

**TOWN OF ORANGETOWN REGULAR TOWN MEETING  
Tuesday, July 24, 2018**

This Town Board Meeting was opened at \_\_\_\_\_ p.m.

Councilman Denis Troy \_\_\_\_\_

Councilman Thomas Diviny \_\_\_\_\_

Councilman Paul Valentine \_\_\_\_\_

Councilman Jerry Bottari \_\_\_\_\_

Supervisor Christopher Day \_\_\_\_\_

***Pledge of Allegiance to the Flag***

**ANNOUNCEMENTS :**

- Public Hearing / TBWS August 7, 2018 at 8:05 p.m. / **Commercial Building Internal Sub-divisions**
- Public Hearing / RTBM August 14, 2018 at 8:05 p.m. / **Storage Container Code Challenge**

**PUBLIC COMMENT:**

**AGENDA ITEMS:**

**TOWN BOARD**

**RESOLUTION FOR CONTINUATION OF PUBLIC HEARING / RTBM  
JULY 24, 2018 AT 8:05 PM / PROPOSED LOCAL LAW AMENDING  
ORANGETOWN 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)**

- 1. **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 June 26, 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). Attorney-client privileged confidential email correspondence from Karen E. Meara, Esq., of Carter Ledyard & Milburn LLP, the Town Board's outside legal counsel, dated 06/25/2018 (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;
- (6). \_\_\_\_\_;
- (7). \_\_\_\_\_;
- (8). \_\_\_\_\_.

**Summary of Public Comments:**

**RESOLUTION AND MOTION TO CLOSE PUBLIC HEARING / PROPOSED LOCAL LAW AMENDING ORANGETOWN 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)**

2. **RESOLVED**, that the public hearing is hereby closed.

**RESOLUTION TO DECLARE TOWN BOARD AS SEQRA LEAD AGENCY / PROPOSED LOCAL LAW AMENDING ORANGETOWN 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), §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)**

3. **RESOLVED** that, in considering adoption of text amendments to: (a) Orangetown Code §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), in accordance with the implementing Regulations of the New York State Environmental Quality Review Act ("SEQRA"), found at Title 6, NYCRR, Part 617, and more than thirty days having elapsed since the Town Board issued its Notice of Intention to Declare itself SEQRA Lead Agency to all Involved Agencies, if any, and not having received any objection to such Notice of Intention, the Town Board hereby Declares itself to be Lead Agency in the environmental quality review of this proposed land use action, as per SEQRA Regulation 6 NYCRR §617.6(b)(5)(v).

**RESOLUTION FOR ADOPTION OF LOCAL LAW NO. \_\_\_\_ OF 2018 / AMENDING ORANGETOWN 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)**

4. **WHEREAS**, the Town Board of the Town of Orangetown ("Town" and "Town Board," respectively) is the duly elected legislative body of the Town, authorized to adopt Local Laws amending the Code of the Town of Orangetown ("Orangetown Code"), including zoning text amendments to the Town's Zoning Code (Chapter 43 of the Orangetown Code); and

**WHEREAS**, the Town Board has considered the adoption of amendments to Orangetown Code §6-5 (Chapter 6, Building Construction Administration); and to 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), which said Orangetown Code provisions, as herein proposed to be amended (“proposed Local Law”), are set forth below following this Resolution; and,

**WHEREAS**, after notice duly given, and there being no other Involved Agency, by Resolution duly adopted this 26th day of June, 2018, the Town Board assumed the role of Lead Agency, pursuant to the State Environmental Quality Review Act (SEQRA), for environmental review, and, acting in its capacity as such, determined that there will be no potential significant adverse environmental impacts resulting from the Town Board’s adoption of the proposed Local Law; and

**WHEREAS**, following compliance with all public notice requirements as mandated by NYS statute(s) and the Orangetown Code, and distribution of the proposed Local Law to the Town Board as per NYS Municipal Home Rule Law §20(4), a Public Hearing was duly held by the Town Board regarding the proposed Local Law; and

**WHEREAS**, the Town Planning Board, pursuant to Orangetown Zoning Code §10.5, and the Rockland County Department of Planning, pursuant to NYS General Municipal Law (“GML”) §239-I, et seq., have each reviewed the proposed Local Law; and

**WHEREAS**, the Town Planning Board, by its memorandum to the Town Board, dated 02/28/2018, following due consideration at a public meeting held on the same date, offered no comments regarding the proposed Local Law; and

**WHEREAS**, the Rockland County Department of Planning, by its GML §239-I, et seq., review report, dated 03/05/2018, has approved the proposed Local Law.

**NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE TOWN BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED**, that the Town Board hereby adopts the proposed Local Law in the form and substance, as amended herein, as set forth below; which Resolution was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and (adopted / rejected) by a roll call vote as follows:

- Aye Nay
- Supervisor Day \_\_\_\_
- Councilman Troy \_\_\_\_
- Councilman Diviny \_\_\_\_
- Councilman Valentine \_\_\_\_
- Councilman Bottari \_\_\_\_

**PROPOSED AMENDMENTS TO CODE OF THE TOWN OF ORANGETOWN:  
CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5; AND  
CHAPTER 43, ZONING, §4.1 (PERFORMANCE STANDARDS), §10.2  
(ENFORCEMENT) AND §10.3 (BOARD OF APPEALS)**

**[SEE ATTACHED PROPOSED LOCAL LAW]**

**RESOLUTION TO OPEN PUBLIC HEARING / RTBM JULY 24, 2018 AT 8:15 PM / ON PROPOSED LOCAL LAW NO. \_\_\_ OF 2018, AMENDING CHAPTER 39 OF THE TOWN CODE TO ADD A NEW SECTION 39-38 - "TOWING OF VEHICLES ON POSTED PARADE, STREET FAIR OR SPECIAL EVENT ROUTES"**

5. **RESOLVED**, that On motion of Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, the public hearing on a proposed local law, amending Chapter 39 of the Town Code, to add a new Section 39-38 entitled "Towing of vehicles on posted parade, street fair or special event routes" is hereby opened at RTBM July 24, 2018 at 8:15pm.

