

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 24, 2018**

This Regular Town Board Meeting was opened at 7:31 p.m. Supervisor Day presided and the Deputy Clerk called the roll.

Present were: Supervisor Chris Day
Councilman Denis Troy
Councilman Thomas Diviny
Councilman Paul Valentine
Councilman Jerry Bottari

Also present were: Amanda Hyland, Supervisor's Confidential Assistant
Michael Lawler, Deputy Supervisor
Joseph Thomassen, 1st Deputy Clerk/Collector
Robert Magrino, Deputy Town Attorney
Teresa Kenny, Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Joseph Moran, Commissioner of DEMA
Aric Gorton, Superintendent of Parks, Recreation & Building Maint

Pledge of Allegiance to the Flag of the United States of America: Esta Baitler

Rose Marie Raccioppi was presented with a Proclamation for National Poetry Month and her 10th Year Anniversary as Orangetown's Poet Laureate. She read her poem highlighting military service and the life of Rockland County Veteran, Jerry Donnellan.

Summary of Public Comments (RTBM):

Paul Sanguinetti, Pearl River, spoke about flooding issues in the area of Villa Dr., Pearl River. Susan Nemesdy, Palisades, there is always a concern for Traffic/Pedestrians safety along Route 9W and supports the Resolution requesting the speed to be lowered.

Esta Baitler, Sparkill, Heather Hurley and Allyson Sullivan should be recognized for all work they have done regarding Aluf Plastics.

Milbry Polk, Palisades, is in-favor of reducing the speed on Route 9W.

Mike Mandel, Pearl River, has the Equalization Rate been contested? He would like the Assessor to explain the Equalization Rate, and Homestead and Non-Homestead.

Maureen Aitchison, Orangeburg, spoke about the Public Nuisance Law and asked should it be applied to Aluf Plastics.

Carol Baxter, Palisades, supports lowering the speed on Route 9W. In the future, she hopes to have discussions of narrowing the road and constructing sidewalks for safety.

Kathleen Mrozinski, Tappan, requested the Town Board to clean-up 20 Lawrence St. Her neighbor's property is unsightly with a very dangerous tree.

Jill Fieldstein, representing the Rt. 9w Market & Filling Station, said the No Parking Zone was created to benefit one resident. It was done without any notice to the market. She requested the Town Board to reconsider.

Steve Galanis, owner of the market, is disappointed with the No Parking Zone and requested to have a discussion in the short future.

Andrew Wiley, Pearl River, spoke about irregularities in zoning. Why are we allowing unlicensed contractors and no Certificates of Occupancies?

Jay Greenwell, Surveyor – the No Parking Zone was installed because Parking on Route 9W is dangerous, difficult to back-out of driveways and has a limited sight distance.

Frank Celli, Nyack, favors lowering the speed limit on Route 9W and he has never seen any encumbersome of entering or exiting the market.

Robert Hoene, Architect, you cannot see up and down Route 9W when exiting driveways.

RESOLUTION NO. 255

CLOSE PUBLIC COMMENTS

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Diviny, Valentine, Troy, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 256

**OPEN PH / ZONE CHANGE PETITION
TOWN PLAZA II / 500 ROUE 303,
ORANGEBURG (74.07-1-6)**

Councilman Diviny offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the public portion of the public hearing is hereby opened.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari
Supervisor Day
Noes: None

The Affidavit of Publication and the Notice of Posting are labeled Exhibit 04-F-18 and made a part of these minutes.

Summary of Public Comments:

Ira Emanuel, Attorney for Petitioner, explained this parcel is located in both the “CC” (Retail-Commerce) and the “LI” (Light Industrial) zoning districts. The boundary line goes right threw one of the buildings. The zone change request is to make the entire parcel a “CC” (Retail-Commerce). The abutting parcels are already zoned “CC” (Retail-Commerce).

Eileen Kramer, Orangeburg, concerned about truck traffic and air quality.

Larry Forgacs, owner of the shopping center across the street, asked if this zone change will affect the zoning of his property.

