Law shall be adjudged invalid, or held to be unconstitutional, by any court of competent jurisdiction, any judgment or order made thereby shall not affect the validity of this Local Law as a whole, or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

Section 5. Effective Date

This Local Law shall take effect upon publishing and posting a copy in the manner prescribed by applicable laws, and upon filing a copy with the NYS Secretary of State.

RESOLUTION NO. 44**RESUME PUBLIC HEARING OF SEPTEMBER 24, 2024 WHICH WAS CONTINUED TO DECEMBER 17, 2024 / 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.

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

Abstained: Councilperson Dan Sullivan

Summary of Public Comments:

Vanessa Lapins, Blauvelt, against this zone change. The Planning Board called this “drastic” and she has a petition open opposing this zone change.

Jarrold Esposito, Blauvelt, is opposed to this zone change. This would jeopardize the charm of the area.

Henry Wemmer, Blauvelt, is opposed to this zone change and he believes Ed Lane, developer, is trying to buy the zone change with large donations to elected official’s campaigns.

Pat Flynn, Blauvelt, is opposed; too excessive.

Summary of Public Comments - Continued

James McCaffrey, Blauvelt, is opposed; developers must live with the zoning when they purchased the property. He is concerned about the wildlife, the beauty of the area and increased in traffic. Zoning of an R-80 is acceptable.

Don Gabel, Blauvelt, is opposed and he referred to Rockland County Highway Department’s comments (adverse impact resulting in overcrowding).

Gerry Brady, Blauvelt, is opposed to R-80 changing to R-15. He is in-favor of one (1) acre lots.

Joy Macy, Blauvelt, is opposed. It’s in consisted with the Comprehensive Plan.

Michele Brisson, Blauvelt, is opposed; believes the change will impact the protection of green space and damage the charm of the area.

Michael Derobeitis, Blauvelt, is concerned about open space and overdevelopment.

Barbara Delo, Blauvelt, is opposed; not a good idea to build structures on wetlands.

Wayne Gavioli, Orangeburg, is opposed. He defended this property for the Town, arguing to the NYS Court of Appeals. A change will open the door to every R-80 zone trying to change. The Town should stick with the Comprehensive Plan. The Town Board has an obligation to the people of the Town to have open space.

Tommy See, Blauvelt, strongly opposes this zone change.

MaryAnn Gavioli, Orangeburg, urged the Town Board to not vote for R-15 zoning. The abutting properties are more than an acre.

Other Public Comments were submitted by email (Exhibit 01-28-E).

Donald Brenner, Attorney for the Petitioner, explained that the site plan has changed; 13 residential lots, the flooding and drainage issues are being addressed and there’s a corridor for wildlife.

Jay Greenwald, Land Surveyor & Planner, added there’s going to be no building on the wetlands.

RESOLUTION NO. 45

CLOSE 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.

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

Motion: 4 - 1

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

Noes: None

Abstained: Councilperson Dan Sullivan

RESOLUTION NO. 46

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</u>	<u>Approved Changed Orders</u>	<u>Overage</u>	<u>Revised Contract Amount</u>
Vanas Construction Co., Inc.	3/22/22	13,927,000	548,558		14,475,558
Fanshawe Inc. d/b/a Rockland Electric	3/22/22	3,525,000	92,709		3,617,709
Galgi Construction Comp, Inc	4/12/22	585,700		191,087	776,787

RESOLUTION NO. 46 - Continued

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 47
COMBINE / APPROVE AGENDA ITEMS #19 TO #30**

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

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 48
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 49
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 50
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.

RESOLUTION NO. 50 - Continued

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 51
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 52
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 53
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 54
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 55
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 56
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 57
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 58
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 59
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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 60
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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 61
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

RESOLUTION NO. 61 - Continued

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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 62**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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 63**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.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 64**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.

RESOLUTION NO. 64 - Continued

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 65

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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 66
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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 67
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,

RESOLUTION NO. 67 - Continued

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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 68**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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 69**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.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 70**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.

RESOLUTION NO. 70 - Continued

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

RESOLVED, 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.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 71**COMBINE / APPROVE AGENDA ITEMS #43 TO #45**

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

RESOLUTION NO. 71 - Continued

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 72**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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 73**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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 74**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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 75
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

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 76
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

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 77
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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 78
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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 79
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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 80
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.

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

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 81
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 –

RESOLUTION NO. 81 - Continued

municipal Agreement and any and all documents necessary to effectuate same. The aforesaid Inter-municipal Agreement shall be extended through September 30, 2025.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 82**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.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 83**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.

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

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 84**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.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 85**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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 86**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.

Councilperson Dan Sullivan offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 87**ACCEPT / RECEIVE / FILE DOCUMENTS/TOWN CLERK'S OFFICE**

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

- I. Town Board Meeting minutes: 11/26/2024 & 12/17/2024 Regular Town Board Meeting and 12/17/2024 Police Commission.
- II. Agreements:
FellenzerEngineering LLP (engineering services for the HVAC system – Town Hall new addition
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.
- III. Policies:
Travel & Conference Policy – 2025
Procurement Policy - 2025

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 88
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 01-28-F) for a total of \$3,573,000.41.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 89
ENTER EXECUTIVE SESSION**

RESOLVED, at 9:11 pm, the Town Board entered Executive Session to discuss matters relating to personnel.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 90
RE-ENTER RTBM**

RESOLVED, at 10:02 pm, the Town Board re-entered the Regular Town Board Meeting

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 91
NOMINATE/APPOINT / BRENDAN HAUSER / TEMPORARY POLICE OFFICER /
RESIDENT TOWN OF ORANGETOWN**

RESOLVED, that upon the recommendation of the Chief of Police, per the authorization of the Commissioner of the Rockland County Department of Personnel, and with the understanding that he will need to successfully complete all other phases of the civil service certification and background investigation processes in order to receive a permanent appointment, nominate/appoint, Brendan Hauser, from Rockland County Civil Service List # 21033/67-540 to the position of "Temporary Police Officer/Resident Town of Orangetown", effective February 3, 2025, for the sole purpose of allowing him to attend the DCJS Basic Police Officer training program at the Rockland County Police & Public Safety Academy, Pomona, NY, at a salary consistent with the labor agreement between the Town of Orangetown and the Orangetown PBA.

