

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, JUNE 26, 2018**

This Regular Town Board Meeting was opened at 7:15 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  
Absent: 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  
Joseph Moran, Commissioner of DEME  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint  
Donald Butterworth, Police Captain  
James Brown, Police Captain

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

**RESOLUTION NO. 363**

**ENTER EXECUTIVE SESSION  
CONDUCT HEARING / EMPLOYEE  
NO. 1706**

In attendance, at this Executive Session, were Supervisor Day, Councilpersons Troy, Diviny, and Valentine, Joseph Thomassen, Robert Magrino, and Teresa Kenny.

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

**WHEREAS**, Employee No. 1706 has been continuously absent from and unable to perform the duties of his position for the Town of Orangetown for a period in excess of one year by reason of a disability,

**RESOLVED**, that the Town Board will be conducting a hearing, in Executive Session and with prior notice to the employee and the CSEA, on June 26, 2018 and July 17, 2018, and, following such hearing, shall determine whether to terminate Employee No. 1706 pursuant to Section 73 of the Civil Service Law, nunc pro tunc.

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

**RESOLUTION NO. 364**

**RE-ENTERED RTBM**

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

RESOLVED, at 7:30 pm, the Town Board re-entered the Regular Town Board Meeting.

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

Andre Vitale is this year’s recipient of the Jack Lyman Auxiliary Police Service Award. This award is designed to recognize a current member of the Auxiliary Police, who has shown the same dedication, devotion and service of Jack Lyman during his tenure.

Dr. Marc Gellar, Montefiore Nyack Hospital, informed everyone that the hospital has been rated, NYS Designated Trauma Center. As a level three trauma care center, it has the ability to provide prompt assessment, resuscitation, surgery intensive care and stabilization of injured patients and emergency operations.

James Meerdink, Project Director and Gregory Francese, Project Coordinator, New York Parks & Trails Representatives – The Orangetown Bike Study began last September and is now complete. The study focused on Orangetown residents and promotion of accessible, safe pedestrian and bike paths throughout the Town connecting residential areas to business and school areas.

Summary of Public Comments (RTBM):

Esta Baitler, Sparkill – Optimum cable bills are too expensive. The Town Board needs to take control over these bills.

Mike Mandel, Pearl River, donations & the Pearl River Park’s Carnival pays for the fireworks. The Recreation money the Town receives from the Pointe at Lake Tappan should be used for a senior center and not recreation fields.

Eileen Larkin, Palisades, asked why do customers have to pay additional money & surcharges for programs they do not want.

David Fleishman, Orangetown, the Bike Study should also consider adding capacity for bikes and not remove capacity for cars and truck traffic.

Barbara Delo, Blauvelt, spoke about safety for drivers & bike cyclists, speeding traffic on Lester Drive and Filming code changes.

Andrew Wiley, Pearl River, residency at 494 Orangeburg Rd is illegal. Why haven’t there been any violations issued. Does the Town really need an Inter-Governmental Relations Coordinator?

Tim Flood, Pearl River, said the Pearl River downtown area is out of control with fights and violence. Is the noise code still enforced?

Fernando Cabrello, Pearl River, complained about the noise, fights and violence in downtown Pearl River.

**RESOLUTION NO. 365**

**CLOSE PUBLIC COMMENTS**

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

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

Ayes: Councilpersons Valentine, Diviny, Troy  
Supervisor Day

Noes: None

Absent: Councilman Bottari

**RESOLUTION NO. 366**

**OPEN PH / THE POINTE AT LAKE TAPPAN /BNE REAL ESTATE GROUP ZONING CHANGE/ “OP” TO A “PAC”DISTRICT / 73.10-1-5 18-2113C-4**

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

**RESOLVED**, that the public hearing on a proposed zoning code ordinance amendment, "OP" to a "PAC" DISTRICT / BNE REAL ESTATE GROUP /Section 73.10, Block 1, Lot 5 18-2113C-4, is hereby opened.

Ayes: Councilpersons Valentine, Troy, Diviny  
Supervisor Day

Noes: None

Absent: Councilperson Bottari

The Affidavit of Publication, the Notice of Posting and Comments from outside agencies (if any) are labeled Exhibit 06-C-18 and made a part of these minutes.

Donald Brenner, Attorney, and Mark Pantirer, BNE Real Estate - the apartment complex will house 104 one & two bedroom units in a gated community with a recreation center. The recreation center will consist of a clubhouse, swimming pool and a community area.

Summary of Public Comments:

Andrew Wiley, Pearl River, said a mix-use project would be better for this area. He is concerned that the commercial tax base is shrinking. This is a good opportunity for the developer and Town to come-up with a unique usage.

**RESOLUTION NO. 367**

**CONTINUE PUBLIC HEARING / THE  
POINTE AT LAKE TAPPAN / BNE  
REAL ESTATE GROUP ZONING  
CHANGE / "OP" TO A "PAC"  
DISTRICT / 73.10-1-5 18-2113C-4**

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

**RESOLVED**, that the public hearing on a proposed zoning code ordinance amendment, The Pointe at Lake Tappan / BNE Real Estate Group / "OP" to a "PAC" District / 73.10-1-5 18-2113C-4, is hereby continued to RTBM of July 24, 2018 at 8:25 P.M.