PRESENTATIONS:

SUMMARY OF PUBLIC COMMENT:

**RESOLUTION TO CLOSE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. \_\_\_ OF 2018, AMENDING CHAPTER 39 OF THE TOWN CODE, TO ADD A NEW SECTION 39-38, ENTITLED "TOWING OF VEHICLES ON POSTED PARADE, STREET FAIR OR SPECIAL EVENT ROUTES"**

6. **RESOLVED**, that on motion of Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, the public hearing on a proposed local law, amending Chapter 39 of the Town Code, to add a new Section 39-38 is hereby closed or continued to \_\_\_\_\_.

**RESOLUTION FOR DESIGNATION OF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL LAW NO. \_\_\_ OF 2018, AMENDING CHAPTER 39 OF THE TOWN CODE AND DETERMINATION UNDER SEQRA**

7. **RESOLVED**, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to a proposed Local Law No. \_\_\_ of 2018, amending Chapter 39 of the Town Code, entitled "Vehicle and Traffic" to add a new Section 39-38; and further determines that such action will not have a significant adverse environmental impact, and, therefore, issues a Negative Declaration with respect thereto under the State Environmental Quality Review Act.

**RESOLUTION TO ADOPT LOCAL LAW NO. \_\_\_ OF 2018,  
AMENDING CHAPTER 39 OF THE TOWN CODE, TO ADD  
A NEW SECTION 39-38 ENTITLED “TOWING OF  
VEHICLES ON POSTED PARADE, STREET FAIR OR  
SPECIAL EVENT ROUTES”**

8. **RESOLVED**, that the Town Board hereby adopts proposed Local Law No. \_\_\_ of 2018, amending Chapter 39 of the Town Code, entitled “Vehicle and Traffic” to add a new Section 39-38 entitled: “Towing of vehicles on posted parade, street fair or special event routes”.

**[SEE ATTACHED PROPOSED LOCAL LAW]**

**RESOLUTION TO OPEN / CONTINUATION OF PUBLIC  
HEARING / RTBM OF JULY 24, 2018 AT 8:25 PM / THE  
POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP  
PROPOSED ZONING CODE ORDINANCE AMENDMENT /  
“OP” TO A “PAC” DISTRICT / SECTION 73.10, Block 1,  
Lot 5 18-2113C-4**

9. **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 / Section 73., Block 1, Lot 5 18-2113C-4, is hereby opened / continued to RTBM of July 24, 2018 at 8:05 P.M.

PRESENTATIONS:

SUMMARY OF PUBLIC COMMENT:

**RESOLUTION TO CONTINUE / CLOSE PUBLIC  
HEARING / RTBM OF JULY 24, 2018 / THE POINTE AT  
LAKE TAPPAN PHASE II PROPOSED ZONING CODE  
ORDINANCE AMENDMENT / “OP” TO A “PAC”  
DISTRICT / BNE REAL ESTATE GROUP / SECTION  
73.10, Block 1, Lot 5 18-2113C-4**

10. **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 / Section 73., Block 1, Lot 5 18-2113C-4, is hereby closed or continued to \_\_\_\_\_.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ORANGETOWN ISSUING A NEGATIVE DECLARATION WITH RESPECT TO THE ADOPTION OF LOCAL LAW NO. \_\_, RELATING TO A ZONING TEXT AMENDMENT, CHANGING THE ZONING DISTRICT CLASSIFICATION FROM “OP” TO “PAC” FOR PROPERTY LOCATED IN THE HAMLET OF PEARL RIVER ON THE SOUTH SIDE OF VETERANS MEMORIAL DRIVE, EAST OF THE EXISTING BLUE HILL OFFICE COMPLEX AND WEST OF THE EXISTING POINTE AT LAKE TAPPAN, AND SHOWN ON THE TAX MAP OF THE TOWN OF ORANGETOWN AS SBL 73.10 – 1 – 5.**

11. **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 an “involved agency” under the State Environmental Quality Review Act (“SEQR”) with respect to the adoption of zoning text amendments applicable to property located within the Town of Orangetown; and

**WHEREAS**, by Petition dated as of April, 2018 and accompanying application, Millenium Management-Pearl River I, LLC and Pearl River ARC, LLC as owners of property located in the Hamlet of Pearl River, located at on the south side of Veterans Memorial Drive, east of the existing Blue Hill Office complex and west of the existing Pointe at Lake Tappan (aka The Club at Pearl River) sbl 73.10-1-5 formally petitioned the Town Board to change the zoning classification of the said property from Office Park (“OP”) to Planned Adult Community (“PAC”) in accordance with the provisions of Local Law No. 1 of 2004, as subsequently amended, by which the PAC zoning district was created as a “floating” district; and

**WHEREAS**, following its filing with, and receipt by, the Town, the Town Board caused to be circulated the said Petition and supporting documents amongst all other involved and/or interested agencies notice of its intention to assume Lead Agency status for the purpose of environmental review of the above referenced action; and

**WHEREAS**, more than thirty (30) calendar days have passed since the Town declared its intent to be Lead Agency for environmental review, and no other involved agency has expressed a desire or intent to act as Lead Agency, or otherwise has sought to contest the Town Board’s authority to act in that capacity with respect to the referenced action, the Town Board has assumed the role of Lead Agency for environmental review; and

**WHEREAS**, the Town Board, acting in its capacity as Lead Agency for environmental review, having carefully considered all of the potential environmental impacts that might result from the proposed action, has concluded that there will be no significant environmental impacts or effects caused or occasioned by the change in the zoning classification of the subject parcel and its eventual improvement with a combination of retail/community shopping uses and active adult or senior residential housing,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board adopts the findings and conclusions relating to probable environmental impacts contained in the Short Form and Long Form Environmental Assessment Forms, and in the Negative Declaration annexed hereto, and authorizes the Town Supervisor, or his designated agent, to execute the Environmental Assessment Form and to file the Negative Declaration in accordance with the applicable provisions of law; and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor, or his designated agent, to take such further steps as may be necessary to discharge the Town Board's responsibilities as Lead Agency.