RESOLUTION NO. 257

**CONTINUE PH/ ZONE CHANGE
TOWN PLAZA II / 500 ROUTE 303,
ORANGEBURG (74.07-1-6)**

Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that this public hearing is hereby continued to June 5, 2018, at 8:15 pm.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Day
Noes: None

**PROPOSED LOCAL LAW
AMENDING CHAPTER 43, §2.2
CHANGING THE ZONING DISTRICT
TOWN PLAZA II, 500 ROUTE 303, ORANGEBURG
FROM “CC & “LI” TO ALL “CC”**

BE IT ENACTED, by the Town Board of the Town of Orangetown as follows:

Section 1: 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 property:

Proposed Local Law – Town Plaza II

500 Route 303, Orangeburg, NY (Tax Map Designation 74.07-1-6) from the partial “CC” (Retail-Commercial) and partial “LI” (Light Industrial) zoning districts to the “CC” (Retail-Commercial) zoning district, which metes and bounds description is as follows:

All that certain plot, piece or parcel of land with improvement erected thereon, situate lying and being in Orangeburg, Town of Orangetown, Rockland County, New York, being shown and designated as **a portion of Parcel 1** on a certain map entitled "**Seymour Koff**" filed in the Rockland County clerk's office on **November 16, 1967** as **Map No. 3646 Book 74 Page 16** being more particularly bounded and described as follows:

BEGINNING AT A POINT in the center of Mountainview Avenue (AKA Chamberlain Road) said point being the intersection of a line measured 250 feet westerly and perpendicular to the centerline of Route 303 with the center line of Mountainview Avenue and running **THENCE**:

North 70 degrees 39 minutes 00 seconds West 162.13 feet along the centerline of Mountainview Avenue

THENCE North 58 degrees 59 minutes 00 seconds West 8.64 feet along the centerline of Mountainview Avenue

THENCE North 15 degrees 40 minutes 00 seconds East 324.11 feet along the easterly line of lands now or formerly Church of the Lord

THENCE South 82 degrees 43 minutes 00 seconds East 54.88 feet along the aforementioned lands **THENCE** North 53 degrees 20 minutes 00 seconds East 52.61 feet along the aforementioned lands

THENCE South 03 degrees 27 minutes 00 seconds West 395.42 feet through parcel 1 and parallel with Route 303 to the centerline line of Mountainview Avenue the **POINT OR PLACE OF BEGINNING**.

Said property contains 1.04 Acres more or less.

Section 2: This law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 258

**OPEN PH/ZONE CHANGE (77.09-1-25)
70 HICKORY HILL ROAD, TAPPAN
SAMI CONSTRUCTION**

Councilman Bottari offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the public portion of the public hearing is hereby opened.

Ayes: Councilpersons Bottari, Valentine, Troy, Diviny
Supervisor Day
Noes: None

The Affidavit of Publication and the Notice of Posting are labeled Exhibit 04-G-18 and made a part of these minutes.

Summary of Public Comments:

Dwight Joyce, Applicant’s attorney, explained that from 1969 to 1991 this premise was wholly within an R-15 zoning district. In May of 1991 a large portion of this parcel was rezoned to an R-40 with the smaller portion remaining an R-15 zone. The owner is seeking to change the Zoning District back to an R-15 zone and is looking to subdivide into two lots.

Rick Oliver, Deputy Building Inspector, discussed R-15 vs R40 and the zoning history of Hickory Hill.

David Howe, Alex Levy, Mary Ann Drew Evans, Joel Tozer, Kristian Troy, Jimmy Georgetti, Richard Anderson, Linda Levy, John Del Corral, Martin Diner, Eric McCarthy, Nancy Diner, Winston Fernandez, Mike Seliger, Michael Schwal, Maureen Hughes, Meryl Toan, Hickory Hill residents, are against this Zone Change. They want the Town Board to protect, keep the

Public Hearing Continued – 70 Hickory Hill Rd

continuity and do no harm to their community. They were told these lots will never change and are protected against any zone changes.