Under new business, Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 92
NOMINATE / MATTHEW FAHY / POLICE OFFICER RESIDENT TOWN OF
ORANGETOWN**

RESOLVED, upon the recommendation of the Chief of Police, Matthew Fahy, from Rockland County Department of Civil Service nomination list # 21033/67-540, is hereby nominated to position of Police Officer/Resident Town of Orangetown – full-time”, pending completion of the Rockland County Department of Personnel certification process and a satisfactory background investigation.

Under new business, Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Dan Sullivan and was Adopted:

Motion: 5 - 0

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

Noes: None

**RESOLUTION NO. 93
AJOURNMENT / MEMORY**

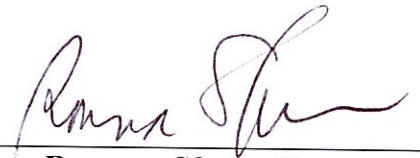
RESOLVED, the Town Board adjourned this meeting in memory of **Eleanor Casey**, *Resident of Orangeburg and Grandmother of Orangetown Police Officer Patrick Casey.*

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

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

Noes: None



Rosanna Sfraga, Town Clerk

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING: DEFINE "FAMILY" / USE & OCCUPANCY OF RESIDENTIAL DWELLINGS

EXHIBIT
01-28-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 20th day, December, 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 20th day of December, 2024



	JOSEPH C. THOMASSEN Notary Public, State of New York No. 01TH6381424 Qualified in Rockland County My Commission Expires Oct. 1, 20 <u>26</u>
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**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on December 17, 2024, a public hearing will be held by the Town Board on January 28, 2025 at 7:05 pm, on a proposed Local Law, amending Chapter 43, "Zoning", to define "Family" and to address issues related to the & occupancy of residential dwellings.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: December 17, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

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:

01/08/2025

Linda Tuttle

Subscribed and sworn to before me this 08 day of January, 2025

Nancy Heyrman

Notary Public
State of Wisconsin, County of Brown

Nancy Heyrman
Notary Public, State of Wisconsin
Commission Expires,

5.15.27

TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on December 17, 2024, a public hearing will be held by the Town Board on January 28, 2025 at 7:05 pm, on a proposed Local Law, amending Chapter 43, "Zoning", to define "Family" and to address issues related to the & occupancy of residential dwellings.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: December 17, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney
January 8 2025
LNYS0212415

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

January 22, 2025

Orangetown Town Board
20 Greenbush Road
Orangeburg, NY 10962

Tax Data:

TOWN OF ORANGETOWN
2025 JAN 22 P 4: 26
TOWN CLERK'S OFFICE

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239

Map Date:

Date Review Received: 12/20/2024

Item: *Define Family & Use Occupancy of Resident Dwelling (GML-24-0383)*

Local law to establish a more detailed definition of the word “family” under Chapter 43, Article XI, Section 11.2 (Definitions) and adopt Article XIX to be entitled “Illegal Occupancies.
Define Family & Use and Occupancy of Residential Dwellings
Throughout the Town

Reason for Referral:

County Highways, County Facilities, County Regulated Streams, County Parks, DEC Piermont Recreational Area, Long Path Hiking Trail, State Highways, State Facilities, NYS Thruway, State Parks, Towns of Clarkstown and Ramapo, Villages of Chestnut Ridge, Grand View-on-Hudson, Nyack, and Piermont, Palisades Interstate Parkway

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

Remand for Local Decision

The proposed action is deemed to have no significant county-wide or inter-community impact under New York State General Municipal Law § 239; therefore, the action is a local decision.

Define Family & Use Occupancy of Resident Dwelling (GML-24-0383)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York - New Jersey Trail Conference
NYS Department of Environmental Conservation
NYS Department of Transportation
NYS Thruway Authority
Palisades Interstate Park Commission
Rockland County Div of Environmental Resources
Rockland County Drainage Agency
Rockland County Facilities Management
Rockland County Highway Department
Rockland County Planning Board
Town of Clarkstown Planning Board
Town of Ramapo Planning Board
Village of Chestnut Ridge Planning Board
Village of Grand View-on-Hudson Planning Board
Village of Nyack Planning Board
Village of Piermont Planning Board

*The review undertaken by the County of Rockland Department of Planning is pursuant to and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B, the County of Rockland does not render opinions nor determine whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

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

EXHIBIT
01-28-B

Good morning,

I hope this email finds you well. I would like to first express my gratitude for your commitment to the Town of Orangetown. I appreciate the work you are doing to protect the community with the work of the amendment "Illegal Occupancies".

I would like to draw your attention to the amendment regarding the definition of family:

(c) In determining whether persons are living together as the functional equivalent of a traditional family, the following criteria must be met :

(1) The group of persons is one which, by its size, appearance, structure and function, resembles a traditional family unit.

I would like the board to consider removing this line and reconsider the use of the word "traditional". The language used throughout the amendment but particularly in line C1 could easily be misconstrued. I would ask you to think about what is meant by the word "traditional" and if your definition is inclusive of all different types of families. I would like you to consider the power of the word appearance. This is a word that could easily be misused- who is determining what constitutes a traditional appearance?

I love the Town of Orangetown very much, I was raised here and am now raising my family in Blauvelt. I want the zoning codes to be clear and not use language that is vague and could lead to potential conflict especially for those of marginalized communities.

I greatly appreciate your time and look forward to hearing your thoughts.