Ayes: Councilpersons Diviny, Valentine, Troy  
Supervisor Day

Noes: None

Absent: Councilman Bottari

**RESOLUTION NO. 368**

**OPEN PH / KAZZIEGIRL LLC AND  
LSB10924 LLC / PROPOSED ZONING  
CODE CHANGE / 37 HUNT RD-  
ORANGEBURG / 73.15-1-11**

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

**RESOLVED**, that the public hearing on a proposed zoning code change, **Kazziegirl LLC and LSB10924 LLC**, 37 Hunt Rd., Orangeburg, is hereby opened.

Ayes: Councilpersons Troy, Valentine, Diviny  
Supervisor Day

Noes: None

Absent: Councilman Bottari

The Affidavit of Publication, the Notice of Posting and Comments from outside agencies (if any) are labeled Exhibit 06-D-18 and made a part of these minutes.

Robert Reda, Attorney – this property consist of an unoccupied single-family dwelling and currently in a LIO district. The petitioner is asking for the zoning to be changed to R80, which would allow the development of a Veterinary Office and Animal Hospital, with a Special Permit by the Zoning Board.

Summary of Public Comments:

There were no comments from the public.

**RESOLUTION NO. 369**

**CLOSE PH / KAZZIEGIRL LLC and  
LSB10924 LLC / ZONING CODE  
CHANGE / 37 HUNT ROAD,  
ORANGEBURG / FROM "LIO" TO  
"R-80" / 73.15-1-11**

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

**RESOLVED**, that the public hearing on a proposed zoning code change for Kazziegirl LLC and LSB10924 LLC, is hereby closed.

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

**RESOLUTION NO. 370**

**DECLARE LEAD AGENCY / NEGATIVE  
SEQRA DECLARATION/ TOWN  
ZONING LAW / 37 HUNT ROAD,  
ORANGEBURG, KAZZIEGIRL, LLC  
AND LSB10924 / 73.15-1-11 FROM "LIO"  
TO "R-80"**

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

**WHEREAS**, the Town Board has considered 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 parcel known as 37 Hunt Road in the hamlet of Orangeburg, (73.15-1-11) from "LIO" to "R-80", and

**WHEREAS**, on or about, pursuant to Town Board Resolution 2018-301 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, and 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 zoning classification of the three parcels affected by the proposed Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts the Negative Declaration (Exhibit 06-E-18), and authorizes the Town Supervisor or his designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board's responsibilities as Lead Agency.

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

**RESOLUTION NO. 371**

**ADOPT LOCAL LAW 5, 2018  
AMENDING CHAPTER 43, 2.2, ZONE  
CHANGE / KAZZIEGIRL LLC AND  
LSB10924 LLC / 37 HUNT ROAD,  
ORANGEBURG (73.15-1-11) / FROM  
"LIO" TO "R-80"**

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

**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 adoption of an amendment to Chapter 43, § 2.2 to change the zoning district of the parcel known as 37 Hunt Road in the hamlet of Orangeburg, (73.15-1-11) being located in the "LIO" (Light Industrial Office) zoning district, to change the zoning classification of the property to that of "R80" (Rural Residential), a zoning district that already directly abuts the property on three sides, and

**WHEREAS**, by Resolution No. 370 of 2018, after notice duly given, and there being no other involved agency, by resolution duly adopted this 26<sup>th</sup> day of June, 2018, 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; and

**WHEREAS**, the Board has concluded that the proposed zone change which changes the zoning classification of the subject parcel to a zoning district which already abuts the parcel on three sides, is consistent with the Town's Master Plan, and otherwise is in the best interests of the Town and the owner of the parcel, who has requested the change of zoning classification; and

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

**WHEREAS**, the Town Planning Board, by Memorandum, dated June 13, 2018, following due consideration at a public meeting held on the same date, has indicated that it does not object to the Town Board serving as Lead Agency on the matter and recommends that the Town Board consider the definition of what an animal hospital is and the impact to the character of the surrounding neighborhood:

- Traffic on Hunt Road and surrounding roadways
- Emergency services
- Overnight boarding
- Long term boarding
- Number of animals at the facility;

and

**WHEREAS**, the Town Board finds that amending the zoning classification of this property will not have a significant impact on traffic or emergency services in the area, and finds that the other issues raised by the Planning Board must all be addressed as part of a site plan review for any proposed development of the site requiring site plan review, including any variance applications to be reviewed by the Zoning Board of Appeals if necessary, and

**WHEREAS**, the County Department of Planning, by letter review dated June 21, 2018, has recommended that if the zone change is approved, then the Town of Orangetown must provide the Rockland County Planning Department with a copy of the resolution so that the updates can be implemented;

**RESOLUTION NO. 371 - Continued**

**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 referenced parcel to “R-80”.

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

**TOWN OF ORANGETOWN  
LOCAL LAW 5, 2018  
ZONE CHANGE – 37 HUNT RD**

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:

37 Hunt Road (Tax Map Designation 73.15-1-11) from the “LIO” (Light Industrial-Office) zoning district to the “R-80” (Rural Residence) zoning district, which metes and bounds description is as follows:

All that certain lot, piece or parcel of land, situate, lying and being in the Town of Orangeburg, County of Rockland and State of New York and being more accurately bounded and described as follows:

Beginning at a point marked by a copper clad monument found at the intersection of the southwesterly sideline of Hunt Road with the dividing line between the reputed lands of the Missale (southerly) and the herein described parcel (northerly);

THENCE, from said point of beginning and along the said reputed lands of Missale, North 89 degrees 30 minutes 04 seconds West a distance of 389.89 feet to a point;

THENCE, along the reputed lands of Brightview Lake Tappan, LLC., North 00 degrees 29 minutes 56 seconds East a distance of 177.00 feet to a point;

THENCE, along the same, South 89 degrees 30 minutes 04 seconds East a distance of 300.00 feet to a point marked by a rebar set;

THENCE, along the aforementioned southwesterly sideline of Hunt Road, South 26 degrees 25 minutes 34 minutes East a distance of 198.52 feet to the point or place of beginning;

Containing 1 .402 acres of land more or less as surveyed by Engineering & Surveying Properties, PC on November 8, 2017, adopting New York State Plane Coordinate System NAD83, Zone 3101 for the basis of bearing as determined by GPS observations.

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

**RESOLUTION NO. 372**

**PH / CONTINUATION / PROPOSED LOCAL LAW / AMENDING CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), AND §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)**

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

**RESOLVED** that the Public Hearing, to consider the adoption of a Local Law amending the following provisions of the Code of the Town of Orangetown: (a) §6-5 (Chapter 6, Building Construction Administration), (b) Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), (c) Zoning Code (Chapter 43) §10.222 (Enforcement), and (d) Zoning Code (Chapter 43) §10.323, §10.334 and §10.335 (Board of Appeals); was held open at the May 8, 2018, meeting of the Town Board, and continued to this evening and has remained open.

PRESENTATION: Correspondence received:

- (1). Report from expert consultant to the Town Board, dated 05/02/2018, entitled “Town Performance Standard for Odors and Odorous Emissions,” by Sander Bonvell, of Earth View Environmental;
- (2). Attorney-client privileged confidential memorandum from the Town Board’s outside legal counsel, dated 04/16/2018, entitled “Proposed Amendments to Performance Standards,” by Christine A. Fazio, Esq. and Karen E. Meara, Esq., of Carter Ledyard & Milburn LLP (not for public disclosure);
- (3). Part 1 – Project Information – of the State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form (EAF), dated 02/06/2018, prepared and signed by John S. Edwards, Esq., Town Attorney (retired);
- (4). Part 2 and Part 3 – Impact Assessment, and Determination of Significance, respectively – of the SEQRA Short EAF, dated 06/05/2018, prepared and signed by Dennis D. Michaels, Esq., Deputy Town Attorney.

Ayes: Councilpersons Diviny, Valentine, Troy  
Supervisor Day

Noes: None

Absent: Councilman Bottari

Summary of Public Comments:

There were no comments from the public.

**RESOLUTION NO. 373**

**PH CONTINUATION / PROPOSED LOCAL LAW AMENDING CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), AND §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)**

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

**RESOLVED**, that the Public Hearing, to consider the adoption of a Local Law amending the following provisions of the Code of the Town of Orangetown: (a) §6-5 (Chapter 6, Building Construction Administration), (b) Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), (c) Zoning Code (Chapter 43) §10.222 (Enforcement), and (d) Zoning Code (Chapter 43) §10.323, §10.334 and §10.335 (Board of Appeals); was held open at the May 8, 2018, meeting of the Town Board, and continued to this evening and has remained open. So as

**RESOLUTION NO. 373 - Continued**

to allow the Town Attorney time to review recommended modifications to the proposed Local Law, set forth in a 06/25/2018 attorney-client privileged confidential email from the Town’s outside legal counsel, and to incorporate the modifications into the Local Law, as may be appropriate, this Public Hearing will be adjourned, remain open and continue to the July 24, 2018 Town Board Meeting, 8:05 pm.

The Town Board also notes the following correspondence received:

- (1). Report from expert consultant to the Town Board, dated 05/02/2018, entitled “Town Performance Standard for Odors and Odorous Emissions,” by Sander Bonvell, of Earth View Environmental;
- (2). Attorney-client privileged confidential memorandum from the Town Board’s outside legal counsel, dated 04/16/2018, entitled “Proposed Amendments to Performance Standards,” by Christine A. Fazio, Esq. and Karen E. Meara, Esq., of Carter Ledyard & Milburn LLP (not for public disclosure);
- (3). Attorney-client privileged confidential email from the Town Board’s outside legal counsel, dated 06/25/2018, by Karen E. Meara, Esq., of Carter Ledyard & Milburn LLP (not for public disclosure);
- (4). Part 1 – Project Information – of the State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form (EAF), dated 02/06/2018, prepared and signed by John S. Edwards, Esq., Town Attorney (retired);
- (5). Part 2 and Part 3 – Impact Assessment, and Determination of Significance, respectively – of the SEQRA Short EAF, dated 06/05/2018, prepared and signed by Dennis D. Michaels, Esq., Deputy Town Attorney;