Jennifer Sirkowa, R2M Reality and represented Mr. Muhametaj in buying 70 Hickory Hill Rd. The previous owner rented this property out and it stand vacant for a while. Mr. Muhametaj original intention was to create a home for his family. He will be an excellent member of this community.

RESOLUTION NO. 259

CLOSE PH / 70 HICKORY HILL ROAD, TAPPAN (77.09-1-25) SAMI CONSTRUCTION

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that the public portion of this public hearing is hereby closed.

Ayes: Councilpersons Valentine, Diviny, Troy, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 260

DENY/ ZONE CHANGE / 70 HICKORY HILL RD, TAPPAN SAMI CONSTRUCTION (77.09-1-25)

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and on a roll call was **DENIED**:

RESOLVED, the Town Board hereby denies the Zone Change for 70 Hickory Hill Rd, Tappan (77.09-1-25).

Ayes: Councilpersons Diviny, Bottari, Valentine
Supervisor Day
Noes: None
Abstained: Councilman Troy

RESOLUTION NO. 261

ACCEPT / ZONE CHANGE PETITION AND DIRECT CIRCULATION / 14-16 NORTH MAIN STREET (AKA 21 NORTH WILLIAM ST) PEARL RIVER (68.16-6-67) / CS TO PAC ZONE GALWAY BAY CONTRACTING, INC.

Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, the owner of premises located at 14-16 North Main Street (aka 21 North William Street), in the hamlet of Pearl River, Tax Lot 68.16-6-67 being located in the “CS” (Community Shopping) zoning district, has petitioned the Town Board to change the zoning classification of the property to the overlay district of “PAC” (Planned Adult Community), zoning district; and

WHEREAS, upon preliminary review, the Town Board is willing to consider the change to such PAC zone as the property is eligible for such a zone change pursuant to Town Code §4.62 as the property is located in the down town Pearl River area close to public transportation and shopping and currently located within a CS zoning district ; and

WHEREAS, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as review by other interested agencies; and

WHEREAS, upon review of the Petition, and a Short Environmental Assessment Form prepared at the Town Board’s request by the Office of Building, Zoning, Planning and

RESOLUTION NO. 261 – Continued

Administration and Enforcement, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act (“SEQRA”);
2. The proposed action as an “Unlisted” action; and
3. The following are involved or interested or involved agencies in the review process:

- Orangetown Planning Board;
- Rockland County Department of Planning;
- Rockland County Highway Department

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- 1 & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, §4.612(E), the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Zoning Map, to the Town Planning Board inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Day

Noes: None

RESOLUTION NO. 262

**MEMORIALIZING RESOLUTION
SPEED LIMIT REDUCTION AND
PLEDGING ENFORCEMENT ON
ROUTE 9W IN PALISADES**

Councilman Valentine offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

WHEREAS, the hamlet of Palisades has seen a disproportionately high amount of accidents at and around the intersection of Route 9W and Oak Tree Road, to include fatalities, and

WHEREAS, the New York State Department of Transportation has funded the replacement and upgrade of the pedestrian and traffic signals at that intersection due in large part to such issues, and

WHEREAS, this area of Route 9W passes directly next to multiple residences, a child care center, a pool club, the geographic center and main street of the hamlet of Palisades, and a busy quick-service restaurant and shop, and

WHEREAS, this area of Route 9W see substantial pedestrian and bicycle traffic, particularly in warmer weather, and lacks any bicycle lanes or sidewalks, with the Town of Orangetown having installed new sidewalks to accommodate such need on the intersecting Oak Tree Road, as well as a blind downhill curve on the northbound area approaching this intersection to the south, and

WHEREAS, due to the location of exits on the Palisades Interstate Parkway, the intersection sees substantial commuter traffic, particularly northbound during the evening commute, as it serves as a gateway for residents of the adjacent hamlets of Tappan, Sparkill, and parts of Orangeburg, and also serves as an access route for New Jersey residents commuting northbound to the Tappan Zee Bridge, and