Enjoy your week!
Katie Dizzine

-----Original Message-----

From: Dunnigan <chris@dunnigan.us>

Sent: Tuesday, January 28, 2025 5:32 PM

To: Orangetown Supervisor <supervisor@orangetown.com>; Gerald Bottari <gbottari@orangetown.com>; Brian Donohue <bdonohue@orangetown.com>; Dan Sullivan <dasullivan@orangetown.com>; Paul Valentine <pvalentine@orangetown.com>

Subject: Support for New Family Definition

Hello Supervisor Kenny and Town Council Members,

I am not able to make it to town hall tonight, but wanted to express my strong support for the proposed new definition of Family and accompanying changes to town code.

These changes will help strengthen the toolbox Orangetown has to protect residents from improper use of single family homes and from landlords who do not have Orangetown's best interests in mind.

Thank you all for bringing this change to the public and I sincerely hope that it passes unanimously.

Thank you!

Chris Dunnigan
108 Buchanan St
Pearl River

EXHIBIT
01-28-C

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

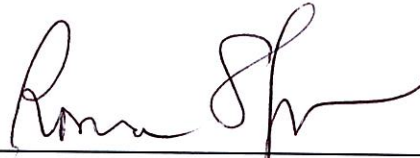
SS.

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 23rd day, December, 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.

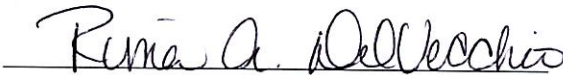
1. Town Hall Bulletin Boards
2. Town's Website
- 3.
- 4.
- 5.



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 23rd day of December, 2024



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**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on December 17, 2024, a public hearing will be held by the Town Board on January 28, 2025 at 7:10 pm, on a proposed Local Law, amending Chapter 11, Dumping & Trespass, §11-3.2 Disposal of Food Scraps and §11-4(B) Violations & Penalties with respect to the addition of a provision defining food scraps and proper disposal.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: December 17, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

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:

01/08/2025

Linda Tuttle

Subscribed and sworn to before me this 08 day of January, 2025

Nancy Heyrman

Notary Public
State of Wisconsin, County of Brown

Nancy Heyrman
Notary Public, State of Wisconsin
Commission Expires,

5.15.27

TOWN OF ORANGETOWN
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By order of the Town Board of the Town of Orangetown.

Dated: December 17, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney
January 8 2025
LNYS0213255

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING: HISTORIAL AREAS BOARD OF REVIEW
AND ARCHITECTURE & COMMUNITY
APPEARANCE BOARD OF REVIEW

EXHIBIT
01-28-D


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

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



Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 23rd day of December, 2024



RIMA A. DELVECCHIO
Notary Public, State of New York
No. 01DE6222835
Qualified in Rockland County
My Commission Expires June 1, 2026

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At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: December 17, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

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01/08/2025

Linda Tuttle

Subscribed and sworn to before me this 08 day of January, 2025

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At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: December 17, 2024

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney
January 8 2025
LNYS0213309

Allison Kardon

From: Florence <flozuvich@optonline.net>
Sent: Wednesday, December 18, 2024 10:45 AM
To: Orangetown Supervisor; Gerald Bottari; Paul Valentine; Brian Donohue; Dan Sullivan
Subject: Western highway subdivision downzone

Follow Up Flag: Follow up
Flag Status: Flagged

Town board,

The map shown at the 12/17 mtg discussing downzone of western highway project only showed the site and the immediate adjacent southern r15. It did NOT show the whole picture. Most of the surrounding area, including immediately adjacent and across western, is r40.

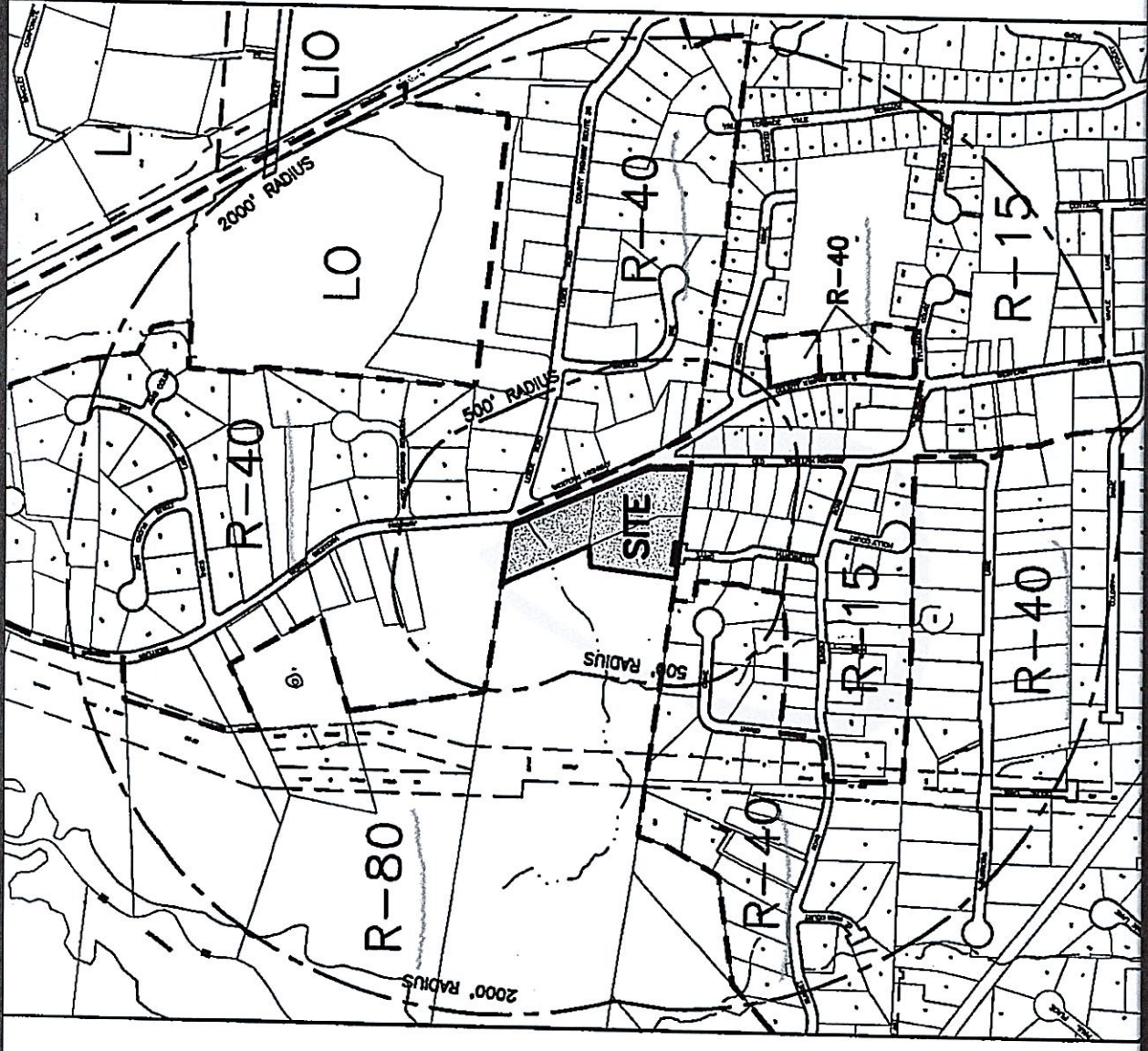
To entertain r15 for this downzone is concerning on many levels and sets a dangerous precedent.