The aforesaid resolution was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and (adopted / rejected) by a vote of Ayes Nays and \_ Abstentions, as follows:

Aye Nay Abstain

Councilman Bottari  
Councilman Diviny  
Councilman Troy  
Councilman Valentine  
Supervisor Day

Dated: Orangeburg, New York  
July \_\_, 2018

TOWN OF ORANGETOWN

STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

July \_\_, 2018

Lead  
Agency :

The Town Board of the Town of Orangetown  
Orangetown Town Hall  
26 Orangeburg Road  
Orangeburg, New York 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (State Environmental Quality Review) of the Environmental



Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

Title of Action:

Amendment to Town Zoning Law and Zoning Map / Zone Change Application from OP (Office Park) to PAC (Planned Adult Community).

SEQR Status:

Type I

Description of the Action:

The action consists of a proposed change to the Zoning Law and Zoning Map of the Town of Orangetown, affecting currently vacant land situated on 25.87 acres ± on the south side of Veterans Memorial Drive in Pearl River, east of the existing Blue Hill office complex and west of the existing PAC property known as The Pointe at Lake Tappan I (aka the Club at Pearl River). The land is currently wooded and undeveloped.

Location:

The proposed action affects property located in the Hamlet of Pearl River, located on the south side of Veterans Memorial Drive in Pearl River, east of the existing Blue Hill office complex and west of the existing PAC property known as The Pointe at Lake Tappan I (aka the Club at Pearl River) and shown on the Tax Map of the Town of Orangetown as SBL 73.10-1-5.

#### REASONS SUPPORTING THIS DETERMINATION

##### I. Information Reviewed and Relied Upon

In making its determination, the Town Board, acting in its capacity as Lead Agency, considered the following:

(1) The Petition of the Owner, including :

- a project description and Conceptual Site Plan;
- Vicinity and zoning map
- traffic report from Klein Traffic Consulting, LLC dated April 10, 2018 ;
- tax map

(2) Full Environmental Assessment Forms;

(3) The comments of the Rockland County Planning Department pursuant to GML § 239, dated \_\_\_\_\_;

(4) The comments of the Town of Orangetown Office of Building, Zoning and Planning, dated \_\_\_\_\_;

(5) The comments of the Town Planning Board, dated \_\_\_\_\_.

The Board further considered the testimony and comments given at the public hearing on the proposed zone change, including that of the Project Sponsor and certain real estate and design consultants, as well as comments from members of the public both in support and in opposition.

## II. Familiarity with the Site

The members of the Town Board, in general terms, are also each personally familiar with the location of the proposed development, including its proximity to the nearby roadways as well as other development in the area.

## III. Potential Impacts Ultimately Determined Not to Be Significant

The Board found that the property is currently undisturbed, however, the construction of the project as proposed will not create a significant negative environmental impact. The gross lot area is approximately 25.87 acres, approximately 15.16 of which will be open space.

## IV. Other Potential Impacts Considered and Determined Not to Be Significant

The Board has also considered the following issues and potential impacts, and has concluded that neither individually nor cumulatively will they have a significant impact on the environment:

- Agricultural Land Resources

There are no anticipated impacts on agricultural lands.

- Aesthetic Resources

Detailed designs for the senior units will be reviewed as part of the site plan process. The illustrative site plan submitted at this stage, however, show five apartment buildings. On appearance, the exterior portions of the existing building are aesthetically pleasing, having no adverse impact on the aesthetics of the surrounding area.

- Historic and Archaeological Resources

There are no significant anticipated impacts on historic or archeological

resources.

- Critical Environmental Areas (CEAs)

There are no significant anticipated impacts on any CEA.

- Energy

There are no anticipated significant impacts the community's sources of fuel or energy supply.

- Public Health

There are no anticipated significant impacts on the public health.

- Air Quality and Noise Levels

The proposed actions are not expected to have a significant impact on local air quality or noise levels.

- Human Health

The proposed actions will not create a hazard to human health.

#### V. Existing and/or Approved PAC Developments of Adjacent and Nearby Lands

The Town Board, as part of its environmental review of the proposed action, has also considered and evaluated the action, and its potential impacts, in the light of other pending, or previously approved, applications for PAC zone changes, and has determined that (i) given the location of the proposed action, (ii) its location in referenced to mass transit and other amenities desirable to an active adult population; and (iii) to a lesser degree, but nonetheless significant, the rental component of the proposed project, the approval of this action will not conflict with or adversely affect other such developments, or result in a saturation of PAC market.

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In summary, after evaluating all of the potential environmental impacts relating to the proposed actions, the Town Board concludes that there will be no significant environmental effect caused thereby

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ORANGETOWN ADOPTING LOCAL LAW NO. \_\_\_ OF 2018, RELATING TO A ZONING TEXT AMENDMENT, CHANGING THE ZONING DISTRICT CLASSIFICATION FROM “OP” TO “PAC” FOR PROPERTY LOCATED IN THE HAMLET OF PEARL RIVER ON THE SOUTH SIDE OF VETERANS MEMORIAL DRIVE, EAST OF THE EXISTING BLUE HILL OFFICE COMPLEX AND WEST OF THE EXISTING POINTE AT LAKE TAPPAN, AND SHOWN ON THE TAX MAP OF THE TOWN OF ORANGETOWN AS SBL 73.10 – 1 – 5.**

12. **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**, by Petition and accompanying application dated April, 2018, Millenium Management – Pearl River I, LLC and Pearl River ARC, LLC , as owners of the property located in the Hamlet of Pearl River, on the South side of Veterans Memorial Drive, East of the Existing Blue Hill Office Complex and West of the existing Pointe at Lake Tappan property (AKA The Club at Pearl River), and shown on the Tax Map of the Town of Orangetown as SBL 73.10 – 1 – 5 formally petitioned the Town Board to change the zoning classification of the said property from Office-Park (“OP”) to Planned Adult Community (“PAC”) in accordance with the provisions of Local Law No 1 of 2004, as subsequently amended, by which the PAC zoning district was created as a “floating” district; and

