



**TOWN OF ORANGETOWN TOWN BOARD MEETING**

**Tuesday April 08, 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:**

- ◆ **ORANGETOWN BLOOD DRIVE - Thursday, April 10, 2025 / 1:00 pm to 7:00 pm. Please visit [www.orangetown.com](http://www.orangetown.com) for more information.**
- ◆ **ORANGETOWN SHREDDING EVENT - Saturday, April 12, 2025 / 8:00 a.m. - 11:30 a.m. Hosted by Orangetown Town Clerk, Rosanna Sfraga, Rockland Green and People to People. Please bring Non-perishable Food items for a donation to People to People.**

**DISCUSSION:**

- ◆ **WORKSHOP OF AGENDA ITEMS**

**PUBLIC COMMENT:**

**1. OPEN PUBLIC COMMENT PORTION**

**RESOLVED**, that the public portion is hereby opened.

SUMMARY OF PUBLIC COMMENTS:

**2. CLOSE PUBLIC COMMENT PORTION**

**RESOLVED**, that the public portion is hereby closed.

**AGENDA ITEMS:**

**TOWN BOARD**

- 3. OPEN PUBLIC HEARING / RTBM OF APRIL 8, 2025 AT 7:05 P.M. / PROPOSED AMENDMENT TO CHAPTER 39, "VEHICLES AND TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

**RESOLVED**, that the Public Hearing to on a proposed local law, amending Chapter 39 of the Town Code entitled "Vehicles and Traffic" related specifically to the time limitation on parking and prohibition on parking on Gesner Avenue in the Hamlet of South Nyack and prohibition on parking on Brandt Avenue in the Hamlet of Tappan is hereby opened.

**PRESENTATION** of Affidavit of Public Hearing posting and publication

**SUMMARY OF COMMENTS:**

- 4. CLOSE / CONTINUE / PROPOSED AMENDMENT TO CHAPTER 39, "VEHICLES AND TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

**RESOLVED**, that the Public Hearing to on a proposed local law, amending Chapter 39 of the Town Code entitled "Vehicles and Traffic" related specifically to the time limitation on parking and prohibition on parking on Gesner Avenue in the Hamlet of South Nyack and prohibition on parking on Brandt Avenue in the Hamlet of Tappan is hereby closed or continued to \_\_\_\_\_.

- 5. LEAD AGENCY AND DETERMINATION OF SEQRA / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, "VEHICLES & TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

**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.

- 6. ADOPT LOCAL LAW \_\_\_\_, 2025 / AMENDING TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, CHAPTER 39, "VEHICLES AND TRAFFIC" WITHIN THE HAMLETS OF SOUTH NYACK AND TAPPAN**

**RESOLVED**, that the Town Board hereby adopts Local Law \_\_\_\_, 2025 to amend the Town Code, Chapter 39, Vehicles & Traffic, Article I, Vehicle and Traffic Regulations, Section 39-5 Prohibition of Stopping, Standing, or Parking in Specified Places; Section 39-6 Prohibition of Parking on Designated Highways and 39-7 Time Limitation on Parking.

**LOCAL LAW NO. \_\_\_\_ - 2025 OF THE TOWN OF ORANGETOWN,**

**AMENDING CHAPTER 39 (VEHICLES AND TRAFFIC), ARTICLE I (VEHICLE AND TRAFFIC REGULATIONS) OF THE CODE OF THE TOWN OF ORANGETOWN**

As amended, additions are underlined. Be it enacted by the Town Board of the Town of Orangetown as follows:

**Section 1 – Legislative Findings, Objectives and Purpose of this Local Law No. \_\_\_\_ of 2025:**

The Town of Orangetown Traffic Advisory Board, having investigated issues related to congestion and safety in the Hamlet of South Nyack, recommends the Town Board adopt the local law amending the Town Code, to prohibit parking on the north side of Gesner Avenue, from the eastern-most pavement edge extending for 102 feet west, and south side, from the eastern-most pavement edge extending for 338 feet west. Having held a public hearing on the matter, the Town Board finds the Prohibition on Parking is necessary for traffic safety. The time limitation parking on Gesner Avenue will also be removed.