Property formerly watershed has gone r40, e.g, the van wyck watershed property that is now pvt. Lovett.

Those of us who have lived here a long time have seen from experience that most of the remaining watershed properties WILL be sold off little by little in the future, there is no doubt.

To go from r80 to r15, in my view, is irresponsible; and if looking at the surrounding area for continuity, the WHOLE picture supports R40, NOT r15.

Florence Zuvich



Allison Kardon

From: Ed <chbrneer@gmail.com>
Sent: Wednesday, December 18, 2024 6:14 PM
To: Orangetown Supervisor
Subject: Downzoning of Western Highway property

The builder bought the property, which was watershed, at R80. Now wants to downzone to R15. This downzone not only has an immediate affect with this higher density housing, but will impact not only future watershed property sell offs, but any developer or homeowner who wants to go against the master plan, and downzone. This will set in motion change contrary to why we all moved to the area. Please don't allow this to happen

Ed Doolan
Blauvelt resident
Sent from my iPad

Allison Kardon

From: Lawrence Vail <lawrencedvail@gmail.com>
Sent: Thursday, January 9, 2025 2:01 PM
To: Orangetown Supervisor
Subject: Comments on Proposed Zone Change at 676/680 Western Hwy
Attachments: Western Hwy Proposed zone change - Comments.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Allison
Please forward my comments to Teresa and the Board
Hoping you both have time to read it. I would be glad if board members at least read the first page

Thank You

Larry Vail
389 Kings Hwy
Tappan

January 8, 2025

Supervisor Teresa Kenny
Town of Orangetown

Cc: Town Board

Re: Proposed Zone Change at 676/680 Western Highway, Blauvelt

Dear Supervisor Kenny;

Based on what I heard at the public hearing on this proposed zone change on December 17, 2024 I have the following comments.

Summary

- No realistic basis for supporting the zone change was offered and little if any analysis of the issue was presented. The Town Board would do well to think harder about this decision.
- Adding additional housing for the purpose of increasing school attendance is questionable at best.
- Rezoning these parcels from R-80 to R-15 will result in higher overall costs to taxpayers.
- Though in general housing is certainly in demand, the most critical needs are for more affordable housing units not the proposed housing.
- The applicant now has a property that can be developed by right. No hardship or restriction on these rights is claimed. The Town is under no obligation to make zoning changes
- The claim that a change to R-15 zoning would integrate well with existing zoning is misleading at best. In fact, larger lots would be more in character with the area.
- Western Highway is an historic road that offers value to the town and its residents. Zoning can either enhance or degrade this benefit.
- The property adjoins source-water reservoir property and contains a protected wetland.
- Zoning or uses other than the proposed R-15 zoning may be worth consideration but a change to R-15 zoning damages the neighborhood without providing any benefit to anyone except the applicant. The Town should not be in the business of granting zone changes merely as a favor to developers.

Background

Orangetown is essentially built-out. Remaining development opportunities are most likely infill within small areas such as the subject property. This may be in the best interest of the Town rather than encouraging subdivisions in any remaining large tracts. But opportunities for infill development frequently are located in areas deemed too problematic to easily develop in the past. That is the case here where the subject parcel contains a protected wetland, borders

source-water reservoir property, and is traversed by a major sanitary sewer line. Zoning decisions, especially the major change proposed here, require careful attention to these constraints and the context of the development.

Basis for this zone change

The main purported benefit to the Town presented is the potential increase in school population at a time when enrollment is lower than in the past. This is a stretch at best. As in past years school enrollment will follow real estate cycles; the surge in home buying earlier in this decade will undoubtedly bring more students to the district in a few years regardless of the amount of residential construction. Furthermore, any claim that this proposed zone change will benefit the taxpayer is incorrect considering that school taxes are the major part of our taxes. With an annual cost today of nearly \$31,000 per student the losses mount quickly. If the applicant provides ten more houses than the current zoning allows, the cost to the rest of the tax payers could be on the order of \$500,000 over the course of school attendance. This should not prohibit development in general but it is reasonable to expect a benefit to the Town and its residents in return for this cost. No real benefit is apparent.

Applicant currently has rights to develop this property

There is no zoning restriction that prevents the applicant from developing this property by right. Any problem the applicant has with the current zoning is self-imposed. Certainly, the applicant cannot claim hardship. This is not a case where some compromise is needed between the Town and the applicant in order to mitigate competing rights. The Town is under no obligation to change the zoning based solely on the developer's whim.

