



TOWN OF ORANGETOWN TOWN BOARD MEETING

Tuesday February 11, 2025

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

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

☛ Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

- ◆ **2025 Summer Camp Counselor Job Applications are being accepted until Friday, March 14th. Visit orangetown.com for more information.**

PRESENTATIONS:

- ★ **Black History Month Ceremony / February 2025**
- ★ **Hudson Valley iCampus - Repurpose Building B140 as Residential Use**

DISCUSSION:

- ◆ **PARKS & RECREATION 2025 FEE SCHEDULE**
- ◆ **WORKSHOP OF AGENDA ITEMS**

PUBLIC COMMENT:

1. OPEN PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

2. CLOSE PUBLIC COMMENT PORTION

RESOLVED, that the public portion is hereby closed.

AGENDA ITEMS:

TOWN BOARD

3. **CONSIDER / ADOPT A NEGATIVE DECLARATION WITH RESPECT TO LOCAL LAW NO. ___ OF 2025 / AMENDING THE TOWN ZONING LAW / CHANGE THE ZONING DISTRICT / WESTERN HIGHWAY AND ELLSWORTH DRIVE / TAX LOTS SECTION 70.05 BLOCK 1 LOTS 14.1, 14.2 AND 17.1 FROM “R-80” TO “R-15”**

WHEREAS, the Town Board has considered the petition of Hegarty Homes, Inc. and Hudson Valley Nursery Inc., as owners of the subject properties, for the adoption of an amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the parcels located in the vicinity of Ellsworth Drive and Western Highway in the hamlet of Blauvelt, identified as tax lots Section 70.05 Block 1 Lots 14.1, 14.2 and 17.1 from “R-80” to “R-15”, and

WHEREAS, on or about, pursuant to Town Board Resolution 2024-344 the Town Board circulated amongst various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

WHEREAS, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

WHEREAS, acting in its capacity as Lead Agency for environmental review, the Town Board has reviewed Part 1 of the Full Environmental Assessment Form (FEAF) submitted by the applicant as of August 2, 2024 and amended as of February 11, 2025, and Parts 2 and 3 of the FEAF as reviewed and prepared with the assistance of Jane Slavin, RA, Director of the Office of Building Zoning, Planning, Administration and Enforcement (OBZPAE) and

WHEREAS, after taking a “hard look” at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the existing zoning classification of the subject parcels affected by the proposed Local Law as compared to current zoning regulations,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or her designated agent to execute Part 3 of the FEAF and to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency.

4. **CONSIDER / ADOPT LOCAL LAW NO. ____ OF 2025 / AMEND ZONING CLASSIFICATION / WESTERN HIGHWAY AND ELLSWORTH DRIVE / TAX LOTS SECTION 70.05 BLOCK 1 LOTS 14.1, 14.2 AND 17.1 / “R80” TO “R15”**

WHEREAS, the Town Board of the Town of Orangetown (the “Town Board”) is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town’s Zoning Law; and

WHEREAS, the Town Board has considered the petition of Hegarty Homes, Inc. and Hudson Valley Nursery Inc., as owners of the subject properties, for the adoption of an

amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the parcels located in the vicinity of Ellsworth Drive and Western Highway in the hamlet of Blauvelt, identified as tax lots Section 70.05 Block 1 Lots 14.1, 14.2 and 17.1 from “R-80” to “R-15”, and

WHEREAS, by Resolution No. ___ of 2025, after notice duly given, and there being no other involved agency, by resolution duly adopted this ___ day of February, 2025 the Town Board assumed the role of Lead Agency under SEQRA for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town’s Zoning Law and determined the issuance of Negative Declaration is appropriate; and

WHEREAS, following due notice, a public hearing was conducted on the proposed zone change amendment wherein the public provided comment and input on the proposal, such meetings taking place on September 24, 2024, December 17, 2024 and January 28, 2025; and

WHEREAS, the Orangetown Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the Rockland County Planning Department, pursuant to General Municipal Law §§ 239 l & m, have each reviewed the proposed law; and

WHEREAS, the Town Planning Board, by Memoranda, dated October 9, 2024 and January 24, 2025, following due consideration at public meetings held on those dates, has indicated that it does not object to the Town Board serving as Lead Agency on the matter and provided input as follows: Two Members of the Board had no objection to the proposed zone change from R80 to R15. Four Members of the Board felt the change was “too drastic” and recommended that if a change to the zoning were to be made, that it be limited to R40, and

WHEREAS, the Rockland County Planning Department, pursuant to General Municipal Law §§ 239 l & m, has reviewed the proposed law in a letter dated September 10, 2024 and having raised no objection to the proposed zone change, recommended modifications including, requesting a traffic study be performed, recommending that the County Highway Department provide comments, and that all necessary permits from the US Army Corps of Engineers be obtained, and