Additionally, the Orangetown Traffic Advisory Board, having investigated issues related to congestion and safety in the Hamlet of Tappan, recommends the Town Board adopt the local law amending the Town Code to prohibit parking on the east side of Brandt Avenue between Old Tappan Road and Main Street.

**Section 2 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-5 of the Code of the Town of Orangetown entitled “Prohibition of stopping, standing or parking in specified places”, shall be amended so as to revise the following subsection “20” to paragraph “M” of Section 39-5, and, as amended, shall read as follows:**

§39-5. **Prohibition of stopping, standing, or parking in specified places.** Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic control device, no person shall, within the limits of the Town of Orangetown:

M. In the Hamlet of South Nyack, parking in the following locations is prohibited:

(20) Gesner Avenue, north side, from the eastern-most pavement edge extending for 102 feet west, and south side, from the eastern-most pavement edge extending for 338 feet west.

**Section 3 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-7 of the Code of the Town of Orangetown entitled “Time limitation on parking” shall be amended so as to repeal subsection (A)(5)(i), and, as amended, shall read as follows:**

§39-7

A. The parking or standing of vehicles for a period of longer than two hours is hereby prohibited in any of the following locations:

(5) In the Hamlet of South Nyack:

(i) Intentionally deleted.

**Section 4 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-6 of the Code of the Town of Orangetown entitled “Prohibition of parking on designated highways”, shall be amended so as to revise the following subsection “8” to paragraph “E” of Section 39-6, and, as amended, shall read as follows:**

§39-6 **Prohibition of parking on designated highways.** The parking or standing of vehicles in any of the following locations is hereby prohibited:

E. In the Hamlet of Tappan:

(8) On the east side of Brandt Avenue between Old Tappan Road and Main Street.

**Section 5– Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-7 of the Code of the Town of Orangetown entitled “Time limitation on parking”, shall be amended so as to revise the following subsection “d” to paragraph “2” of Section 39-7D, and, as amended, shall read as follows:**

§39-7

D. The parking or standing of vehicles for a period of longer than four hours is hereby prohibited in any of the following locations:

(2) In the Hamlet of Tappan:

(d) On the westerly side of Brandt Avenue between Old Tappan Road and Main Street.

## **Section 6. 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 7. 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 8. 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

7. **AUTHORIZATION FOR A THIRD AMENDMENT TO CONTRACT OF SALE / PURCHASE OF REAL PROPERTY LOCATED AT 149-157 PIERMONT AVE., S. NYACK, NEW YORK / LIVING CHRIST CHURCH**

**WHEREAS**, the Town Board by resolution No. 2024-328 adopted on June 25, 2024, the Town Board authorized the Supervisor to execute Contract of Sale (“Contract”) with the LIVING CHRIST CHURCH OF THE CHRISTIAN AND MISSIONARY ALLIANCE, INC. f/k/a SIMPSON MEMORIAL CHURCH, Inc. (the “Seller”) for the Town to purchase a certain parcel of real property located in the Town of Orangetown, County of Rockland, and State of New York, containing approximately 6.5 acres, and having the Tax Map Identification Number: 66.54-2-11 (the “Property”), under terms and conditions set forth more fully in the Resolution; and

**WHEREAS**, the Resolution was subject to permissive referendum, which was duly advertised by the Town Clerk as required by law, and said Resolution took effect thirty days after its adoption, since no petition seeking a referendum was filed with the Town Clerk and the Contract having been fully executed by the parties as of July 31, 2024, and

**WHEREAS**, on February 25, 2025 the Town Board, in Resolution No. 2025-120 authorized the Town Supervisor to execute a First Amendment to Contract of Sale recognizing that the Seller was undertaking to have further tests conducted at the property by Castlton Environmental Consultants, LLC (Castlton) with respect storage tanks, and the Town agreed that the Seller was authorized to use part of the down payment to pay for the costs of said testing, with the Town receiving a credit in the purchase price at closing, and