Neighborhood Character

During the Board comments a zoning map of the area was presented purporting to show that R-15 zoning is prevalent in the area and by implication that an extension of this zone would not be detrimental. This is misleading at best and arguably contrary to the facts. An unbiased look at the zoning map shows this parcel bounded to the west by R-80 watershed property; to the north by R-40 (part of a small farm that also lies in the R-80 zone) and to the east across Western Highway by R-40. The only adjacent R-15 zone is on the south along Ellsworth Drive. Even these three R-15 lots adjoining the property are significantly larger than the lots that would be allowed by right on the subject property under a change to R-15 zoning. As noted by Mr. Gabel, the neighbor across Western Highway, his lot is considerably larger (61,000 sq. ft.) than the minimum allowed in his R-40 zone thus the immediate neighborhood is even less related to the proposed R-15 zone. With this information alone, it is easy refute the applicant's claim that "the development of the property under the R-15 zone would be consistent with the general character of the immediate area surrounding the subject premises...".

Zoning is one of few tools available to the Town to enhance the character of our community. It provides an opportunity "to encourage an orderly pattern of residential development around existing communities in the town...." (Orangetown Zoning Code - 1.0 Preamble).

Western Highway is an historic road with much to offer. A drive north from the more compact hamlet center of Blauvelt passes by houses built several centuries ago and one of the few remaining farms in Rockland County as the landscape gradually yields to the natural open spaces of the Hackensack wetlands. Development in this upper area is often arranged so only back yards face Western Highway thus providing an even more open space experience. This transition is not by accident; zoning insures that density is limited and sprawl is not allowed to compromise the more open spaces to the north. Value and quality of life are enhanced. See current approach to the area in photo at right.



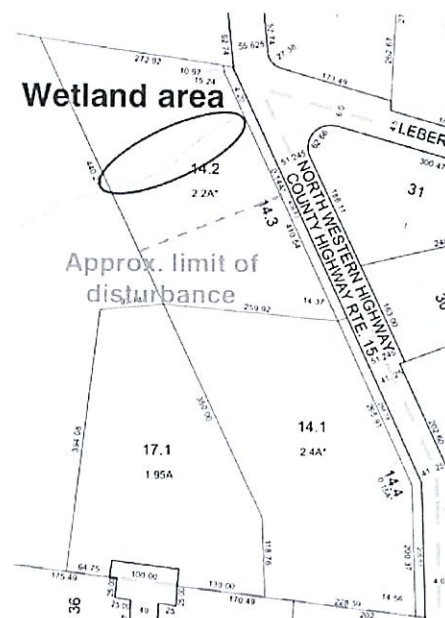
The applicant proposes a different vision in extending a much denser zone that is incompatible with Western Highway. The applicant proposed seven houses, a new street and driveways facing the road. This is not in keeping with existing neighborhood character. Consider the one adjacent existing R-15 zone on Ellsworth Drive (see recent photo at right). The housing pattern here may be appropriate for this small residential street but would be incompatible with an historical road that offers the transition described above.



Environmental Constraints

The fact that the applicant has proposed building a house directly upon a protected wetland ends a signal that future building plans will have little concern for the natural environment at the site. It was gratifying to hear at least some support at the December hearing from Board members for protecting wetland areas. The Board should be aware of wetland protection requirements under New York law even if the applicant is willing to ignore them.

Under the NY Freshwater Wetlands Act, wetlands are further protected by a buffer of 100 feet from the actual wetland area. A very approximate limit of disturbance is detailed on the map at right. This eliminates perhaps 1.6 acres from disturbance.



Because the applicant ultimately proposes multiple houses with a new street, multiple driveways, buildings and other new impervious surfaces, a Stormwater Pollution Prevention Plan will be required. Any required flood control measures should not be built within the protected areas but will require additional space within the remaining acreage thus further limiting the number of allowed houses. All of this renders the applicant's proposal in Exhibit D as a non-starter.

Zoning and Use Considerations

No Build - Several local residents have suggested that this parcel remain as open space or be designated as parkland. This has some merit: the parcel falls within one of the two open space corridors recommended by the Orangetown Open Space Committee and endorsed by subsequent Comprehensive Planning. This option would certainly have the least environmental impact and could potentially improve the area by prohibiting existing dirt bike activities. It could also provide access to the wider Hackensack watershed properties should it be granted by the owners. However, it remains unrealistic without action by the Board to obtain not only funding but a vision for its future use.

Regardless of the final zoning or use of this property some provision should be made for access to the wider Hackensack property. Town ownership or a right of way should be established now to allow access if a later arrangement can be made with the water company. This right of way is most logically located in the northern end of the property where development is prohibited anyway.

No Zone Change - The simplest and perhaps most logical action is to make no change to the existing zoning. R-80 lots are quite compatible with the area yet still allow the owner to develop the property. Environmental concerns would be minimal. No compelling reason exists to change this zone.

Limited Zone Change - If the Board has a basis for adjusting the current zoning then some alternatives might be considered though probably more complicated in practice than a wholesale change from R-80. For instance, after subtracting unbuildable wetland and buffer areas, the parcels facing Western Highway could remain R-80 and the interior parcel at Ellsworth Drive could be rezoned to R-40 or perhaps even smaller. This smaller zoning would likely be compatible with the Ellsworth neighborhood.

R-40 Zoning - Again, if there is some basis, it may be reasonable to consider a change to R-40 that would allow three houses facing western Highway and two more from Ellsworth Drive. This should be the maximum facing Western Highway regardless of the actual minimum lot size calculations. Though not ideal, R-40 is not totally out of place in this context. Reasonable setback, landscape and architectural appearance requirements set by the land use boards could add benefit to this approach though it is difficult to see how the Town Board might impose such conditions. This option should be considered with caution.

R-15 Zoning - For all of the reasons stated above this option is unacceptable.