WHEREAS, the applicant provided a traffic study by Harry Baker & Associates dated November 30, 2024 which indicated that, as shown on a proposed subdivision map, five homes would have direct access to Western Highway (since reduced to four homes in the map revision of December 18, 2024) with additional homes having access from a new street that would be a cul-de-sac, and concluded that the proposed zone change would generate a minimal number of additional vehicle trips as compared with current zoning, and charts provided as part of the study indicate an approximate 5-6% increase in traffic if the property is developed under R-15 as opposed to a development under R-80, and

WHEREAS, The Rockland County Highway Department provided comments in a letter dated December 30, 2024 indicating that the proposed zone change “may have a significant impact on adverse impact on the environment” and that “a SEQRA review may be required” and which letter claimed an “overcrowding” of three individual tax lots would occur and raised generalized issues concerning traffic, transportation, noise levels and flooding or drainage issues, and which further commented that other land owners could come in and seek a similar zone change, and the Town Board has determined that these comments were beyond the purview of the Rockland County Highway Department’s area of review,

but such comments were nevertheless considered by the Board, and any development of the property will be required to result in a zero net increase in storm water runoff under current guidelines, traffic issues have and will be further addressed as part of the approval process for any subdivision of the property; and the County Highway Department provided updated comments in a letter dated January 9, 2025 which second set of comments were more germane to the Rockland County Highway Department's area of expertise and related to traffic issues, and many of the issues raised in the second letter were addressed through the hearing process, including the elimination of a lot in an area where wetlands are located, and the traffic study referenced previously, and

WHEREAS, the Board hereby concludes that the proposed zone change, is consistent with the Town's Comprehensive Plan adopted on October 10, 2023 which calls for maintaining the Town's community and neighborhood character, while balancing the need for growth and development. (See Chapter 1, Page 17, Goal 1). Objective 1 calls for the Town to encourage an appropriate balance of residential and non-residential development. Objective 8 calls for the Town to maximize, revitalize, and redevelop underutilized or vacant or neglected properties as the Town may deem necessary for the benefit of the community, with the purpose of enhancing sound growth of the Town, increasing its tax base and preserving environmental features and resources of such sites, and

WHEREAS, as part of the Board's review of the petition, the applicant submitted a revised plan eliminating the development of one lot under R15, thus showing a total of 13 houses, four of which would have driveways onto Western Highway, and a new road with a cul-de-sac also having direct access to Western Highway, and the applicant showing the northern most lot identified as lot "1" on the proposed subdivision map containing approximately 41,440 square feet, to be dedicated to the Town of Orangetown to assist with drainage in the area, and the Board determining that the dedication of the lot and the development of the subject parcels with no more than 13 houses is hereby determined to be a condition of approval of the local law amending the zoning classification of the subject parcels,

NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED, that the Town Board hereby adopts the within Local Law, amending the Town Zoning Law, and the Town Zoning Map made a part of the Town Code at Chapter 43, § 2.2., and changes the zoning classification of the parcels located at Ellsworth Drive and Western Highway in the Hamlet of Blauvelt, New York and identified as Tax lots Section 70.05 Block 1 Lots 14.1, 14.2 and 17.1 from "R-80" to "R-15".

LOCAL LAW AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF TAX LOTS SECTION 70.05 BLOCK 1 LOTS 14.1, 14.2 and 17.1 IN THE HAMLET OF BLAUVELT FROM “R80” TO “R15”.

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Amendment to Zoning Map.

The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended to change the zoning district of the following properties:

The parcels located at Ellsworth Drive and Western Highway in the Hamlet of Blauvelt, New York and identified as Tax lots Section 70.05 Block 1 Lots 14.1, 14.2 and 17.1 from “R-80” (Rural Residence District) to “R-15” (Medium-Density Residence District).

Section 2. Condition to approval.

It is a specific condition of the amendment of zoning classification of the subject lots pursuant to this Local Law, that any application for subdivision of the property shall be based upon the proposed subdivision map dated prepared by Jay A. Greenwell, PLS dated 03/27/24 and last revised 12/18/24, and which map shows an area of approximately 41,440 square feet and identified as lot “1” on the northern most part of the proposed subdivision shall be dedicated to the Town of Orangetown. Said dedication shall be by deed to the Town and shall be required as part of any grant of subdivision approval of the subject lots by the Town of Orangetown Planning Board. Said map may be revised as part of the subdivision approval process, however, the dedicated lot shall be required to remain as shown, and no more than 13 lots may be approved for development.

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 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. 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.