**WHEREAS**, on March 25, 2025 the Town Board, in Resolution No. 2025-159 authorized the Town Supervisor to execute a Second Amendment to Contract of Sale authorizing the payment of additional sums towards the down payment, to be held in escrow by counsel for the seller and to be credited to the Town at closing, and which resolution authorized release thereof to cover the costs of remediation at the site as set forth more fully therein, which cost is to be borne by the seller and ,

**WHEREAS**, the cost for remedial measures as set forth in Resolution No 2025-159 has exceeded the amounts that are being held in escrow by counsel for the seller, and

**WHEREAS** the seller has requested that the Town submit an additional down payment in the amount of \$40,000.00, which seller shall be authorized to access so that seller can undertake the remedial measures, with the purchase price being reduced by any amounts of the down payment being used for such testing and remedial measures, and which agreement is to be memorialized by a Third Amendment to the Contract setting forth the terms and conditions of such additional testing, payments and credits, as well as extension of certain time periods in the Contract, which terms are set forth more fully in the proposed Amendment,

**NOW THEREFORE BE IT RESOLVED** that the Supervisor for the Town of Orangetown (the “Supervisor”) or her designee is hereby authorized to execute the Third Amendment to the Contract of Sale as proposed, on the terms and conditions detailed therein; and to take any such actions, including but not limited to the execution of documents, as are necessary to implement the terms and conditions of said Third Amendment to Contract of Sale.

## TOWN ATTORNEY

8. **APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT DOCUMENTS / TAX CERTIORARI PROCEEDING PEARL RIVER MEDICAL AND PROFESSIONAL OFFICE CONDOMINIUM V. THE TOWN OF ORANGETOWN, et al. (68.20-2-10)**

**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 Pearl River Medical and Professional Office Condominium v. The Town of Orangetown, et al., tax map designation 68.20-2-10 (180 E. Central Ave., Pearl River), for the tax assessment years 2021 - 2024 for a total refund by the County of \$976, a total refund by the Town of \$ 3,473, and a total refund by the School District of \$12,849. 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.

9. **ACCEPT CASH BOND / SOUTH ORANGETOWN AMBULANCE CORPS SITE PLAN / 70 INDEPENDENCE AVENUE, TAPPAN, NEW YORK**

**WHEREAS**, the South Orangetown Ambulance Corps, owner of certain property located at 70 Independence Avenue, Tappan, New York (Tax Lot Section 74.18, Block 3, Lots 39 and 40), has applied for and received site plan approval from the Town of Orangetown Planning Board for the project known as "South Orangetown Ambulance Corps Site Plan" on said property, and

**WHEREAS**, the Planning Board required in Planning Board decision #25-12 that the applicant post a performance bond in the amount of \$39,060.00 to ensure the construction and completion of certain public improvements pursuant to the aforesaid approval, and

**WHEREAS**, the applicant has submitted a fully executed cash bond dated March 13, 2025, executed by Peter Roimisher, Treasurer of the South Orangetown Ambulance Corps, for the amount of \$39,060.00, along with a check in the amount of \$39,060.00 made out to the Town of Orangetown, to be held in escrow, to insure the completion of public improvements associated with the site plan, and said cash bond has been approved as to form and substance by the Town Attorney's Office,

**NOW THEREFORE BE IT RESOLVED THAT**, the Town hereby formally accepts, receives and files with the Office of the Town Clerk a cash bond dated March 13, 2025, signed by Peter Roimisher, as Treasurer of the South Orangetown Ambulance Corps, in the amount of \$39,060.00, naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "South Orangetown Ambulance Corps Site Plan" no later than May 13, 2027, and the check from the South Orangetown Ambulance Corps in the amount of \$39,060.00, and that said cash bond and \$39,060.00 in cash are to be returned only upon satisfactory completion of said public improvements according to the terms of said bond, Planning Board decision #25-12, any Town departments having jurisdiction thereof, and formal resolution of the Town Board.