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

**RESOLUTION NO. 374**

**SCHEDULE SPECIAL TOWN BOARD MEETING / 2019 TOWN BUDGET**

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

**RESOLVED**, that the Town Board hereby schedules a public Special Town Board Meeting on Saturday, September 8, 2018, at 8:00 A.M. to hear 2019 Budget Presentations, by Town Department Heads, which meeting is expected to continue until 1:00 P.M., and directs the Town Clerk to notify the public of this meeting.

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

**RESOLUTION NO. 375**

**AGREEMENT / BUSINESS EXPENSE ADVISORS, LLC / CONSULTANT SERVICES / GENERATE SAVINGS**

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

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an Agreement, on behalf of the Town, with Business Expense Advisors, LLC, subject to review and approval of the proposed agreement by the Town Attorney’s Office, which agreement is to provide professional services to the Town including but not limited to: negotiation with new vendors, and/or renegotiation with current vendors of some Town departments to provide more cost-effective spending within the framework and the constraints of the Town Procurement Policy, the monetary thresholds of the Competitive Bidding requirements, or exceptions thereto, Best Value Purchasing, Piggybacking on certain government contracts, the Town Code and



**RESOLUTION NO. 375 - Continued**

Town Ethics Code, the NYS Town Law and the NYS General Municipal Law, at a cost of FIFTY (50%) PERCENT of any savings found and identified for the first TWENTY-FOUR (24) MONTHS from the date the new or renegotiated agreement is signed by the TOWN with the new or existing Vendor.

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

**RESOLUTION NO. 376**

**AGREEMENT / ALL BRIGHT  
ELECTRIC/ 2018 MAINTENANCE OF  
TOWN-OWNED MUNICIPAL STREET  
LIGHTS**

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

**WHEREAS**, the Town Board, pursuant to Resolution 2017-451, the accepted bids for the conversion of street lights, to be purchased by the Town of Orangetown, and

**WHEREAS**, as part of that resolution, the Town authorized entering into a 10 year service contract with All Bright Electric at a cost of \$214,000.00 to be paid over the course of the contract in equal installments,

**NOW THEREFORE, BE IT RESOLVED**, that the Supervisor is authorized to enter into an agreement with All Bright Electric for the servicing of the converted street lights over a 10 year period, at a cost of \$214,000.00 to be paid in equal annual installments, subject to review and approval by the Town Attorney and Director of Finance.

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

**RESOLUTION NO. 377**

**CREATE NEW TOWN EMPLOYEE  
POSITION / INTERGOVERNMENTAL  
RELATIONS COORDINATOR  
ECONOMIC DEVELOPMENT &  
TOURISM**

Councilman Valentine offered the following resolution, which was seconded by Councilman Troy and on a roll call was adopted:

**RESOLVED** that, pending Rockland County Department of Personnel approval, the Town Board hereby authorizes the creation of a new Town position, INTER-GOVERNMENTAL RELATIONS COORDINATOR ECONOMIC DEVELOPMENT & TOURISM, which position will be in the Exempt Class and on the Exclusion list, a salaried position with a salary of \$80,000 and to be an appointment of the Town Supervisor.

Ayes: Councilpersons Valentine, Troy  
Supervisor Day  
Noes: Councilman Diviny  
Absent: Councilman Bottari

**RESOLUTION NO. 378**

**ACCEPT / RECEIVE / FILE  
DOCUMENTS / TOWN CLERK'S  
OFFICE**

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

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

1. Agreement: ADS Environmental Services, LLC, to monitor, analyze, and report final flow reductions / Nyack Sanitary Sewer System.
2. MS4 Annual Report Year 15 (DRAFT), dated April 24, 2018.
3. Town Board minutes: 4/10/18, 4/24/18 & 5/15/18 Regular Town Board Meeting; 4/17/18 & 5/8/18 Workshop; and 4/17/18 & 5/8/18 Police Commission.

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

**RESOLUTION NO. 379**

**2018 CERTIFICATE OF SEWER  
REGISTRATION**

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

CIOFFI 1, INC., 27 Skyline Drive, Thiells, New York 10984

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

**RESOLUTION NO. 380**

**APPROVE RIGHT-OF-WAY  
DEDICATION AND NON-EXCLUSIVE  
DEED OF EASEMENT / BUS  
SHELTER / WALGREENS SITE PLAN**

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

**RESOLVED**, that upon the recommendation of the Town Attorney's Office, Department of Environmental Management and Engineering, and the Superintendent of Highways, the Right-of-Way Dedication, dated September 8, 2017, and the Non-Exclusive Deed of Easement for Bus Shelter, dated September 8, 2017, both relating to Planning Board #14-24, Walgreens Site Plan, are hereby accepted and received; and

**BE IT FURTHER RESOLVED**, that the Supervisor or his designee is hereby authorized to execute all documents necessary to effectuate the acceptance and filing of the respective deeds with the Rockland County Clerk.