**WHEREAS**, after notice duly given, and no other involved agency having a desire or intention to act as Lead Agency, or otherwise having contested the Town Board’s authority to act in that capacity with respect to the referenced action, the Town Board assumed the role of Lead Agency for environmental review; and

**WHEREAS**, by resolution duly adopted of even date herewith, but prior to the adoption of this resolution, the Town Board, acting in its capacity as Lead Agency for environmental review, concluded that there will be no significant environmental impacts or effects caused or occasioned by the change in the zoning classification of the subject parcel and its eventual improvement with adult or senior residential housing; and

**WHEREAS**, in addition to the Petition, the Town Board also has considered the following in furtherance of its obligation to evaluate whether the proposed site is both eligible and, in the Town Board’s discretion, appropriate for PAC zone designation:

(1) The application of the Petitioner / Petitioner, including a project description and Illustrative Site Plan;

(2) A Traffic Engineering Evaluation prepared by Klein Traffic Consulting, LLC dated April 10, 2018;

(3) A Demographic Analysis Report, prepared by On-Site Sales & Marketing, LLC dated April 18, 2018;

(4) A Tax Assessment analysis from Brian Kenney, Town of Orangetown Tax Assessor, dated March 27, 2018;

(5) Housing Plans detailing the types and number of units, including square footage, number of bedrooms and approximate rental costs. its.

(6) The Full Environmental Assessment Form for the action, consisting of :

- Part 1, prepared by the Diego Villarreale, PE, \_\_\_\_\_ dated June 11, 2018;
- Part 2, prepared by Diego Villarreale, PE, \_\_\_\_\_ the and reviewed by Jane Slavin, Director of the Office of Building Zoning Planning Administration and Enforcement, and by the Town Board as Lead Agency;
- Part 3, prepared by the \_\_\_\_\_ and by the Town Board as Lead Agency;

(7) The comments of the Rockland County Planning Department pursuant to GML § 239, dated \_\_\_\_\_;

(13) The comments of the Town of Orangetown Planning Board dated \_\_\_\_\_;

and,

**WHEREAS**, following notice duly and properly given, a public hearing was conducted on the Petition, at which the Petitioner provided testimony from several consultants and experts regarding various aspects of the senior housing project proposed for the site under consideration, including consultants on traffic, demographics, market absorption and taxes, and at which members of the public spoke almost uniformly in favor of the proposed zone change; and

**WHEREAS**, the Town Board has considered both the need for adult housing within the Town as contemplated by the adoption of the PAC zoning classification, and the impact on the Town's stock of land available for OP uses at this time and following the zone change;

**NOW, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS HEREINAFTER MADE, BE IT RESOLVED**, that the Town Board hereby adopts Local Law No. \_\_\_, amending the Town's zoning map and zoning law to change the zoning classification from OP to PAC certain property located in the Hamlet of Pearl River, on the South side of Veterans Memorial Drive, East of the Existing Blue Hill Office Complex and West of the existing Pointe II (aka The Club at Pearl River) said property shown on the Tax Map of the Town of Orangetown as Section 73.10 Block 1

and Lot, 5 and more fully described and set forth on Schedule "A" annexed to and made a part of this Resolution.

#### Specific Findings Relating to the Instant Petition

Pursuant to Chapter 43, Subsection 4.6.12, the Town Board makes the following specific Findings of Fact, pertaining to the instant Petition:

##### Marketability of the Proposed Units

Based on the market studies conducted by the Petitioner and by the Town, it appears that while there have been several PAC zone changes in the Town, there remains a need for housing stock, meeting the specific needs and concerns of those in the 55 and older active adult age group both within the Town of Orangetown specifically, and within the County of Rockland general. The Pointe at Lake Tappan Phase I aka The Club at Pearl River is very popular and has no vacancies. The need and popularity for these units is enhanced in that they are rental units.

The Hollows at Blue Hill, which is located just across Veteran's Memorial Drive in the vicinity of this project are condominium units. The desire for rental units is evident by the fully rented Club at Pearl River and waiting list therefor.

There is considerable demand for this specific project that will provide active adult housing for persons in the moderate to higher income or means range. In light of both the expressed interest in the project, and the obvious under supply of senior housing in the area, coupled further with the price structure proposed by the developer, the 104 senior housing units proposed for the site appear to be very marketable.

##### Potential Saturation Within and About the Geographic Area of the Proposed Zoning Amendment.

Based on the findings set forth above, relating to the number of eligible prospective purchasers throughout the Town and surrounding areas, and the demonstrated need for active adult housing in the relevant market area, the Town Board concludes that the approval of the instant zoning amendment, permitting the construction of up to 104 senior housing units will not saturate the neighborhood in which the site is located.

##### Suitability of the Site for Senior Housing; Vehicular Access, Transportation, Walking and Traffic Concerns in General.

The proposed residential development will be age restricted and consist of rental units housed in a gated community to be managed by the developer which will be responsible for maintaining all of the common areas, including designated recreation areas and internal roadways and open space.

As shown on the architectural renderings and floor plans of the Petitioner's Architect presented on the public hearing, the proposed adult community will consist of 104 apartment units located in 5 apartment buildings and will include

a separate clubhouse with a pool. There will be 15 acres of open space.

There will be 11 different types of units, with approximately 15 1 bedroom units and 86 two bedroom units. The projected rental price for the one bedroom units is \$1,900.00; for the two bedroom units, the proposed rental price is \$2,400.00.

The buildings will be situated with an entrance on to Blue Hill Plaza Road and emergency access only to Veterans Memorial Drive

Additionally, there will be a recreation center located on site, consisting of a 5,838 sq. ft. club house, a swimming pool and other spot recreation areas, as well as 11,000+ sq. ft. of indoor/outdoor recreation areas. Walkways/sidewalks throughout the project will provide yet an additional recreation amenity.