In making this decision the Board will benefit from listening to experts acquainted with this proposal. At the December hearing no such experts appeared in favor of the proposed zone change. The Board should listen not only to the Rockland County Planning Department, and Mr. Gavioli who was instrumental in the creation of the current zoning and recommended against a zone change, but also to local residents who are the true experts at determining impacts on neighborhood character. Various solutions were offered but none was in favor of this zone change.

Sincerely,

Larry Vail
Tappan

Allison Kardon

From: jmccaf5756@aol.com
Sent: Tuesday, January 21, 2025 10:54 AM
To: Orangetown Supervisor
Subject: Postal of land between western highway& Ellsworth dr

Follow Up Flag: Follow up
Flag Status: Flagged

By now you must know there is opposition by many of your resident constituent homeowners in Blauvelt to the thought of changing zoning in this area from r-80 to r-15.

We feel the building in this area of r-15 lots would negatively effect the property values, traffic & environmental impact of our property and our homes

Before making any decision on this consider the owner of this property (EmondLane)purchased it knowing the zoning (r-80) and should know this is how he should utilize his property

Please think on this and do not allow this zoning change

Respectfully :

James McCaffrey
28 Ellsworth Dr
Blauvelt NY 10913

Resident of Orangetown for 40 yrs
Sent from the all new AOL app for iOS

January 26,2025

Board members, My name Don Gabel Jr, a third generation Orangetown resident. I have been the quasi Orangetown Arborist for over 30 years serving the Building, Parks and Highway Departments. I was the Shade tree committee chair person for about 10 years. A number of years ago I was the Pear River Troop 36 Boy Scout troop leader for over 10 years. I also have extensive experience in conservation working closely with both the NYSDEC Forests and Parks Departments and as a Partner with Cornell's Hemlock Initiative and The lower Hudson Valley PRISM on various projects.

I live directly across from the proposed zoning change and would be severely effected by this radical zone change. 20 years ago the same property owner tried to get a zoning change, to use the property as a landscapers yard. The blatant miss use of the property was successfully stopped.

As you Know I attended the Board meeting on December 17. I was quite taken back by your opening statements that you had made your decision on this matter. You all did this without fully reviewing or seemingly not considering the documents that where put on line just before the meeting. Supervisor picked apart our emails and said nothing about the information provided by the builder or RCHD . None of you mentioned the comments from the Rockland County Highway Department. They directly contradict the traffic report done by a hired Company as well as other contentions of the Board. The second letter dated 1/9 from RCHD didn't rescind these comments.

The supervisor's interpretation of the Comprehensive Plan is wrong. The Plan suggests preserving the openness and rural look of areas where it can still be done. This is one of the last remaining more open areas in Blauvelt. The zoning in this area is R-40 and R-80.This is what makes the north Blauvelt area attractive and why the builder wants more houses. The Plan suggest that the Town should seek to preserve any open spaces that it can.

You talk about increasing rateables and school attendance, as if these few expensive houses would actually help these matters. Is our neighborhood responsible for saving Orangetown? And when the town assumes responsibility for the environmentally sensitive area that the builder so nicely cedes to the town, do you know what responsibilities that evolves?, how much money will that take ? This over development will significantly add to and aggravate the water problem in the area. This project does not address the main reason that the in area in question takes on more water than it can handle at one time.

I mentioned to you that Beach leaf disease will undoubtedly kill most all beach in our area in the next 5 years . The entire water shed in that region is heavily populated with American Beach. This abrupt environmental change will aggravate the water filtration and water movement in this Federal wetland. Does Orangetown really want to take on this maintenance and responsibility cost ? Why ? It was zoned R-80 for reasons, environmental considerations was one of them.

You all seem to have total disregard for safety for this area. This stretch of road has a lot of commercial traffic and a lot of daily traffic, for a highly populated area with a narrow county road with no sidewalks no curb or storm drains on that side of the road. Then you have 4-5 more residence backing out on to the road. As well as a new road exiting on to western Hwy too.

Other recent development on this county road has had a broadened and set back for the road entering on to Western Hwy. Where is this same road setback for this development? More Property would have to be given up. There will even less property to squeeze this many houses on. Traffic on old western merging on to western hwy is already problematic, I watch it all the time. This will only add to the problem. The down zoning to R-13 will significantly negatively impact the value of adjacent

properties. This kind of “taking” Causes residents especially retirees economic hardship. This alone should prompt you to deny this awful down zoning.

So Far as I can tell there is no reason to entertain any zone change for this area because

Existing Zoning and guidance from the Comprehensive plan strongly suggest that this area be left R-80.

Public safety would be jeopardized. the paid for study has flaws and is a convoluted opinion. The paid for study doesn't use the suggestions of the RCHD to calculate the correct traffic increase. What standard is used to say that 5-6% traffic increase is minimal and will have no impact. This directly opposes the RCHD findings.

This zoning change would drastically change the character of the area. and the value of the homes adjacent to this project would go down. So you would be enriching a builder and screwing long time retiring residents out of their home value.

The idea that this development will change the towns financial condition is absurd. A few new ratables would be offset by the cost of maintaining a new gravel road, and a detention pond in an environmentally sensitive Federal Wetland.

The idea that this development will fill the schools is equally as absurd. There are no guarantees that any children will move in to the very expensive houses.

Why is it these properties responsibility to solve these problems. Let's not ruin the vary thing that does attract people to this area. Surveys show that a lot of people are leaving New York in general and schools will have less kids as Boomers have aged out. It will be hard to have these houses reverse these very real trends.

To think that by granting this severe down zoning it would not set president in the down zoning other properties is absurd. This is how it's done ! This same builder owns similar properties just north of this area. Do you expect me or others to believe that he won't ask for the same down zoning in these areas. Look at the RCHD says about this! They say it will do just as we have suggested , set president for future down zoning.

And of course the remaining 40 or so areas that are held by a reality company, yeah owned by the water company and this the way it's been done all along.