RESOLUTION NO. 262 – Continued

WHEREAS, the area of Route 9W to the immediate and adjacent south in New Jersey has a speed limit of 40 miles per hour, lower than the current speed limit in this section, despite that section of Route 9W having no buildings whatsoever for 1.7 miles and no comparable quantity of structure for 3 miles, and

WHEREAS, it is in the direct interest of the Town of Orangetown to maintain the safety of our residents in Palisades, and

WHEREAS, the Town of Orangetown Police and Highway Departments have, and regularly utilize both traffic counting and speed tracking equipment as well as targeted enforcement actions to address speeding at identified points throughout the town, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orangetown hereby requests that the New York State Department of Transportation immediately lower the speed limit on Route 9W in both directions from the New Jersey border north to the driveway of the HNA Palisades Conference Center at 41°01'08"N 73°54'56"W to not more than 35 miles per hour, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Orangetown, in its capacity as the Police Commission and in concert with our Superintendent of Highways, commits to implementing traffic and speed analysis and targeted enforcement of speed limits and other moving violations through radar mobile radar signage, visible patrols, and ticketing as such analysis requires subsequent to the installation of said lower speed limit in order to ensure that drivers are made aware of it and it has the intended impact to lower vehicular speeds on that section of road, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to send a copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators; Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; the Regional Traffic Safety and Mobility Engineer of the New York State Department of Transportation, Hudson Valley Region, and to such other persons as the Clerk, in her discretion, may deem proper in order to effectuate the purpose of this resolution.

Ayes: Councilpersons Valentine, Troy, Diviny, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 263

APPOINT BRUCE BOND / ALTERNATE MEMBER / PLANNING BOARD

Councilman Bottari offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the Town Board hereby appoints Bruce Bond to the Town of Orangetown Planning Board as an Alternate Member for a term of one-year, effective January 1, 2018 through December 31, 2018.

Ayes: Councilpersons Bottari, Valentine, Troy, Diviny
Supervisor Day
Noes: None

RESOLUTION NO. 264

**AGREEMENT / ROCKLAND COUNTY
2018 REIMBURSEMENT COSTS
POLICE TRAINING / PERSONAL
RADIATION DETECTOR AND
PACKEYE TRAINING / STC PROGRAM**

Councilman Diviny offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, the Sheriff of Rockland County, in cooperation with the New York City Police Department “Securing the Cities Program” (STC) provided training to Town of Orangetown Police Officers in the areas of Personal Radiation Detector Training and Packeye Training in October, 2017, and

WHEREAS, the County of Rockland has agreed to reimburse the Town of Orangetown for the costs of the attendance to the Town of such training, pursuant to a proposed Intermunicipal Agreement, which is incorporated by reference herein, and

WHEREAS, the County of Rockland, pursuant to its Resolution No. 132 of 2018 has agreed to recommend to the County Executive to approve the aforesaid Intermunicipal Agreement and to reimburse the Town of Orangetown in the amount of \$6,463.84 for the above referenced training, 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 agreement 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 entering into the Inter-municipal Agreement between the Town of Orangetown and County of Rockland as set forth in the County’s Resolution No 132 of 2018 with respect to the reimbursement of the sum of \$6,463.84 for costs incurred for police training through STC in the areas of Personal Radiation Detector Training and Packeye Training, and authorizes the Supervisor to execute the aforesaid Inter-municipal Agreement and any and all documents necessary to effectuate same.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 265

**AGREEMENT / VERIZON
NETWORKFLEET / VEHICLE
TELEMATICS**

Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that the Town is hereby authorized to enter into an agreement with Verizon Networkfleet to acquire telematics for 256 town owned vehicles at a one-time cost not to exceed \$30.23 per vehicle, plus, an additional monthly recurring cost of \$18.95 per vehicle,

AND BE IT FURTHER RESOLVED, that in accordance with the relevant provisions of NY General Municipal Law Section 103 and Section 104, the agreement to be entered into is part of New York State Contract No. PT66910, Master Contract #GS-07F-5559R "piggyback" contract for GPS Telematic Services and the Town hereby agrees to "piggyback" thereon as authorized,

AND BE IT FURTHER RESOLVED, that the Town Supervisor, or his designated representative, shall be authorized to sign the said Agreement and all related financing documents.