The interior road system will be private and built in accordance with Orangetown Road and Street specifications. The roadway, accessed through a gate house for security reasons, will wind through the community so as to preserve the wetland areas and steep slope areas. Access to the interior road system will be via Blue Hill Plaza Road, which already has a traffic light for traffic control.

The project design will meet -- indeed, far exceed -- the off-street parking requirements applicable to the PAC zone, providing 244 off-street parking spaces, or 2.23 spaces per unit, as compared with a code requirement of 1.75 spaces per unit.

The location of the site further meets the needs of the senior community in that it is located relatively close to the downtown Pearl River, and the business corridor along Middletown Road. There is bus transportation available for those who do not have private means of travel.

The Town Board further finds, based on the traffic studies conducted not only by the Petitioner, but by others, as well, in connection with other unrelated projects, including studies undertaken in connection with projects proposed for nearby Town owned lands, that the road system in and about the site will accommodate any traffic volume that may be generated by the project proposed for these premises.

Compatibility of a Planned Adult Community Project With the Surrounding Environment.

The proposed senior housing community is an appropriate use for the premises sought to be re-zoned. Although the site is adjacent to lands developed for office and other OP uses, it is also located next to Phase I of the Pointe at Lake Tappan and the Hollows at Blue Hill as well as two assisted living facilities and single family homes, as well as a major hotel and middle school. The Town Board finds, consistent with its Town-wide Comprehensive Plan, that the contemplated planned adult housing use is consistent with the uses otherwise existing and permitted in the area, and is otherwise compatible with the existing development in the area.

The Petitioner, in accordance with the requirements of the Local Law 1 of 2004, has presented to the Town Board an Illustrative or Concept Site Plan, prepared by Jay Greenwell, PLS, LLC. The Concept Plan shows a gated community of 104 dwelling units laid out in five buildings throughout the site. The Concept Plan further shows amenities as previously noted, with an overall design and architectural layout which preserves a significant amount of undisturbed open space, supplementing that open space with additional landscaping so as to mitigate any adverse visual impact from the surrounding viewpoints.

#### Maximum Unit Count

By reason of the proposed layout, the Town Board further establishes 104 units as the maximum number of units permitted on the site, which units shall consist of at least 75% two bedroom units as set forth in §4.64, to be disbursed throughout the project as required by the Planning Board.

The Town Board further finds that the illustrative site plan reflects a suitable mix of open space and senior housing development as contemplated under the PAC Law (Local law No. 1 of 2004).

#### Other Findings and Conditions

- Recreation Contribution

The Petitioner, as part of its proposal, has further offered to make a contribution toward the recreation needs of the Town in the sum \$\_\_\_\_\_ to be paid following the grant of final site development plan approval by the Town Planning Board for the PAC development and before the signing of the site plan by the Clerk to the Planning Board.

It is further understood, in regard to the recreation contribution offered by the Petitioner, as hereinbefore set forth, that the said recreation fee shall not be due and owing unless the Town Planning Board as part of its site plan and/or subdivision approval shall waive the money-in-lieu of land requirement upon a finding that the recreation contribution agreed to be paid as a condition of this zone change, coupled with other on-site recreation lands and amenities provided, exceeds the amount that otherwise would have been due and owing under existing Town land use regulations.

- Site Development Plan and Other Required Municipal Approvals

The adoption of this resolution granting the requested zoning amendment from OP to PAC based upon the illustrative site plan and related materials is not intended to, nor shall it be interpreted to, circumvent or usurp the authority of the Planning Board or of any other land use board having authority over site specific details. Pursuant to §4.6 (D), the Town Board reserves the right to review any proposed site development plan before preliminary approval by the Planning Board to determine whether, in the judgment of the Town Board, the



proposed plan does not substantially deviate from the final concept plan that was reviewed and approved herein.

• Age Limitations Under the PAC Designation

As required by § 4.6.5 of Local Law No.1 of 2004, occupancy of the units to be developed on the site as a result of this zoning amendment, at the time of initial conveyance, and thereafter, shall be restricted to persons fifty-five (55) years of age or older, or couples, one of whom is 55 years of age or older. Persons less than 18 years of age shall not be permanent residents under any circumstances.

The Petitioner, prior to the issuance of any building permits, shall file with the Rockland County Clerk, in a form both recordable and acceptable to the Town Attorney, a covenant, which shall run with land and bind all Owners and occupants, restricting the sale, re-sale, rental and occupancy of the units within the PAC development as set forth in this resolution.

Rockland County Planning Department Conditions

The Town Board has received, and has considered, the General Municipal Law § 239 L & M review submitted by the Rockland County Department of Planning and responds to its comments and conditions as follows:

The aforesaid resolution was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and (adopted / rejected) by a vote of \_\_\_ Ayes \_\_\_ Nays and \_\_\_ Abstentions, as follows:

Aye Nay Abstain

Councilman Botari \_\_\_\_\_  
Councilman Diviny \_\_\_\_\_  
Councilman Troy \_\_\_\_\_  
Councilman Valentine \_\_\_\_\_  
Supervisor Day \_\_\_\_\_

Dated: Orangeburg, New York  
July \_\_, 2018

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**[SEE ATTACHED PROPOSED LOCAL LAW]**

**RESOLUTION TO SET PUBLIC HEARING DATE / PETITION FOR ZONING MAP CHANGE / HNA PALISADES PREMIER CONFERENCE CENTER / 334 ROUTE 9W, PALISADES / FROM "LO" TO "OP" / TAX MAP 78.13-1-1 / SEPTEMBER 4, 2018, at 8:05 PM**

- 13. **RESOLVED.** that the Town Board will hold a public hearing on September 4, 2018, at 8:05 p.m., on a proposed Local Law, on application of HNA Training Center, LLC amending Chapter 43, § 2.2, establishing the Town Zoning Map, to change the zoning district of the parcel located at 334 Route 9W, Palisades, Tax Map 78.13-1-1 in the hamlet of Palisades from "LO" to "OP".