As soon as The area is deemed unneeded, then they sell it off through the reality company. This exactly the way it's been don in the pass and you know it. Do really expect us to believe that property won't be up for sale in the next 5-10-15 years.

You have tried to tell us that the properties could be developed into other undesirable things. You didn't do the research to see about the various existing Town requirements to develop these particular properties in the manners you suggest. That was the case 20 years ago when their first request was denied.

So you have no reasonable reason to grant any zone change for this area.

You do have local residents that strongly object to this zone change

You do have a comprehensive plan that doesn't support the down zoning on these properties

You do have existing strongly supported R-80 zoning,

You do have Rockland County Highway Department Suggesting it would be a problem.

You are elected by the local residents you are suppose to respond to our needs and concerns . The town has no obligation or benefit from granting this zoning to a business purely for the business's profit.

I look forward to meeting with any of you to discuss this in something other than one 3 -5 minute bits of time.

Allison Kardon

From: Francis Clements <clementscla@gmail.com>
Sent: Monday, January 27, 2025 8:08 PM
To: Orangetown Supervisor; Gerald Bottari; Brian Donohue; Paul Valentine; Dan Sullivan; CountyExec@co.rockland.ny.us
Subject: 676 and 680 Western Highway Proposal

Supervisor Kenny and members of the Town Board,

I am hoping you will reconsider the proposal to rezone the properties from R-80 to R-15.

I built my home on Sunset Road and know the challenges of dealing with the Planning Board, the Town Council, etc.. but if the Town allows this zoning change for this property, it will have to consider any and all zoning changes to all residential property R-40 and above for any Orangetown resident who wants to have their property rezoned to R-15. As Wayne Gavioli stated at one of the meetings this will "open Pandora's Box", and if anyone knows about "opening Pandora's Box" it is Mr. Gavioli.

We all live in Orangetown and I believe that the Board wants what's best for the community. The change will not just affect the local residence in the area, it will have repercussions for the entire town. There are far more people against the rezoning to R-15 than there are for the rezoning to R-15. I am sure that the builder and Mr. Brenner can come up with another plan to have the properties rezoned to R-40, fewer homes and more space. If builder and Mr. Brenner choose not to submit new plans, then I urge the board to vote down the current proposal.


I know that the owners are just trying to make as much money as they can and I do not begrudge anyone for trying to make money but it should not be done at the residents of Orangetown's expense.

Sincerely,

Francis Clements
85 Sunset Road
Blauvelt NY 10913

Allison Kardon

From: henryw107@gmail.com
Sent: Tuesday, January 28, 2025 12:43 PM
To: Orangetown Supervisor
Subject: Fwd: Western Highway Project

 **This message needs your attention**

- No employee in your company has ever replied to this person.
- This is a personal email address.

Mark as Safe

Powered by Mimecast

Sent from my iPhone

Begin forwarded message:

From: henryw107@gmail.com
Date: January 27, 2025 at 9:12:40 AM EST
To: Henry Wemmer <henryw107@gmail.com>
Subject: Fwd: Western Highway Project

Sent from my iPhone

Begin forwarded message:

From: henryw107@gmail.com
Date: January 27, 2025 at 9:09:18 AM EST
To: Henry Wemmer <henryw107@gmail.com>
Subject: Western Highway Project

Members of the Board,

I'd like to call your attention, to what appears to be a blatant attempt by the petitioner, Edmund Lane to influence your decision to grant this zoning change.

According to the New York State Board of Elections website, Edmond Lane has made only four contributions over the last fifteen years. The first was in August 2009. Fifteen years later, the second was made on May 6th, 2024 to Board Member Dan Sullivan for \$1500. The third was on May 14th 2024 to the Orangetown Republican Committee (ORC) for \$2000. The fourth

was on September 10, 2024 when Mr. Lane contributed an additional \$2500 to the ORC. Three contributions for a total of \$6000 within five months, all coinciding with a petition to change zoning on a property that was been vacant for years.

The Orangetown Republican Committee's website names their "elected officials" as all four members of this board and a handful of others, coincidentally absent from this website is Dan Sullivan who received his own direct donation from Mr. Lane. Rather than give to these other four candidates directly, I believe that Mr. Lane opted to backdoor his campaign contributions via the ORC. Let me be clear, it is not the Board members fault that this was done and you may not even be aware of it.

I think it's obvious Mr. Lane thought he could influence this zoning change since timing of these contributions can be perceived no other way. In my opinion, his own actions have put the board in a very difficult and unwanted place. Does Mr. Lane think he can manipulate the town board via campaign donations for his own personal benefit. I think he thought that \$6000 was a great return on investment. For that reason alone, If I were a board member, I would vote "no" to someone that hurts my credibility and reputation and makes it APPEAR that my vote can be bought.

Regarding the specific donation to Board Member Sullivan by Mr. Lane. Mr. Sullivan said at the last meeting that "having received a donation from "somebody close" to the application, he would recuse himself from any discussions or hearings" This statement leads to a few questions.

The donation was reported to the Board of Elections on May 6th.

When did Mr. Sullivan first learn of the donation?

Has he been involved in any discussions, hearings or voting before or after learning about the donation?

Since we know the applicant, Mr. Lane himself donated \$1500 to Mr. Sullivan on May 6th , who was the "somebody close" to this application that also donated money and how much? Or, if "somebody close" was Mr. Lane himself, why not state that? Was it an attempt to hide this fact from the public?

I want to finish by saying I understand that Elected Officials cannot control who donates to their campaign or to other fundraising entities and that donations themselves do not equate to influence. Unfortunately, it's the perception that matters here and in this case, the timing of these contributions and his attempt to influence the board is undisputable.

I want to finish by thanking the board members for their time and consideration in this matter and I respectfully ask that you all vote no on this zoning change request.

