

**TOWN OF ORANGETOWN REGULAR TOWN MEETING
Tuesday, October 24, 2017**

This Town Board Meeting was opened at _____ p.m.

Councilman Denis Troy_____

Councilman Thomas Diviny_____

Councilman Paul Valentine_____

Councilman Jerry Bottari_____

Supervisor Andrew Stewart_____

Pledge of Allegiance to the Flag

ANNOUNCEMENTS :

- Veterans' Day Ceremony - Sunday, November 5th, 10 A.M. at the Walkway of Heroes followed by unveiling of a plaque to commemorate the 50th Anniversary of the Camp Shanks Park upon which the Walkway was built.

PRESENTATIONS:

- Cottage Lane Students - Kids Against Climate Change Installation at Town Hall

PUBLIC COMMENT:

AGENDA ITEMS:

TOWN BOARD:

SET PUBLIC HEARING/8:05 PM, TUESDAY, DECEMBER 5, 2017/CHAPTER 43 §4.1 - PERFORMANCE STANDARDS - RELATING TO ODOR, PARTICULATE MATTER, AND OPACITY/DECLARE TOWN BOARD’S INTENT TO SERVE AS LEAD AGENCY/DIRECT CIRCULATION

1. RESOLVED that the Town Board will hold a public hearing on December 5, 2017, at 8:05 p.m., on a proposed Local Law, as follows, amending Chapter 43, §4.1 Performance Standards - relating to odor, particulate matter, and opacity;

BE IT BURTHER RESOLVED, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, makes the preliminary determination that the action is an “unlisted” action under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various below referenced agencies; and

BE IT FURTHER RESOLVED, that the proposed local law be circulated to the Rockland

County Department of Planning for the purpose of review pursuant to General Municipal Law §§ 239- I & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, §4.1 he proposed local law be circulated to the Town Zoning Board of Appeals inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

IT

APPROVE/SURPLUS EQUIPMENT IT

- 2. RESOLVED, upon the recommendation of Director of Automated Services, declare the following surplus equipment available for auction.

- Avaya Phones- 67 Items
- Ayaya 6731- 4
- Avaya 2420- 10
- Avaya 6424- 3
- Avaya 6408- 33
- Avaya 6416- 2
- Avyaa 2410- 4
- Avaya EU24- 9
- Avaya XM24- 3

APPROVE AGREEMENT/NEXVORTEX/MSIP SERVICE

- 3. RESOLVED, upon the recommendation of Director of Automated Services, enter into agreement with current vendor Nexvortex for three (3) years to provide upgraded VoIP phone service at base cost of \$329.00 per month.

TOWN ATTORNEY

APPROVE SETTLEMENT/SEWER BACKUP CLAIM/PARKER V. TOWN OF ORANGETOWN

- 4. RESOLVED, that the Town board hereby approves the settlement of a pending litigation, relating to a sewer backup, in the matter of Clifford Parker III et al. v. Town of Orangetown, Rockland County Index No. 030418/2015, for the sum of Six Thousand Dollars (\$6,000.00).

APPROVE SETTLEMENT/GUY VARDI V. TOWN OF ORANGETOWN

5. RESOLVED, that the Town board hereby approves the settlement of a pending litigation, arising out of a bicycle accident at the intersection of Rte. 9W and Rockland Road, in the matter of Guy Vardi v. Town of Orangetown, Rockland County Index No. 032287/2016, for the sum of Fifteen Thousand Dollars (\$15,000.00).

ACCEPT ROAD WIDENING DEED FOR ERIE STREET AND A STORM WATER MAINTENANCE AGREEMENT AUTHORIZING EXECUTION/KOLB SITE PLAN/582 ROUTE 303 ORANGEBURG/SBL: 70.14/4/12/PLANNING BOARD # 2017-24

6. RESOLVED, that upon recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering, and the Superintendent of Highways, pursuant to the Kolb Site Plan as approved by the Planning Board in decision 2017-24, the Town hereby accepts from Kirchner Family Enterprises, LP and Traction Service Center, LLC, a Road Widening Deed for Erie Street and a Storm Water Maintenance Agreement for the project, and the Supervisor or his designee shall execute all documents necessary to effectuate acceptance of same.

OFFICE OF BUILDINGS, PLANNING, ZONING, ADMINISTRATION, AND ENFORCEMENT

AUTHORIZE REPAIR/AUTHORIZE PURCHASE/VEHICLES

7. WHEREAS, OBZPAE has two inspector vehicles that are currently not usable and one additional vehicle that is near replacement; and
- WHEREAS, Jane Slavin, Director, OBZPAE met with Frank Peneno, Automotive Maintenance Supervisor, on October 10, 2017 to evaluate the status and maintenance costs of OBZPAE vehicles and determine a course of action for repair or replacement; and
- WHEREAS, vehicle number 403, model year 2005 has 100,168 miles and requires a new transmission, cylinder head, tires and exhaust leak at an approximate projected repair cost of \$3,400.00; and
- WHEREAS, vehicle number 405, model year 2005 has 67,911 miles and requires a new transmission and rotors at an approximate projected repair cost of \$3,000.00. In addition, the electrical harness in vehicle 405 is in poor shape and will be in need of replacement; however this part is no longer available; and
- WHEREAS, Vehicle number 408, model year 2008 has 135,412 miles and the hybrid battery will soon require replacement at an approximate projected replacement cost of

\$2,500.00; therefore

BE IT RESOLVED THAT, upon review of maintenance records and projected costs of repair, the Town Board approves the request of the Director of OBZPAE to immediately purchase a new vehicle for replacement of vehicle 403 and repair of vehicle 405, with replacement of vehicle 405 and 408 during 2018.