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

**RESOLUTION NO. 381**

**SET PUBLIC HEARING / PROPOSED AMENDMENT / CODE, CHAPTER 43, ARTICLES X AND XI, AND CHAPTER 21A / REGULATION OF COMMERCIAL BUILDING INTERNAL SUB-DIVISIONS**

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

**RESOLVED**, that the Town Board will hold a public hearing on TBWS August 7, 2018, at 8:05 P.M., on a proposed Local Law, amending Chapter 43, Article X and Article XI amending the definition of “subdivision” insofar as relates to division of commercial structures, and adding a new subsection to Chapter 21A-4 to address the requirement for site plan approval for a change of use of a property.

Ayes: Councilpersons Troy, Valentine, Diviny  
Supervisor Day

Noes: None

Absent: Councilman Bottari

**RESOLUTION NO. 382**

**DECLARE INTENT OF LEAD AGENCY / SEQRA DETERMINATION DIRECT CIRCULATION - REGULATION OF COMMERCIAL BUILDING INTERNAL SUBDIVISIONS**

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

**WHEREAS**, the Town Code currently provides for the definition of “subdivision” to include the division of an existing commercial structure into two or more units and requires a “subdivision” approval from the Planning Board in such circumstances, and

**WHEREAS**, the Town Board is desirous of clarifying the circumstances under which projects that are currently treated as “internal subdivisions” must appear for approval by the Planning Board and the type of approval necessary, and

**WHEREAS**, by amending the definition of “subdivision” to exclude projects consisting of only commercial internal changes, while also requiring those projects which result in a change of use or parking requirements to obtain site plan approval, projects that require Planning Board review will be properly vetted, while those that only involve construction of demising walls without a change in use will be reviewed by the Building Department, and

**WHEREAS**, upon review of the proposed Local Law, Short Environmental Assessment Form, 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;

**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

**RESOLUTION NO. 382 - Continued**

**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, §10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Code, 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, Valentine, Diviny  
Supervisor Day  
Noes: None  
Absent: Councilman Bottari

**PROPOSED LOCAL LAW  
PROPOSED AMENDMENT TO TOWN CODE  
CHAPTER 43, ARTICLES X and XI, AND CHAPTER 21A,  
INTERNAL SUBDIVISIONS AND CLARIFYING  
PROJECTS REQUIRING SITE PLAN APPROVAL**

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

**Section 1.**

As amended, Additions are underlined, Deletions are stricken. Article X of Chapter 43 of the Town Code is amended as follows:

Article X Administration and Enforcement §10.4 Town Board Approval

§10.42 Subdivisions. In any district no tract, lot, piece or parcel of land may be subdivided, nor shall any permit be issued for the erection of a structure upon any subdivided tract, lot piece or parcel of land, unless a map or plan of such subdivision is submitted to and approved by the Planning Board in accordance with the subdivision regulations of the Town. Where a commercial structure erected or to be erected is to be divided into two or more units which division results in a change of use or an increase in existing parking needs, each unit shall be considered a separate structure and subject to review as provided for in this section. Where there is no change of use or increase in parking needs, no such Planning Board review shall be required for the division of units in a commercial structure.

**Section 2.**

As amended, Additions are underlined, Deletions are stricken. Section 21A-4 of Chapter 21A of the Town Code is amended as follows:

§21A-4 Site development plan approval required.

- A. No building permit or certificate of occupancy shall be issued, other than for a single- or two-family residence and structures accessory thereto, except for a building or use that is in conformity with a site development plan approved by the Planning Board.
- B. Approval of a site plan by the Planning Board is required for the development or redevelopment of any property or structure for a new use, the expansion or relocation of any existing use, or a change of use. A change of use of a building, structure or lot is interpreted for purposes of this Code as:
  - 1) A change that results in a difference in the numerical listing or the use column (Uses Permitted by Right, Uses by Special Permit, Conditional Uses, General Accessory Uses) for all uses as set forth in Chapter 43, §3.11, Table of General Use Regulations.
  - 2) A change in the off-street parking requirements for a use as specified in Chapter 43,

§3.11 Table of General Use Regulations.

**Proposed Local Law / Internal Subdivisions and Clarifying - Continued**

**Section 3. Severability Clause**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid parts.

**Section 4. Effective Date.**

This Local Law shall become effective immediately upon being filed with the Secretary of State.

**RESOLUTION NO. 383**

**AID/ 2018 FATHER'S DAY RUN  
PEARL RIVER ELKS CLUB**

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

**RESOLVED**, upon the recommendation from the Superintendent of Highways and the Chief of Police, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes the use of Town roads from the Highway Department and Auxiliary Police from the Orangetown Police Department, for the Pearl River Elks Club annual Father's Day Run to be held on Sunday, June 17th, 2018, from 8:30 am to 9:30 am, nunc pro tunc.