Sincerely,

Henry Wemmer

Layout	Contribution Year	Amount	Contributor Name	Contributor Address	Contribution Type	Contributor Type	Recipient	Reporting Period	Committee Name	File Type	County	City	State
	09/24/2009	\$500.00	Edmund Lane	Fair Tuck Ct Orangetown NY 10962 United States	A - Monetary Contributions Received From Ind. & Part	Individual	Friends Of Twp. Whalen & Olvry - 024 41425	2009 State/Local 32 Day Pre-General	Authorized Sub-Candidate Committee	County	Rockland	Orange	
	05/14/2024	\$2,000.00	Edmund Lane	75 Michael Roberts Ct Pearl River NY 10965 United States	A - Monetary Contributions Received From Ind. & Part	Individual	Orangetown Republican Committee - 024 27625	2024 State/Local July Periodic	Duly Constituted Sub-Committee of a County Committee - Town	County	Rockland	Orange	
	15/06/2024	\$1,500.00	Edmund Lane	75 Michael Roberts Ct Pearl River NY 10965 United States	A - Monetary Contributions Received From Ind. & Part	Individual	Friends of Dan Sullivan - 024 41425	2024 State/Local July Periodic	Authorized Single Candidate Committee	County	Rockland	Orange	
	09/18/2024	\$2,500.00	Edmund Lane	75 Michael Roberts Ct Pearl River NY 10965 United States	A - Monetary Contributions Received From Ind. & Part	Individual	Orangetown Republican Committee - 024 27625	2024 State/Local 32-Day Pre-General	Duly Constituted Sub-Committee of a County Committee - Town	County	Rockland	Orange	

Report	Contributor Name	Amount	Contributor Address	Contributor City	Contributor State	Contribution Type	Contribution Date	Individual	Receipt #	Receipt Date	Employer	Committee	County	City	Zip
1	Edward Lane	\$500.00	101-1700 United States	Rockland	NY	A - Monetary Contributions Received From Ind & Part	05/22/2009	Individual	2009 Stat Local 32 City Fire General	2009 Stat Local 32 City Fire General	Rockland	County	Rockland	07867	
2	Edward Lane	\$2,000.00	75 Michael Roberts Ct Pearl River NY 10965 United States	Rockland	NY	A - Monetary Contributions Received From Ind & Part	05/14/2011	Individual	2011 Stat Local 32 City Fire General	2011 Stat Local 32 City Fire General	Rockland	County	Rockland	07867	
3	Edward Lane	\$1,500.00	75 Michael Roberts Ct Pearl River NY 10965 United States	Rockland	NY	A - Monetary Contributions Received From Ind & Part	05/28/2011	Individual	2011 Stat Local 32 City Fire General	2011 Stat Local 32 City Fire General	Rockland	County	Rockland	07867	
4	Edward Lane	\$2,500.00	75 Michael Roberts Ct Pearl River NY 10965 United States	Rockland	NY	A - Monetary Contributions Received From Ind & Part	08/10/2011	Individual	2011 Stat Local 32 City Fire General	2011 Stat Local 32 City Fire General	Rockland	County	Rockland	07867	

Town of Orangetown
DATE: January 28, 2025

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	122724	\$ 703,256.44
	123024	\$ 135,067.11 utilities & other
	010825	\$ 1,164,175.39 utilities & other
	011525	\$ 367,678.64 utilities & other
	122824	\$ 1,018,642.34
	012825	\$ 184,180.49
		\$ 3,573,000.41

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
01-28-F

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 1/23/25
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 1/28/2025 consists of 6 warrants for a total of \$3,573,000.41.

The first warrant had 3 vouchers for \$703,256 and had the following items of interest (2024 items).

1. Commissioner of Finance (p1) - \$566,842 for tax certiorari.
2. Turco Golf (p1) - \$122,090 for Blue Hill bunker project.

The second warrant had 36 vouchers for \$135,067 and was for utilities (2024 items).

The third warrant had 35 vouchers for \$1,164,175 and had the following items of interest (2025 items).

3. Guardian (p3) - \$14,467 for Police dental insurance.
4. NYPA (p4) - \$21,237 for street light project.
5. NYS Dept. of Civil Service (p4) - \$1,058,253 for healthcare benefits.

The fourth warrant had 36 vouchers for \$367,678 and had the following items of interest (2025 items).

6. Troon Golf (p4) \$203,395 for golf course maintenance contracts.

The fifth warrant had 89 vouchers for \$1,018,642 and had the following items of interest (2024 items).

7. Capasso & Sons (p7) - \$102,926 for recycling.
8. Commissioner of Finance (p8) - \$426,753 for Community College Chargebacks.
9. Commissioner of Finance (p9) - \$38,250 for Police training.
10. Cotter, Michael (p9) - \$10,450 for title searches.

11. Global Montello (p13) - \$46,004 for fuel.
12. Helmke Industries (p15) - \$13,105 for OHA snow removal.
13. Joe Lombardo Plumbing & Heating (p17) - \$8,932 for HVAC seasonal startup.
14. Keane & Beane (p18) - \$10,672 for outside counsel.
15. Precision Electric Motor Works (p21) - \$38,685 for sewer pump repair.
16. Rockland County Solid Waste Management (p23) - \$8,065 for compactor rental.
17. Slack Chemical Co. (p25) - \$17,095 for sewer chemicals.
18. Trane (p29) - \$152,174 for replacement HVAC units at DEME building.
19. Tilcon NY (p54) - \$6,086 for Highway materials.
20. Verde Electric (p58) - \$17,992 for traffic signal maintenance.

The sixth warrant had 92 vouchers for \$184,180 and had the following items of interest (2025 items).

21. Atlantic Salt (p4) - \$52,166 for Highway salt purchases.
22. Capture Point (p6) - \$5,600 for community pass recreation.
23. Goosetown Enterprises (p14) - \$11,050 for equipment leases.
24. ICC Community Development (p16) - \$22,343 for Laserfiche renewal.
25. Visual Computer Solutions (p29) - \$6,265 for Police leases.

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

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