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**[SEE ATTACHED PROPOSED LOCAL LAW]**

**RESOLUTION TO ACCEPT PETITION / REQUEST FOR ZONE CHANGE AND DIRECT CIRCULATION OF PROPOSED LOCAL LAW / INTENT TO DECLARE LEAD AGENCY / SEQRA DETERMINATION / HNA PALISADES PREMIER CONFERENCE CENTER / 334 ROUTE 9W, PALISADES / FROM "LO" TO "OP" / TAX MAP 78.13-1-1**

- 14. **WHEREAS,** the owner of premises located at \_\_\_ 334 Rout 9W, in the hamlet of Palisades, Tax Lot 78.13, Block 1, Lot 1 being located in the "LO" (Laboratory Office) zoning district, has petitioned the Town Board to change the zoning classification of the property to the "OP" (Office Park), zoning district; and

**WHEREAS,** upon preliminary review, the Town Board is favorably disposed to such a change, because the current use of the property is as an executive conference facility via a special permit previously issued by the Town Board and the applicant wishes to expand its operation to a hotel use, which is not permitted in the LO zoning district but is permitted in the OP 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 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;
- New York State Department of Transportation

**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- l & 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 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.

**RESOLUTION TO AUTHORIZE / SRO  
AGREEMENTS / PEARL RIVER  
SCHOOL DISTRICT / SOUTH  
ORANGETOWN SCHOOL DISTRICT**

15. **WHEREAS**, the Pearl River School District (PRSD) and the South Orangetown School District (SOSD) have each requested that the Town Police Department assign of a School Resource Officer (SRO) to each school district, and

**WHEREAS**, PRSD and the SOSD have agreed that, as a condition of such assignment, to reimburse to the Town a portion of the cost to the Town for the services of such assignments subject to formal written agreement between the parties and the districts, and

**WHEREAS**, each agreement is a separate and distinct agreement, and

**WHEREAS**, the Town of Orangetown and the PRSD and SOSD are authorized to enter into these separate agreements pursuant to Section 119-0 of the General Municipal Law,

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Town to enter into an agreement with the PRSD, which has been prepared, reviewed and approved by the Town Attorney's Office, whereby the Town agrees to assign an SRO to the PRSD on a yearly basis commencing with the 2018/19 school year, subject to mutual agreement for renewal each year, under the terms and conditions as set forth in the agreement, and the PRSD shall reimburse the Town in accordance with the terms of the agreement for each year that an SRO is assigned to the PRSD and

**BE IT FURTHER RESOLVED**, that the Town Board hereby agrees to enter into an agreement with the SOSD, which has been prepared, reviewed and approved by the Town Attorney's Office, whereby the Town agrees to assign an SRO to the SOSD on a yearly basis commencing with the 2018/19 school year, subject to mutual agreement for renewal each year, under the terms and conditions as set forth in the agreement, and the PRSD shall reimburse the Town in accordance with the terms of the agreement for each year that an SRO is assigned to the PRSD pursuant to the agreement and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the Supervisor or his designee to execute the agreements with each district under the terms and conditions as set forth therein on behalf of the Town of Orangetown and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the Chief of Police to execute the agreements with each district on behalf of the Police Department and to administer same on behalf of the Town and the Town Police Department.

**RESOLUTION TO AUTHORIZE / USE LAND ON HUNT ROAD, ORANGEBURG / SITE OF FORMER SEWER PUMP STATION FACILITY / PEARL RIVER FIRE DISTRICT / FIRE TRAINING**

16. **RESOLVED**, that the Town Board hereby approves a License Agreement between the Town and the Pearl River Fire District for the use of the presently Town owned property known as the "Hunt Road Pump Station", located at 110 Hunt Road, Pearl River (the "Licensed Premises") by the Pearl River Fire District for training operations limited to rescue equipment used in auto accidents for a one year trial period; and

**BE IT FURTHER RESOLVED**, that the Supervisor or his designated representative shall be authorized to execute such Agreement.

A copy of the said License Agreement approved hereby, with provisions for insurance, indemnification and property damage in favor of the Town, and otherwise as approved by the Town Attorney, is incorporated herein by reference.

**RESOLUTION TO AUTHORIZE / RETAINER OF OUTSIDE LEGAL COUNSEL / SALE OF CELL TOWER SPACE UPON TOWN PROPERTY AT HIGHWAY DEPARTMENT**

17. **RESOLVED**, that the Town Board hereby approves the Retainer Agreement with Cuddy & Feder, LLP. for legal services with respect to the potential assignment of lease and/or sale of Town owned wireless facilities, including the retainer in the amount of \$5000.00, and authorizes First Deputy Town Attorney Teresa M. Kenny to sign the agreement on behalf of the Town.

**RESOLUTION TO AUTHORIZE / NYS /  
CONSOLIDATED FUNDING APPLICATION /  
ESD GRANT FUNDS / INFRASTRUCTURAL  
UPGRADES TO FORMER RPC CAMPUS**

18. **RESOLVED**, upon the recommendation of the Town Supervisor, a CFA grant application entitled, "ESD Grant Funds" shall be submitted by the Town with the intent to secure additional State funding in relation to a potential construction project for infrastructural upgrades at the former RPC campus.

**TOWN BOARD/IT**

**RESOLUTION TO AMEND / CURRENT  
OPERATING AGREEMENT / 1547 CRITICAL  
SYSTEMS REALTY / PROVIDE INTERNET  
ACCESS AT THE DATA CENTER FACILITY**

19. **RESOLVED**, upon the recommendation from the director of automated systems, that the town board hereby authorizes an amendment to the current agreement with 1547 critical systems realty, dated July 25, 2018 to provide internet access at the data center facility at a one-time charge of \$250.00 and a monthly charge of \$140.00 for a term of 24-months.