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

**RESOLUTION NO. 384**

**AWARD BID / VARIABLE MESSAGE  
BOARDS /GLENCO SUPPLY, INC.**

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

**WHEREAS**, the Superintendent of Highways duly advertised for sealed bids for Variable Message Boards, which were received and publicly opened on May 3, 2018; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 06-F-18, and made a part of these minutes. Now, Therefore, Be It

**RESOLVED**, that this bid is hereby awarded to Glenco Supply Inc, Oakhurst, New Jersey, lowest qualified bidder to meet specifications, in the amount of \$36,062.

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

**RESOLUTION NO. 385**

**ACCEPT / STATE AND MUNICIPAL  
FACILITIES PROGRAM GRANT  
(#7032) / GREENBUSH BIKE BYPASS  
(\$100,000) / PLAYGROUND  
IMPROVEMENT - CHERRY BROOK  
PARK, PEARL RIVER (\$25,000)  
NEGATIVE DECLARATION**

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

**WHEREAS**, the Town of Orangetown has been approved 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 Orangetown recreation projects, Project Identification #7032, in the amount of \$125,000.00 and

**RESOLUTION NO. 385 – Continued**

**WHEREAS**, the Town has agreed that the funding shall be used for two projects in the Town, the first being a playground project at Cherry Brook Park in the amount of \$25,000.00, the second being for the Greenbush Road-Route 303 Bicycle Bypass project in the amount of \$100,000.00, and

**WHEREAS**, the Town Board, by Resolution 2018-23 issued a Negative Declaration pursuant to SEQRA with respect to the Greenbush Road-Route 303 bypass and

**WHEREAS**, the Town Board hereby finds that the Cherry Brook Park project is a Type II action under SEQRA which requires no further review with respect to SEQRA, and

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the SAM Grant from the State of New York, to be administered by DASNY, in the amount of \$125,000.00, to be apportioned as follows: \$25,000.00 to be utilized with respect to the Cherry Brook Park playground project; \$100,000.00 to be utilized with respect to the Greenbush Road-Route 303 Bicycle Bypass project, and

**BE IT FURTHER RESOLVED**, that the Supervisor or his designee is authorized to execute any and all documents necessary to accept and administer the grant in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

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

**RESOLUTION NO. 386**

**AGREEMENT EXTENSION / DOWNES  
TREE SERVICE / TREE PRUNING  
AND REMOVAL TOWN OWNED  
PROPERTIES**

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

**WHEREAS**, in 2017, the Town entered into an agreement with Downes Tree Service to provide for tree pruning and related services within Town Parks and property owned by the Town for the 2017 calendar year, and

**WHEREAS**, the Town and Downes Tree Service have mutually agreed to extend their current agreement for tree pruning and removal within Town Parks and on Town owned properties for the calendar year 2018 as authorized by subsection i of the Specifications and Requirements section of the 2017 agreement,

**NOW THEREFORE BE IT RESOLVED**, upon the recommendation of the Superintendent of Parks and Recreation, authorize the extension of the 2017 agreement for tree pruning and removal in Town Parks and on Town owned properties through calendar year 2018 with Downes trees Service of Hawthorne, NJ under the same terms and conditions.

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

**RESOLUTION NO. 387**

**AWARD BID / TOWN HALL/NEWER  
SIDE BOILER REPLACEMENT  
HAUSER BROS.**

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

**RESOLUTION NO. 387 - Continued**

**WHEREAS**, the Superintendent of Parks and Recreation duly advertised for sealed bids for Boiler Replacement of the Newer Side of Town Hall, which were received and publicly opened on June 7, 2018; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 06-G-18, and made a part of these minutes.

**NOW, THEREFORE, BE IT RESOLVED**, is awarded to Hauser Bros. of Orangeburg, NY, the lowest qualified bidder, in the amount of \$78,778.00.

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

**RESOLUTION NO. 388**

**AMEND RESOLUTION NO. 328-2018  
(DATES) / GRANT PERMISSION /  
DAVID ALVAREZ / WASTEWATER  
OPERATOR CERTIFICATION  
COURSE / GRADE 3 SUPERVISION  
AND TECHNICAL OPERATIONS**

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

**RESOLVED**, that upon the recommendation of the Commissioner of DEME, the Town Board grants permission David Alvarez to attend the Wastewater Operator Certification Course, Grade 3 Supervision and Technical Operations, in Morrisville, NY, from October 22 – 26, 2018 at a total cost of \$1,536.15 to be charged to Account 8130.441 and 8130.480.

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

**RESOLUTION NO. 389**

**GRANT PERMISSION / MICHAEL  
WEBER / ATTEND USEPA  
NORTHEAST PRETREATMENT  
TRAINING**

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

**RESOLVED**, that upon the recommendation of the Commissioner of DEME, the Town Board grants permission, to Michael Weber, to attend the USEPA Northeast Pre-Treatment Training, in Albany NY, from June 26 – 27, 2018, at a total cost of \$445.74 to be charged to Account 8130.441 and 8130.480.