Ayes: Councilpersons Troy, Diviny, Valentine, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 266

APPOINT LINO SCIARETTA /HEARING OFFICER / DISCIPLINARY CHARGES AGAINST EMPLOYEE # 1027

Councilman Bottari offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

BE IT RESOLVED, that the Town Board hereby appoints Lino Sciarretta to act as a Hearing Officer pursuant to §75 of the Civil Service Law of the State of New York with respect to certain disciplinary charges, dated March 19, 2018, preferred against Employee # 1027. The Hearing Officer is directed to conduct a hearing, making findings of fact and issue a recommendation of guilt or innocence, along with a recommended penalty, if appropriate, to the Town Board.

BE IT FURTHER RESOLVED, that the Town Board approves of the compensation of Hearing Officer Sciarretta, at a rate of \$225.00 per hour for services rendered.

Ayes: Councilpersons Bottari, Troy, Diviny, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 267

2018 CERTIFICATE OF SEWER REGISTRATION

Councilman Valentine offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2018 Sewer Work is approved to:

1. BELLVILLE LANDSCAPING, INC., 84 North Route 9W, Congers, NY
2. HAUSER BROTHERS, INC., 17 Old Schoolhouse Lane, Orangeburg, NY
3. HEWITT EXCAVATING, LLC., 18 Broad Street, Norwood, NJ
4. WILLIAM KING AND SON CONSTRUCTION, 113 Lake Road, Valley Cottage, NY
5. PRO-CUT LANDSCAPING, 11 Pineview Road, West Nyack, NY
6. SDM INDUSTRIES, 21 South Park Terrace, Congers, NY

Ayes: Councilpersons Valentine, Bottari, Troy, Diviny
Supervisor Day
Noes: None

RESOLUTION NO. 268

**SUMMER HOURS / OBZPAE
APRIL 15, 2018 - OCTOBER 15, 2018**

Councilman Valentine offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, upon the recommendation of the Director of OBZPAE, approve a change to the basic work week for the employees of OBZPAE, from Monday to Friday, 8 am to 4 pm, to a four day work week (Monday to Thursday/Tuesday to Friday), 7:30 am to 5:15 pm. This flexible work schedule shall be in place from April 15, 2018 to October 15, 2018. In accordance with Section 5.1.2 of the Collective Bargaining Agreement, the Town Board has the sole responsibility for establishing flexible hour schedules.

Ayes: Councilpersons Valentine, Troy, Diviny, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 269

**AID / 2018 PEARL RIVER
MEMORIAL DAY**

Councilman Diviny offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLUTION NO. 269 - Continued

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Highway & Police Departments to lend assistance, which includes the use of barricades, and police detail for the Memorial Day Parade in Pearl River on Monday, May 28, 2018, from 9:45 am to 11:45 am.

Ayes: Councilpersons Diviny, Valentine, Troy, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 270

**RECLASSIFY SENIOR CLERK
STENO TO PRINCIPAL CLERK
STENO / HIGHWAY DEPART**

Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, upon the recommendation of Rockland County Personnel, reclassify the position of Senior Clerk Stenographer, in the Highway Department, Grade 8, (520396) to the position of Principal Clerk Stenographer, Grade 10, effective April 25, 2018.

Ayes: Councilpersons Troy, Bottari, Valentine, Diviny
Supervisor Day
Noes: None

RESOLUTION NO. 271

**APPOINT HELEN WILSON
PRINCIPAL CLERK STENOGRAPHER
PROVISIONAL/ HIGHWAY DEPT**

Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, Helen Wilson is hereby appointed to the position of Principal Clerk Stenographer, provisional, in the Highway Department, Grade 10, Step 6/7, at a salary of \$68,658.00, effective April 25, 2018.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 272

**AID/ 2018 GRAN FONDO NEW
YORK BICYCLE RACE**

Councilman Valentine offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, upon the recommendation from the Superintendent of Highways, Parks and Chief of Police, that the Town Board hereby authorizes these three departments to lend assistance, which includes the use of cones, detour signs & barricades; police detail, and the use of Town roads, which includes the Rail Trail for Sunday, May 20, 2018, from 8 am - 3 pm.