**TOWN CLERK**

**RESOLUTION TO APPOINT RIMA  
DELVECCHIO / SENIOR ACCOUNT  
CLERK TYPIST / FROM EL#18021**

20. **RESOLVED**, that the Town Board hereby appoints Rima DelVecchio to the position of Senior Account Clerk Typist in the Town Clerk's Office, permanent, from Rockland County EL #18021 (PROM), effective 07/17/2018, no change in salary.

**TOWN ATTORNEY**

**RESOLUTION TO APPROVE / 2018 /  
CERTIFICATE OF SEWER REGISTRATION /  
TOWN ATTORNEY & DEME**

21. **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:

Petillo, Inc., 167 Flanders Netcong Road, Flanders, NJ 07836, Tel. 1-973-347-6166.

United Sewer & Drain Service Corp., P.O. Box 123, Slate Hill, NY 10973, Tel. 1-888-845-2564.

**OBZPAE**

**RESOLUTION TO APPOINT ASSISTANT BUILDING INSPECTOR AT LESS THAN FULL TIME POSITION**

22. **RESOLVED**, that the Town Board hereby appoints \_\_\_\_\_ as a part-time building inspector, effective July 25, 2018.

**HIGHWAY/POLICE**

**PROPOSED RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 COLONIAL DAY, TAPPAN / SATURDAY, SEPTEMBER 29**

23. **RESOLVED**, upon the recommendation from the Superintendent of Highways & 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 (6) recycling kiosks from the Highway Department & no parking signs from the Police Department, for Colonial Day in Tappan, to be held on Saturday, September 29, 2018, from 8 am to 6 pm.

**RESOLUTION TO APPROVE / LEND AID / 2018 SLIDE THE CITY, DOWNTOWN PEARL RIVER / E. CENTRAL AVENUE, FROM N. HENRY STREET TO N. WILLIAM STREET, PEARL RIVER / SATURDAY, AUGUST 11**

24. **RESOLVED**, upon completion of all necessary permits and paperwork and the Town Attorney's acceptance of insurance documentation naming Town of Orangetown as additionally insured, that the Town Board hereby authorizes the Town of Orangetown Departments to lend assistance which includes the use of trash cans, barricades, message board and detour signs from the Highway Department, the Show Mobile and port-o-johns from the Parks Dept., and police detail from the Police Department for the Slide the City Event to be held in Downtown Pearl River at E. Central Avenue, from N. Henry Street to N. William Street on Saturday, August 11, 2018, from 8 am to 5 pm. The Town is to be reimbursed by the hosting company, \_\_\_\_\_ for labor and overtime performed by Highway Department and Police Department employees relative to the Slide Event.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / ROCKLAND COUNTY GAELIC ATHLETIC ASSOCIATION / 2018 BAGPIPE & DRUMS COMPETITION / SATURDAY, AUGUST 4**

25. **RESOLVED**, upon the recommendation of the Superintendent of Highways, Chief of Police and Superintendent of Parks & Recreation, the Town Board hereby authorizes the Town of Orangetown Highway, Police and Parks & Recreation Department to lend assistance which includes the use of a dumpster, barricades, auxiliary police and parking, for the Rockland County Gaelic Athletic Association Bagpipe & Drums Competition to be held on Saturday, August 4, 2018.

**HIGHWAY**

**RESOLUTION TO APPROVE MICHAEL DONAHUE / ATTEND THE 26TH ANNUAL RELEAF CONFERENCE / ROCHESTER, NY / JULY 26 - 28, 2018**

26. **RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves Michael Donahue, HMS I, to attend the 26th Annual Releaf Conference, from July 26-28, 2018, in Rochester, NY, to be charged to account # D - 5140441 in the amount \$271.00.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 PEARL RIVER DAY FESTIVAL / CENTRAL AVENUE, FROM JOHN STREET TO MAIN STREET, PEARL RIVER / SATURDAY, OCTOBER 6**

27. **RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Town of Orangetown Highway Department to lend assistance which includes the use of trash cans, barricades, message board & detour signs, for Pearl River Day Festival to be held on Saturday, October 6, 2018, from 7 am to 9 pm.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 CAR SHOW / CENTRAL AVENUE FIELD, PEARL RIVER / SATURDAY, SEPTEMBER 15 & SUNDAY, SEPTEMBER 16**

28. **RESOLVED**, upon the recommendation from the Superintendent of Highways that the Town Board hereby authorizes the Town of Orangetown Highway & Parks Departments to lend assistance which includes trash cans from the Highway Department & two port-o-johns from the Parks Department for the Pearl River Car Show to be held on Saturday & Sunday, September 15 & 16 (rain date: 9/22 & 9/23) from 6 am to 6 pm.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / PEARL RIVER SCHOOL DISTRICT / USE OF DUMPSTERS**

- 29. **RESOLVED**, upon the recommendation of the Superintendent of Highways, that the Town Board authorizes the Town of Orangetown Highway Department to lend assistance to the Pearl River School District, by use of dumpsters for the disposal of green waste material at Pearl River High School.

**HIGHWAY/PARKS/POLICE**

**PARKS AND RECREATION**

**RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 HALLOWEEN PARADE / NYACK CHAMBER OF COMMERCE / OCTOBER 27**

- 30. **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 27, 2018 (rain date, October 28th) at a rental cost of \$400.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 PEARL RIVER DAY / PEARL RIVER CHAMBER OF COMMERCE / SATURDAY, OCTOBER 6**

- 31. **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 at a rental cost of \$400.00 Pearl River Chamber of Commerce for their Pearl River Day on Saturday, October 6, 2018, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured; and

**BE IT FURTHER RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks & Recreation has forwarded for approval by the Town Board, the rental of 6 porta-johns (5 regular units, 1 ADA compliant units) for the Pearl River Chamber of Commerce Pearl River Day on Saturday, October 6, 2018.



**RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 FIRE IN THE SKY / DOMINICAN COLLEGE / SATURDAY, SEPTEMBER 22**

32. **RESOLVED**, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$400.00 by Dominican College for their Fire in the Sky event on Saturday, September 22, 2018, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / VILLAGE OF NYACK / 2018 VILLAGE OF NYACK'S GREAT GET-TOGETHER / SATURDAY, SEPTEMBER 15**

33. **RESOLVED**, upon completion of all necessary paperwork the Superintendent of Parks & Recreation has forwarded for approval by the Town Board, the rental of 8 porto-johns (6 regular units, 2 ADA compliant units) for the Village of Nyack's Great Nyack Get-Together on Saturday, September 15, 2018.

**RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 ROCKLAND COUNTY VOLUNTEER FIREFIGHTER'S PARADE / PIERMONT FIRE DEPARTMENT / SEPTEMBER 8**

34. **RESOLVED**, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$400.00 by the Piermont Fire Department for the Rockland County Volunteer Firefighter's Parade on Saturday, September 8, 2018, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**RESOLUTION TO ACCEPT DONATION OF MEMORIAL BENCH / PLACEMENT ALONG BLAUVELT SECTION OF J.B.C. RAIL TRAIL / HONORING KATHLEEN & KEVIN WHELAN**

35. **RESOLVED**, upon the recommendation of the Superintendent of Parks and recreation, accept with gratitude, the donation of one memorial bench to be placed along the Blauvelt section of the J.B.C. Rail Trail. Engraving upon the bench will read "In Loving Memory of Kathleen & Kevin Whelan."

**RESOLUTION TO EXTEND  
AGREEMENT / JOHNSON  
CONTROLS INC. / HVAC &  
MECHANICAL SERVICES / TOWN  
HALL**

36. **WHEREAS**, pursuant to Town Board resolution 2016-368 the Town entered into an agreement with Johnson Controls Inc, for HVAC and Mechanical Services in Town Hall for the period of August 1, 2016 through July 31, 2018, which contained an option to extend the agreement under the same terms and conditions and

**WHEREAS**, the Town and Johnson Controls Inc. have mutually agreed to extend their current agreement for HVAC & Mechanical Services for the period of August 1, 2018 through July 31, 2019 as authorized by the existing agreement,

**NOW THEREFORE BE IT RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation, authorize the extension of the 2018 / 2019 agreement or HVAC & Mechanical Services in Town Hall with Johnson Controls Inc. of Hawthorne, NY under the same terms and conditions.

**DEME**

**PERSONNEL**

**RESOLUTION TO ACCEPT RESIGNATION  
/ RETIREMENT EMPLOYEES / 2018  
RETIREMENT INCENTIVE**

37. **WHEREAS**, The following employees have opted for the Retirement Incentive being offered by the Town,

**RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Pete Lovett**, MEO II, DEME, effective July 28, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Guy DeVincenzo**, Deputy Commissioner of Department of Environmental Management & Engineering, effective August 1, 2018, and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Rosemarie Fornario**, Secretarial Assistant II, Supervisor / Finance, effective August 17, 2018.; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Veronica Cummings**, Police Radio Dispatcher (CAD), effective August 18, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **William Bodenstab**, Welder & Body Repairer, Highway Department, effective August 24, 2018; and

**BE IT FURTHER RESOLVED**, the Town Board accepts with regret the resignation / retirement of **Lauro Antonutti**, MEO II, Highway, effective August 24, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Judith Smith**, Recreation Information Clerk Typist, Parks & Recreation, effective August 30, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Robert Yezarsky**, Maintenance Mechanic II, Building Maintenance, effective August 30, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Joanne Ogilvie**, Account Clerk Typist, Parks & Recreation, effective August 30, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accept with regret the resignation / retirement of **Robert Murphy**, Automotive Mechanic I, Department of Environmental Management & Engineering, effective August 30, 2018; and

**BE IT FURTHER RESOLVED**, that the Town Board accepts with regret the resignation / retirement of **Beatrice Troy**, Receptionist, Supervisor's Office, effective August 30, 2018.

## AUDIT

## **PAY VOUCHERS**

38. **RESOLVED**, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of six (6) warrants for a total of \$2,101,674.99.

**NEW BUSINESS**

**RESOLUTION TO APPROVE / REGULATORY  
5-YEAR UPDATE / ROCKLAND COUNTY  
MULTI-JURISDICTIONAL HAZARD  
MITIGATION PLAN (HMP) PROJECT**

39. **WHEREAS**, The Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) provides an opportunity for States, Tribes, and local governments to take a new and revitalized approach to mitigation planning; and

**WHEREAS**, DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) by repealing the previous Mitigation Planning section and emphasizes the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts; and

**WHEREAS**, the Town of Orangetown, in partnership with the County of Rockland and with the assistance of Tetra-Tech Corporation, has gathered information and prepared the Rockland County Multi-Jurisdictional Hazard Mitigation Plan; and

**WHEREAS**, The Rockland County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, the Town of Orangetown has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHEREAS**, the Town of Orangetown has reviewed the Plan and affirms that sections pertaining to the Town will be updated no less than every five years;

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Orangetown adopts the Rockland County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 24th day of July, 2018.

**RESOLUTION TO APPROVE / 2018  
ROCKLAND CRAFT BEER WEEK / GENTLE  
GIANT BREWING COMPANY, 7 NORTH MAIN  
STREET, PEARL RIVER, NY / SATURDAY,  
JULY 28**

40. **RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Town of Orangetown Highway, Police & Building Departments (OBZPAE) to lend assistance which includes the use of lighted barricades from the Highway Department, (2) parking spaces sectioned off from the Police Department & (5) tables with chairs approved by the Planning Board to be placed on the sidewalk (plan attached), for the Rockland County Craft Beer Week, to be held at the Gentle Giant Brewing Company, located at 7 North Main Street, Pearl River, on Saturday, July 28, 2018, from 12 noon to midnight.

**ADJOURNMENTS:**

- Sanford (Sandy) Lent, Pearl River, brother of former Town Clerk, Charlotte Madigan