5. **AMEND RESOLUTION 2024-445 / STATE AND MUNICIPAL (SAM) GRANT / SHADE STRUCTURES / TWO ORANGETOWN PARKS**

WHEREAS, pursuant to Resolution# 2024-445, the Town Board accepted a grant by the State of New York to receive a State and Municipal Facilities Program (SAM) grant to be administered by the Dormitory Authority of the State of New York (DASNY) for shade structures for **three** Orangetown parks (Veterans Memorial Park-Orangeburg, Tappan Park-Tappan and Emilio DiFrancesco Park-Sparkill) in the amount of \$75,000, subject to review and approval of DASNY and the submission of further documentation by the Town to DASNY; and,

WHEREAS, upon further research, Tappan Park does not meet the criteria for the grant and will be removed as a location from the grant application; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby amends Resolution 2024 -445 to accept the SAM grant from the State of New York, which is to be administered by DASNY, in the amount of \$75,000 towards the purchase of shade structures for **two** Orangetown parks (Veterans Memorial Park and Emilio DiFrancesco Park).

6. **COMBINE / APPROVE AGENDA ITEMS #7 TO 17**

RESOLVED, the Town Board hereby combines and approves agenda items #7 to 17.

7. **REAPPOINT LIAISONS / 2025 / LAND USE BOARDS / COMMITTEES**

RESOLVED, that the following Town Officials are hereby reappointed liaisons to the following Land Use Boards and Committees for 2025:

- ACABOR - Councilperson Jerry Bottari, Liaison
- Orangetown Blue Hill Golf Advisory – Councilperson Paul Valentine, Liaison
- Board of Assessment Review – Councilperson Daniel Sullivan, Liaison
- Board of Ethics - Councilperson Daniel Sullivan, Liaison
- Orangetown Environmental Committee – Supervisor Teresa M. Kenny, Liaison
- Historical Areas Board of Review – Councilperson Brian Donohue, Liaison
- Orangetown Housing Authority Board – Deputy Supervisor Denis Troy, Liaison
- Office of Emergency Management Committee – Councilperson Jerry Bottari, Liaison
- Orangetown Parks and Recreation Development Advisory Committee–Councilperson Brian Donohue, Liaison
- Orangetown Planning Board – Supervisor Teresa M. Kenny, Liaison
- Orangetown Project Review Committee – Supervisor Teresa M. Kenny, Liaison
- Orangetown Sanitation Commission – Councilperson Paul Valentine, Liaison
- Orangetown Shade Tree Commission – Councilperson Jerry Bottari, Liaison
- Orangetown Senior Citizen Advisory Committee – Deputy Supervisor Denis Troy, Liaison
- Orangetown Substance Abuse Committee – Supervisor Teresa M. Kenny, Liaison
- Orangetown Traffic Advisory Board – Councilperson Paul Valentine, Liaison
- Zoning Board of Appeals – Councilperson Daniel Sullivan, Liaison

8. REAPPOINT / BLUE HILL GOLF ADVISORY COMMITTEE / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Blue Hill Golf Advisory Committee for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- Patrick J. Shields (Chairperson)
- Sean Burke
- Joseph Green
- Michael Hussey
- Martin Fogarty
- Matt Willock
- Kevin Fagan
- Nick Gajovich
- Joseph O'Loughlin
- Barbara Sabatini
- Liaison: Councilperson Paul Valentine

9. APPOINT / REAPPOINT / ORANGETOWN OFFICE OF EMERGENCY MANAGEMENT COMMITTEE / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Office of Emergency Management Committee for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- P. O. Chris Connolly (Chairperson)
- Captain Michael Shannon, OPD
- David Majewski, Bureau of Fire Prevention
- Jane Slavin, Director of OBZPAE
- James J. Dean, Superintendent of Highways
- Aric Gorton, Superintendent of Parks and Recreation
- Fred Simms, Orangetown Fire Chiefs Council
- Steve Harris, South Orangetown Ambulance Corps
- Maryanne Portoro, Pearl River Ambulance
- Christopher Jackson, Orangetown Fire Chiefs Council
- Stephen Munno, Highway Department
- Eamon Reilly, Commissioner of DEME
- Christopher Sheehan, DEME
- Matt Lenihan, IT
- Liaison: Councilperson Jerry Bottari

10. APPOINT / REAPPOINT / ORANGETOWN ENVIRONMENTAL COMMITTEE / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Environmental Committee for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- Michael Andrea (Chairperson)
- Alexis Starke
- Heather Hurley
- Don Steinmetz
- Andrew Goodwillie
- Katherine Copp-Brown
- Susan O'Reilly Turner
- June Starke
- Lawrence Vail
- Maria Gagliardi
- Fran Oldenburger
- Tom O'Reilly
- Eve Millard
- Thomas Becker
- Liaison: Supervisor Teresa M. Kenny