HIGHWAY

AUTHORIZE USE OF VARIOUS ROADWAYS/BIKE MS NYC - NATIONAL MULTIPLE SCLEROSIS SOCIETY/SUNDAY, OCTOBER 22, 2017

- 8. RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Highway Department in conjunction with the Rockland County Highway Department to permit the National Multiple Sclerosis Society to use various roadways for their annual Bike Ride in the Town of Orangetown on Sunday, October 22, 2017, from 7 am to 5 pm.

LEND ASSISTANCE/SHARE CHRISTMAS/ROTARY CLUB OF PEARL RIVER/SOUTH MAIN STREET BETWEEN CENTRAL AND FRANKLIN AVES/DECEMBER 8, 2017

- 9. RESOLVED, that the Town Board hereby authorizes the Town of Orangetown Highway Department to lend assistance which includes the use of barricades, trash barrels, and message board for the Share Christmas event on Friday, December 8, 2017 (rd: 12.15.17), from 6 pm to 10 pm.

DECLARE SURPLUS EQUIPMENT

- 10. RESOLVED, that upon the recommendation of the Superintendent of Highways, the following equipment is declared surplus:

#37	2006 John Deere 624J	DW624JP601564
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PARKS AND RECREATION

APPROVE USE OF SHOWMOBILE/NYACK CHAMBER OF COMMERCE/HALLOWEEN PARADE/SATURDAY, OCTOBER 28, 2017

- 11. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Nyack Chamber of Commerce for their Halloween Parade on Saturday, October 28, 2017 (rain date October 29th) at a rental cost of \$400.00 with the organization

providing a certificate of insurance listing the Town of Orangetown as additionally insured

**APPROVE USE OF SHOWMOBILE/PEARL RIVER
ROTARY/SHARE CHRISTMAS/FRIDAY, DECEMBER 8, 2017**

12. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Rotary Club of Pearl River for their Share Christmas and the Holidays Event on Friday, December 8, 2017 (rain date December 15) at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured

**APPROVE USE OF SHOWMOBILE/ORANGEBURG FIRE
DEPARTMENT/HOLIDAY PARADE/SATURDAY,
DECEMBER 9, 2017**

13. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board use of the Showmobile by the Orangeburg Fire Department for their Holiday Parade on Saturday, December 9, 2017 at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured

**APPROVE AID/VILLAGE OF NYACK 5K HALLOWEEN
RUN/SATURDAY, OCTOBER 21, 2017**

14. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks and Recreation has forwarded for approval by the Town Board the rental of 4 porto-john units for the Village of Nyack 5K Halloween Run on Saturday, October 21, 2017.

**AUTHORIZE/INSTALLATION OF STOCKADE FENCING
ALONG RAIL TRAIL/DELONGIS COURT AND KNIGHT
COURT, SPARKILL**

15. **RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation award the bid for the installation of stockade fencing along the Joseph B. Clarke Rail Trail Delongis Ct. and Knight Ct. to Yaboo Fence Co. West Nyack, NY in an amount not to exceed \$_____.

DONATION OF MEMORIAL BENCH

- 16. RESOLVED, that upon the recommendation of the Superintendent of Park and Recreation, the Town Board hereby accepts with gratitude the donation of one memorial bench to be placed along the Blauvelt section of the J.B. Clarke Rail Trail. Engraving will read "In memory of Richard G. Ingersoll, Sr."

PERSONNEL

AUTHORIZE SUPERVISOR TO SIGN CONTRACT/NYACK HOSPITAL (EMPLOYEE ASSISTANCE PROGRAM)/ OCTOBER 1, 2017 THRU SEPT 30, 2018

- 17. RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the annual contract with Nyack Hospital EAP (Employee Assistance Program) beginning October 1, 2017, and ending September 30, 2018, at a cost of \$10,879.00.

JUSTICE COURT

AUTHORIZE GRANT APPLICATION/NYS JUSTICE COURT ASSISTANCE PROGRAM/SECURITY AND OFFICE EQUIPMENT

- 18. RESOLVED, that the Supervisor is hereby authorized to submit a grant application for the Orangetown Justice Court to the New York State Justice Court Assistance Program 2017-18 in the amount of \$10,029 for the purpose of obtaining security equipment and office equipment.

NEW BUSINESS

HIRE HEARING OFFICER

- 19. BE IT RESOLVED that the Town Board hereby appoints William Sherwood 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 September 27, 2017, preferred against Employee #1450. 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 Sherwood, at a rate of \$225.00 per hour for services rendered.

AUDIT

**PAY
VOUCHERS**

20. RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers on six (6) warrants for a total of \$1,600,328.88.

ADJOURNMENTS:

- Sr. Helen Murphy, Administrator of NY Foundling and St. Agatha's of Nanuet
- Charles "Chuck" Vilbig, Blauvelt

DRAFT