Ayes: Councilpersons Valentine, Bottari, Troy, Diviny
Supervisor Day
Noes: None

RESOLUTION NO. 273

**AID / THE DENNIS P. McHUGH
FOUNDATION**

Councilman Diviny offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, to authorize upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board, the

RESOLUTION NO. 273 - Continued

rental of 6 porto-john units (4 regular, 2 ADA compliant) for The Dennis P. McHugh Foundation on Saturday, April 28, 2018.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 274

**RE-ALLOCATE POSITION / DEME
SLUDGE PRESS OPERATOR/
KEITH BRENNAN**

Councilman Bottari offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, upon recommendation of the Commissioner of DEME re-allocate the position of Sludge Processing Equipment Operator I from grade 12, step 25/29 (incumbent's current step) at a salary of \$91,540 to grade 14, step 19/24 at a salary of \$95,810 effective April 30, 2018. This position was formerly at grade 14 and is subject to acknowledgement and acceptance from CSEA.

Ayes: Councilpersons Bottari, Troy, Diviny, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 275

**APPOINT BART REEVES/ DEME
LABORER / PROBATIONARY**

Councilman Troy offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that upon recommendation of the Commissioner of DEME, appoint Bart Reeves to the position of laborer CSEA Grade 9 Step 1 at a salary of \$54,227.00 (probationary). This position was vacated due to the incumbent being promoted and is funded in the budget. This appointment is effective May 7, 2018.

Ayes: Councilpersons Troy, Valentine, Diviny, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 276

**RE- ALLOCATE POSITION / DEME
CHIEF OPERATOR FROM GRADE
23 TO GRADE 28**

Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, upon recommendation of the Commissioner of DEME, re- allocate the position of Chief Operator from grade 23, step 1 at a salary of \$100,537 to a grade 28, step 1 at a salary of \$127,364, effective April 30, 2018. This position is on the exclusion list of the CSEA contract and was formerly at grade 28 until last year.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 277

**VOLUNTARY ORANGETOWN
EMPLOYEE RETIREMENT
INCENTIVE PROGRAM**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

WHEREAS, The Town of Orangetown (hereinafter the “Town”) has offered a voluntary Retirement Incentive Program (hereinafter the “Program”) to eligible employees to either participate in the Program and retire, subject to the conditions of the Program, or not to participate and continue to work; and

WHEREAS, Employees eligible to participate in the Program are full time, active employees of the Town, excluding all elected officials and Town Police Officers and who are or will be eligible to retire on or before December 31, 2018 based on a service retirement under their respective tiers of the New York State Retirement System and have completed 10 or more years of continuous service; and

WHEREAS, the Town reserves the right to limit the eligibility to the first 20 employees who elect to participate in the Program, to allow more than 20 employees to elect to participate in the Program in its sole and exclusive discretion; and

WHEREAS, as a Program participant, the employee will be eligible to receive \$1,000 for each completed year of continuous full-time service with the Town as of the effective date of his/her retirement, less applicable taxes and withholdings, up to a maximum of 30 years of continuous full-time service with the Town or \$30,000; and

WHEREAS, eligible employees shall not receive any payment under this Retirement Incentive for periods of employment with other employers and must comply with the Program Conditions described in the Retirement Incentive Program; now, therefore,

BE IT RESOLVED, that to be eligible to receive the Retirement Incentive, the employee must complete the Retirement Incentive Election Form by June 30, 2018 and must retire after July 1, 2018, but no later than close of business on August 30, 2018 and must execute a valid and enforceable release of claims against the Town in connection with his/her employment in the form of a Stipulation of Agreement and General Release;

BE IT FURTHER RESOLVED, that the Town reserves the right to change or discontinue the Program, in whole or in part, at any time, in its sole and exclusive discretion and does not promise or guarantee that this Program or any similar Program will be offered in the future; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute any documents necessary to implement this Program.