11. REAPPOINT / ORANGETOWN PARKS DEVELOPMENT ADVISORY COMMITTEE / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Parks Development Advisory Committee, for a 1-year term, commencing January 1, 2025 and expiring on December 31, 2025:

- T. Paul Bailey, Chairperson
- Anne Byrne
- Andrew Goodwillie
- James K. Willcox
- Michele Galle-Looram
- Orli Eshkar
- Aric Gorton, Superintendent of Parks & Recreation
- Liaison: Councilperson Brian Donohue

12. REAPPOINT / ORANGETOWN PROJECT REVIEW COMMITTEE / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Project Review Committee, for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- Jane Slavin (Chairperson)
- Bruce Peters, DEME
- David Majewski, Bureau of Fire Protection
- James J. Dean, Superintendent of Highways
- Aric Gorton, Superintendent of Parks and Recreation
- Rick Pakola, Deputy Town Attorney, Legal Advisor
- Liaison: Supervisor Teresa M. Kenny

13. APPOINT / REAPPOINT ORANGETOWN SENIOR CITIZEN COMMITTEE / 2025 / 1- YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Senior Citizen Committee, for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- Margaret Raso, Member (Tappan Club) and Chairperson
- Phyllis Moehrle, Member (Blauvelt/Orangeburg Club)
- Dean Hoffman, Member (Nyack Club)
- Caroline Butler, Member (Pearl River A Club)
- Elizabeth Settle, Member (Pearl River B Club)
- Carmen Abreu, Member (Sparkill Club)
- Jeff McCall, Member (Piermont Club)
- Carmel Reilly, Clerk
- Liaison: Deputy Supervisor Denis Troy

14. APPOINT / REAPPOINT ORANGETOWN SHADE TREE COMMISSION / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby appointed / reappointed as Members of the Orangetown Shade Tree Commission, for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- Mary Vail (Chairperson)
- Mary Ellen Le Warn
- Joy Macy
- Katja Alberino-Rappaport
- Andrew Goodwillie
- Mary Root
- Liaison: Councilperson Jerry Bottari

15. REAPPOINT ORANGETOWN TRAFFIC ADVISORY BOARD / 2025 / 1-YEAR TERM

RESOLVED, that the following are hereby reappointed as Members of the Orangetown Traffic Advisory Board, for a 1-year term, commencing on January 1, 2025 and expiring on December 31, 2025:

- Michael Yannazzone (Co-Chairperson)
- Margaret Warren (Co-Chairperson)
- Paul Raso
- Robert Simon
- Robert Morrison
- James Castagna
- P.O. Chris Connolly, OPD, Advisor
- George Garrecht, Highway, Advisor
- Thomas Edattel, DEME, Advisor
- Stefanie Schera, Deputy Town Attorney, Legal Advisor
- Allison Kardon, Clerk
- Liaison: Councilperson Paul Valentine

16. REAPPOINT JOSEPH KENNETH BRADY-AMOON / MEMBER / ORANGETOWN BOARD OF ASSESSMENT REVIEW / 5-YEAR TERM

RESOLVED, that JOSEPH KENNETH BRADY-AMOON is hereby reappointed as MEMBER to the Orangetown Board of Assessment Review for a 5-year term, commencing January 1, 2025 and expiring on December 31, 2029.

17. REAPPOINT BETH CAHILL / MEMBER / ORANGETOWN BOARD OF ETHICS / 5-YEAR TERM

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

TOWN ATTORNEY

18. **APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING CARALA VENTURES LTD. V. THE TOWN OF ORANGETOWN ASSESSOR'S OFFICE (66.30-2-68)**

RESOLVED, upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding Carala Ventures Ltd v. The Town of Orangetown Assessor's Office, tax map designation 66.30-2- 68 (50 Gedney Street, Nyack), for the tax assessment years 2023 - 2024 for a total refund by the County of \$332, a total refund by the Town of \$1,076, and a total refund by the School District of \$3,652. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Rockland County Finance Department.

TRAFFIC ADVISORY BOARD

19. **APPROVE / INSTALLATION OF STREET LIGHT / INTERSECTION OF HUNT RD AND AMERICAN LEGION POST #1199 / ORANGEBURG**

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of a street light at the intersection of Hunt Road and American Legion Post #1199 (Utility Pole# 59590/37961) is hereby approved to be paid from the following budget line item B.5182.452.17.

AUDIT

20. **PAY VOUCHERS**

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of six (6) warrants (attached) for a total of **\$13,601,178.50**.

EXECUTIVE SESSION

21. **ENTER EXECUTIVE SESSION**

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

ADJOURNMENTS

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

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

- ❖ **Sylvia Barone**, *Resident of Pearl River*
- ❖ **Helen Brady**, *Resident of Pearl River*
- ❖ **Carol Ann Racca**, *Resident of Orangeburg*