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the Town hereby accepts the check relating to the South Orangetown Ambulance Corps Site Plan in the amount of \$39,060.00, to be held in escrow according to the terms of the cash bond dated March 13, 2025, signed by Peter Roimisher, as Treasurer of the South Orangetown Ambulance Corps.

10. **RELEASE OF VIRGINIA HOMES SUBDIVISION PERFORMANCE BOND AND LETTER OF CREDIT / WILLIAM STREET & SPARKILL AVENUE, SPARKILL, NEW YORK**

**WHEREAS**, the owner of certain property located at William Street and Sparkill Avenue, Sparkill, New York (Tax Lots 77.08 Block 5 Lots 33.2 and 36) received subdivision and site plan approval from the Town of Orangetown Planning Board for said property for the project known as “Virginia Homes Subdivision”; and

**WHEREAS**, pursuant to Planning Board approval, the owner was required to post a performance bond in the amount of \$106,920.00 to ensure the construction and completion of certain public improvements within the subdivision; and

**WHEREAS**, the owner submitted a fully executed Performance Bond dated October 22, 2015, along with a Letter of Credit issued by Bank of America, N.A., No. 68120759 in the amount of \$106,920.00 naming the Town of Orangetown as beneficiary, as collateral for such Performance Bond, which Bond and Letter of Credit were accepted, received and filed with the Office of the Town Clerk (Town Board Resolution No. 2015-483); and

**WHEREAS**, the Planning Board, after receiving recommendations from the Department of Environmental Management and Engineering (DEME) and the Superintendent of Highways, voted pursuant to PB#25-17 to recommend to the Town Board that the above-referenced Performance Bond and Letter of Credit be released; and

**WHEREAS**, the Town Attorney’s Office also recommends that the above-referenced Performance Bond and Letter of Credit be released.

**NOW, THEREFORE, BE IT RESOLVED**, upon the recommendation of the Planning Board, the Town Highway Department, DEME, and the Town Attorney’s Office, the Board hereby authorizes the release of the Virginia Homes Subdivision Performance Bond dated October 22, 2015 and the accompanying Letter of Credit issued by Bank of America, N.A., No. 68120759 in the amount of \$106,920.00.

**HIGHWAY**

11. **APPROVE COMPRESSED TEN HOUR WEEK / EMPLOYEES OF THE ORANGETOWN HIGHWAY DEPARTMENT / APRIL 7, 2025 - OCTOBER 17, 2025**

**RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approve a change to the work week for the employees of OHD, from Monday thru Friday, 6:30 am – 3:00 pm, to Monday to Thursday / Tuesday to Friday, from 6:30 am – 4:30 pm.

Pursuant to the authority granted to the Town under Article 5, Section 5.2.2 of the Collective Bargaining Agreement, the Town hereby establishes a compressed workplace schedule commencing on April 7, 2025 and concluding on Friday October 17, 2025.

12. **APPROVE / AWARD BID / INDUSTRIAL SERVICE UNIFORMS / AMERICAN WEAR INC.**

**WHEREAS**, the Superintendent of Highways duly advertised for sealed bids for Industrial Service Uniforms, which were received and publicly opened on March 28, 2025; and,

**NOW, THEREFORE, BE IT RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby awards this bid to American Wear Uniforms, East Orange, N.J., the only bidder, at a price of \$2.38 per employee, per week for a two (2) year contract period to be charged to the uniform budget line for Highway, DEME and Parks.