Ayes: Councilpersons Valentine, Diviny, Troy, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 278

**RE-ALLOCATE POSITION / FINANCE
PRINCIPAL ACCOUNT CLERK
STEPHANIE TASELLO / GRADE 15 TO
GRADE 17**

Under new business, Councilman Troy offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that upon recommendation of the Director of Finance, re-allocate the position of Principal Account Clerk, from grade 15, step 4 at a salary of \$79,092 to a grade 17, step 4 at a salary of \$87,274, to reflect the increased amount of job responsibility caused by Federal mandate. This reallocation will become effective April 25, 2018.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 279

**MEMORIALIZING RESOLUTION
NEW YORK ELECTRICITY
COMMERCIAL SERVICE
AGREEMENT / PLYMOUTH ROCK
ENERGY**

Under new business, Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, on the recommendation of the Director of Finance and the Town’s Energy Procurement Consultant, Resolution Energy Group, that the Town Board hereby authorizes the Town Supervisor, or his designated representative, to execute an Agreement with Plymouth Rock Energy (or its affiliate) to supply the Town’s electricity requirements for a period of 3 years, the said supplier having proposed the lowest fixed rate for the term of the Agreement. The rate is locked in as of April 20, 2018.

Ayes: Councilpersons Valentine, Diviny, Troy, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 280

**APPROVE NYS CAPITAL ASSISTANCE
PROGRAM AMENDED AND RESTATED
GRANT DISBURSEMENT AGREEMENT
FLOOD MITIGATION OF SPARKILL
CREEK PROJECT ID#3893**

Under new business, Councilman Bottari offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

WHEREAS, the Town of Orangetown has been selected to receive a New York State Capital Assistance Program grant;

WHEREAS, the grant has been utilized for flood mitigation of the Sparkill Creek, and the project is substantially complete;

WHEREAS, in order to receive the remaining balance of grant in the amount of \$5,850.22, the Town must enter into an Amended and Restated Grant Disbursement Agreement;

WHEREAS, James Dean, the Superintendent of Highways, and the Town Attorney’s Office recommend approval of the agreement;

NOW BE IT RESOLVED, that the Town Board approves the New York State Capital Assistance Program Amended and Restated Grant Disbursement Agreement and authorizes Supervisor Chris Day to execute the Agreement.

Ayes: Councilpersons Bottari, Troy, Diviny, Valentine
Supervisor Day
Noes: None

RESOLUTION NO. 281

**SET DATE / PUBLIC HEARING
PROPERTY MAINTENANCE EMERGENCY
TREE HAZARD/ 20 LAWRENCE ST,
TAPPAN / CORRECT OFFENDING
CONDITION**

Under new business, Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, the Town Board set the date of May 15, 2018, 8:05 pm for a public hearing to consider the decision to authorize a contractor (to be named at a later time) to correct the offending condition (pursuant to Town Code Section 24C-15) and charge the cost of tree removal services to the owner of 20 Lawrence St., Tappan (77.11-3-34).

Ayes: Councilpersons Troy, Diviny, Valentine, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 282

PAY VOUCHERS

Councilman Diviny offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, upon the recommendation of the Finance Director, the Finance Office is hereby authorized to pay vouchers for two (2) warrants for a total amount of \$722,563.40.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari
Supervisor Day
Noes: None

RESOLUTION NO. 283

ADJOURNED/MEMORY

Supervisor Day offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, at 10:51 p.m., the Town Board adjourned in memory of Bessie Bullock, Secretary of St. Charles A.M.E. Zion Church, Sparkill and Shirley McGowen, resident of Thorpe Village and Senior Citizens Group Leader.

Ayes: Supervisor Day
Councilpersons Bottari, Troy, Diviny, Valentine
Noes: None

Joseph Thomassen, Deputy Clerk