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

**RESOLUTION NO. 390**

**APPROVE / 2019 TOWN BUDGET  
CALENDAR**

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

**WHEREAS**, Article 8 of the Town Law of the State of New York provides for a budget system for a Town and the Town Board wishes to set up a budget schedule as provided in Article 8 of the Town Law by designating various dates to implement the 2019 budget;

**RESOLUTION NO. 390 - Continued**

**NOW, THEREFORE, BE IT RESOLVED**, that the following dates are hereby set as official dates of the Town of Orangetown for the submission and adoption of the budget as required by law:

**SEPTEMBER 8, 2018:** At the Special Town Board meeting at 8:00 A.M. will take place a 2019 budget hearing will be held at Town Hall, Orangeburg, New York, to include all department heads;

**SEPTEMBER 25, 2018:** At the RTBM meeting of the Town Board at 7:30 P.M. at Town Hall, Orangeburg, New York; the Town Clerk shall distribute to the Town Board the 2019 Tentative Budget for the Town and publish it on the Town's website;

**SEPTEMBER 25, 2018:** Schedule a public hearing for October 16, 2018, 8:00 P.M. regarding the Blauvelt Fire District contract.

**OCTOBER 16, 2018:** Last day for the Town Board to complete review of Tentative Budget and file the Preliminary Budget with the Town Clerk who will publish it on the Town's website:

**NOVEMBER 13, 2018:** At 8:00 P.M. a public hearing on the Preliminary Budget shall be held at Town Hall, Orangeburg, New York. At the conclusion of the hearing, the Town Board may by resolution adopt a final budget, by either accepting or amending the Preliminary Budget and said budget may become the legally Adopted Budget for the Town of Orangetown for the year commencing January 1, 2019;

Ayes: Councilpersons Valentine, Troy, Diviny  
Supervisor Day

Noes: None

Absent: Councilman Bottari

**RESOLUTION NO. 391**

**DEFUND / ELIMINATE POSITION  
INFORMATION SERVICES &  
RECORDS MANAGEMENT  
SPECIALIST (Police Department)**

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

**WHEREAS**, the results of a recent review of the Police Department personnel needs revealed that the position of Information Services & Records Management Specialist (Police Department) does not meet the specific needs of the Department,

**BE IT RESOLVED**, that the position of Information Services & Records Management Specialist (Police Department) is hereby eliminated and defunded from the Police Budget, effective July 1, 2018.

Ayes: Councilpersons Troy, Valentine, Diviny  
Supervisor Day

Noes: None

Absent: Councilman Bottari

**RESOLUTION NO. 392**

**TERMINATE EMPLOYEE NO. 4079  
(Police Department)**

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



**RESOLUTION NO. 392 - Continued**

**RESOLVED**, that as a result of the elimination of the position of Information Services & Records Management Specialist (Police Department), employee No. 4079 is hereby terminated effective June 29, 2018.

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

**RESOLUTION NO. 393**

**AGREEMENT / MASER CONSULTING P.A  
EVALUATION OF INFRASTRUCTURE  
UPGRADES OF TOWN OWNED LANDS AT  
RPC / REDEVELOPMENT OF RPC**

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

**RESOLVED**, the Town Board hereby approves the retention of Maser Consulting, P.A., to conduct a study and provide Concept Design Plans for infrastructure improvements of certain Town owned lands formerly a part of the Rockland Psychiatric Center, at a cost of \$15,000.00, pursuant to a written proposal dated June 25, 2018, incorporated herein by reference.

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

**RESOLUTION NO. 394**

**AGREEMENT / 2018 / STORMWATER  
II EDUCATION PROGRAM /  
ROCKLAND COUNTY CORNELL  
COOPERATIVE EXTENSION**

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

**WHEREAS**, the Town of Orangetown contracts with Rockland County Cornell Cooperative Extension to provide educational services as part of meeting NYS DEC's Minimum Control Measures for Stormwater Phase II Regulations;

**BE IT RESOLVED**, that the Town of Orangetown hereby authorizes the renewal of Stormwater II Education Program Agreement with Rockland County Cornell Cooperative Extension for 2018 for the period April 1, 2018 through March 31, 2019 in the amount of \$6,800.00.

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

**RESOLUTION NO. 395**

**AGREEMENT / LAND USE LAW  
CENTER AND KEVIN DWARKA LLC  
PEARL RIVER DOWNTOWN  
REVITALIZATION STRATEGY**

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

**WHEREAS**, the Town Board, based upon concerns expressed by businesses and residents, is desirous of studying the down town Pearl River area in an effort to address the

**RESOLUTION NO. 395 - Continued**

community’s needs and desires with respect to land use and prospective development and revitalization of the area and its effect on the Town, and

**WHEREAS**, as part of its efforts to study this area for review, the Town has discussed with and received a proposal from the Land Use Law Center of Pace Law School (LULC), in conjunction with Kevin Dwarka, LLC, a Land Use and Economic Consulting entity, and

**WHEREAS**, LULC has presented a proposal to analyze real estate market trends, document land use opportunities and engage the community on the needs of down town Pearl River, for a total of \$20,000.00 as set forth more fully therein,

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the proposal of the Land Use Law Center (LULC) of Pace Law School and Kevin Dwarka, LLC to provide for an analysis of real estate market trends in the area, document land use opportunities, and engage the community on the needs of down town Pearl River, and provide a final report on a Pearl River Downtown Revitalization Study, which services will be provided at a cost of \$20,000.00 as set forth in their proposal, and

**BE IT FURTHER RESOLVED**, that the Supervisor or his designee is hereby authorized to enter into a formal written agreement with LULC and Kevin Dwarka, LLC based upon the terms and conditions set forth above, and subject to approval of the Town Attorney’s Office, and to sign any documents necessary to effectuate said agreement.