**PARKS AND RECREATION**

13. **APPROVE / FLEXIBLE WORK SCHEDULE / BUILDING MAINTENANCE MECHANIC AND PARKS MAINTENANCE STAFF / APRIL 7, 2025 - OCTOBER 17, 2025**

**RESOLVED**, that upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance, approve change in the basic workweek for the Building Maintenance Mechanic and Parks Maintenance Staff from Monday through Friday from 6:30 a.m. to 3 p.m. to a four-day work week from 6:30 a.m. – 4:30 p.m. This flexible work schedule shall be in place from April 7, 2025 through October 17, 2025. In accordance with Section 5.1.2 of the Collective Bargaining Agreement, the Town Board has the sole responsibility for establishing flexible work hour schedules. This resolution does not apply to the Superintendent of Parks, Recreation & Building Maintenance

14. **AWARD BID / INDEPENDENCE & CHERRY BROOK TENNIS COURT RENOVATIONS / SPORT TECH CONSTRUCTION**

**RESOLVED**, upon the recommendation of the Superintendent of Parks, Recreation & Building Maintenance award the contract for the renovation of the Cherry Brook and Independence Tennis Courts to Sport Tech Construction of Brewster NY, the lowest qualified bidder on the basis of best value in the amount of \$830,000.00 using bonded capital projects funds and the Parks Trust Fund, as necessary.

15. **ACCEPT DONATION / MEMORIAL BENCHES / VARIOUS PARK LOCATION**

**RESOLVED**, upon the recommendation of the Superintendent of Parks, Recreation and Building Maintenance accept the donation of memorial benches to be placed in various park locations, engravings will read:

Edward J. Fitzpatrick  
Dad, Pop-Pop, NYPP, USMC, BPOE

Mary N. Fitzpatrick  
The Bench Beckons, "Be Still and Stay a While" Miss You



John F. Skelly  
Ageless  
Shanks for the Memories

Kristin Quinn Hayes  
Forever in Our Hearts

In loving memory of Theresa Canzoneri  
"You are not Alone" - Crisis line 988

## **DEME**

16. **RECOGNIZE APPOINTMENT / SEAN HLADKY / CHEMIST / PROVISIONAL / GRADE 15, STEP 1 / EFFECTIVE APRIL 21, 2025**

**RESOLVED**, that the Town Board hereby recognizes the appointment of Sean Hladky by the Commissioner of DEME, to the position of Chemist, Provisional, Grade 15, Step 1, at a salary of \$72,487, effective April 21, 2025.

## **LEND ASSISTANCE**

17. **APPROVE / LEND ASSISTANCE / SHOWMOBILE / ST. THOMAS AQUINAS COLLEGE EARTH DAY / APRIL 12, 2025**

**RESOLVED**, upon the completion of the necessary paperwork the Superintendent of Parks, Recreation & Building Maintenance has forwarded to the Town Board for approval the use of the showmobile by St. Thomas Aquinas College for their Earth Day event to be held on April 12, 2025 with the college providing a certificate of insurance naming the Town of Orangetown as an additional insured.

18. **APPROVE/ LEND ASSISTANCE/ ROCKLAND SOLACE SUNRISE SUICIDE PREVENTION WALK/ SATURDAY, MAY 17, 2025**

**RESOLVED**, upon the recommendation from the Superintendent of Highways & the Chief of Police, that the Town Board hereby authorizes these departments to lend assistance which includes the use of barricades & cones from the Highway Department and Police detail from OPD, for the Solace Sunrise Suicide Prevention Walk in Orangeburg, to be held on Saturday, May 17, 2025, from 5:30am – 7:30 am.

## **AUDIT**

19. **PAY VOUCHERS**

**RESOLVED**, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of three (3) warrants (attached) for a total of \$567,050.36.

## EXECUTIVE SESSION

### 20. ENTER EXECUTIVE SESSION

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

## ADJOURNMENTS

### 21. RE-ENTER RTBM / ADJOURNED / MEMORY

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

- ❖ **Brian Fennell**, *Longtime Resident of Pearl River*
- ❖ **Joseph Michael Grasso**, *Resident of Tappan*
- ❖ **John F. Madigan**, *Resident of Pearl River and Husband of Former Town Clerk, Charlotte Madigan*