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

**RESOLUTION NO. 396**

**AMEND RESOLUTION NO. 621-2017  
OUTSIDE COUNSEL / REGULATION  
AND LITIGATION OF COMPLIANCE  
ENVIRONMENTAL & INDUSTRIAL  
STANDARDS / CARTER, LEDYARD  
AND MILLBURN**

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

**RESOLVED**, that the Town Board hereby amends resolution no. 621 of 2017 to authorize the hiring of outside counsel to represent the town regarding regulation and litigation of compliance with environmental and industrial standards as per attached proposal from Carter, Ledyard and Millburn, with fees not to exceed \$48,000.

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

**RESOLUTION NO. 397**

**GML REVIEW OF LOCAL LAW  
RELATIVE TO PLACES OF WORSHIP  
IN THE VILLAGE OF CHESTNUT  
RIDGE AS CURRENTLY PROPOSED**

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

**WHEREAS**, the Village of Chestnut Ridge is presently considering amendments to their zoning law as regards rules for placement, size, and other requirements for places of worship,

**RESOLUTION NO. 397 - Continued**

particularly within residential neighborhoods (Exhibit 06-H-18), with a public hearing scheduled to be held on June 28th, 2018, and

**WHEREAS**, the Village of Chestnut Ridge directly borders the hamlet of Pearl River in the Town of Orangetown thus triggering the requirements of NYS General Municipal Law §239nn providing for the Town of Orangetown to have an opportunity to review the zoning amendment and provide any concerns to the Village of Chestnut Ridge, and as recommended by the Rockland County Department of Planning in its letter dated March 26, 2018 as part of its review of the proposed amendments, and

**WHEREAS**, the Planning Board of the Village of Chestnut Ridge, in a memorandum dated May 29, 2018 has formally stated that “the provisions of the Local Law have the potential to significantly disrupt the peaceful and quiet harmony associated with single family zoning districts and alter single family neighborhoods and impact the quality of life of the residents of the Village, the associated parking issues, noise, and traffic can severely impact the neighboring single family dwellings,” and

**WHEREAS**, as a neighboring town, the Town of Orangetown shares the concerns expressed by the Planning Board of the Village of Chestnut Ridge,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Orangetown hereby recommends that the Village of Chestnut Ridge review and modify the proposed law to address the concerns raised by the Planning Board of the Village of Chestnut Ridge in its memorandum dated May 29, 2018, and further reiterated herein by the Town Board, particularly with respect to decreasing lot size requirements, parking, and issues related to occupancy limits, as more fully set forth in the Chestnut Ridge Planning Board’s memorandum, and be it

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized and directed to send a certified copy of this resolution to the Mayor and Board of Trustees of the Village of Chestnut Ridge; the Planning Board of the Village of Chestnut Ridge and the Rockland County Planning Department.

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

**RESOLUTION NO. 398**

**ADOPT-A-SPOT COMMITTEE  
BRAUNSDORF PARK/PEARL RIVER**

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

**RESOLVED**, upon acceptance of the applicant’s insurance documentation naming the Town as additional insured, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which has a place of business at 26 W. Orangeburg Road, Orangeburg, New York 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization with Majestic Lawn Care and Landscape, Inc. as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Property located at the Braunsdorf Park, Pearl River by performing necessary clean-up and / or desired beautification activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Adopt-A-Spot Agreement between the Town of Orangetown and “Braunsdorf Park” Adopt-A-Spot Committee.

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

**RESOLUTION NO. 399**

**AUDIT/PAY VOUCHERS**

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

**RESOLVED**, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of five (5) warrants for a total of \$3,660,750.94

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

**RESOLUTION NO. 400**

**RE-ENTER EXECUTIVE SESSION  
PERSONNEL MATTERS &  
LITIGATION**

In attendance, at this Executive Session, were Supervisor Day, Councilpersons Troy and Valentine, Michael Lawler, Robert Magrino, Teresa Kenny, Jeff Bencik and Joe Moran.

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

**RESOLVED**, at 9:30 pm, the Town Board re-entered Executive Session to discuss personnel matters and pending litigation. Supervisor Day said there will be no further votes.

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

**RESOLUTION NO. 401**

**RE-ENTERED RTBM/ADJOURNED**

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

**RESOLVED**, at 10:03 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned, in memory of Julia Regan, Pearl River (Former member of Blue Hill Golf Course Advisory Committee) and Tom Ingaglio, Pearl River.

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

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**Joseph Thomassen, Deputy Clerk**