

**TOWN OF ORANGETOWN
REORGANIZATIONAL/RTBM/AUDIT MEETING
TUESDAY JANUARY 3, 2017**

This meeting was opened at 7:37 p.m. Supervisor Stewart presided and Charlotte Madigan, Town Clerk, called the roll. Present were:

Councilman Denis Troy
Councilman Thomas Diviny
Councilman Paul Valentine
Councilman Gerald Bottari
Supervisor Andrew Stewart

Also present:

Charlotte Madigan, Town Clerk
John Edwards, Town Attorney
Teresa Kenny, Deputy Town Attorney
Jeff Bencik, Finance Director
Stephen Munno, Sr. Administrative Assistant
Robert Simon, Receiver of Taxes
John Giardiello, Director of OBZPAE
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Kevin Nulty, Police Chief
Donald Butterworth, Police Captain
James Brown, Police Captain

Orangetown Police Honor Guard presented the colors.

Pledge of Allegiance to the Flag of the United States of America was led by James O'Neill, NYC Police Commissioner.

"The Star Spangled Banner" was performed by the Nyack High School Advanced Chorus and directed by Mr. Brandon Coon.

Invocation: Pastor Donald Hoover, Tappan Reform Church.

Orangetown Police Honor Guard retired the colors.

"Cheek to Cheek" was performed by the Nyack High School Advanced Chorus and directed by Mr. Brandon Coon.

2017 STATE OF THE TOWN SPEECH: Town Supervisor Andy Stewart

SUPERVISOR'S APPOINTMENTS:

Jeffrey Bencik, Finance Director
Victoria Caramante, Executive Assistant to Supervisor
Allan Ryff, Deputy Supervisor

The Town Board acknowledged Jeffrey Bencik, Director of Finance, who was awarded the "Certificate of Achievement for Excellence in Financial Reporting" by the Government Finance Officers Association, for fiscal year ended 12/31/2015.

Each of the Town Board members made comments about accomplishments in the past year.

The Town Board recognized the Orangetown Patriots Junior PeeWee Pop Warner Cheerleading Team for winning the 2016 National Championship.

RESOLUTION NO. 1

OPPOSING RELEASE/JUDITH CLARK AT ANY OR ALL PAROLE HEARINGS/PARTICIPATION IN THE BRINKS ROBBERY KILLING IN 1981

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

WHEREAS, Judith Clark was a member of the radical terrorist organization known as the Weather Underground; and

WHEREAS, the Weather Underground was responsible for the bombings of the Pentagon and the US Capitol; and

WHEREAS, in 1981, Judith Clark, together with other members of the Weather Underground robbed a Brinks armored car at the Nanuet Mall; and

WHEREAS, Nyack Police Department Sgt. Edward O'Grady, Police Officer Waverly Brown and Brinks Security Guard Peter Paige were killed during this robbery; and

WHEREAS, Judith Clark helped plan the robbery, participated in the robbery, and reached for her weapon when she was eventually arrested; and

WHEREAS, Judith Clark was sentenced to 75 years to life for her part in this crime after being convicted of second-degree murder; and

WHEREAS, Judith Clark petitioned Governor Andrew M. Cuomo clemency with regard to her sentence; and

WHEREAS, in an inexcusable travesty of the Justice system, Governor Cuomo commuted said prison sentence to 35 years to life, making her eligible for parole in 2017; and

WHEREAS, Judith Clark remains the domestic terrorist who actively participated in the killing of three heroic individuals, namely Nyack Police Department Sgt. Edward O'Grady, Police Officer Waverly Brown and Brinks Security Guard Peter Paige, while calling herself a freedom fighter; and

WHEREAS, as the elected leader of the State of New York, Governor Cuomo needs to be respectful to community sensitivities, such as the impact the Brinks robbery and Judith Clark had on the victims' families and the Orangetown community as a whole; and

WHEREAS, the members of the Town Board believe that they have a responsibility to honor the memories and heroic actions of Nyack Police Department Sgt. Edward O'Grady, Police Officer Waverly Brown and Brinks Security Guard Peter Paige, as well as a responsibility to their families to insure that Judith Clark remains behind bars for the remainder of her life; and

WHEREAS, the Town Board of Orangetown has met, considered, and by a unanimous vote approved this resolution,

NOW THEREFORE BE IT RESOLVED, that the Orangetown Town Board hereby condemns Governor Cuomo for his irresponsible and insensitive decision to commute Judith Clark's sentence and the Town Board requests that Governor Cuomo offer a written apology to the victims' families and the Orangetown community;

AND BE IT FURTHER RESOLVED, that the Orangetown Town Board opposes the release of Judith Clark at any and all future parole hearings; and

RESOLVED, the Town is hereby authorized and directed to send a certified copy of this resolution to the families of Nyack Police Department Sgt. Edward O'Grady, Police Officer Waverly Brown and Brinks Security Guard Peter Paige; the New York State Parole Board, Governor Andrew M. Cuomo, and to such other persons proper in order to effectuate the purpose of this resolution.

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

Noes: None

RESOLUTION NO. 2

**RESIGNATION/RETIREMENT/LT.
THOMAS F. SCHUTZ**

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

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, a letter from Lt. Thomas F. Schutz, in which he indicates that he will be resigning/retiring, from the Orangetown Police Department, effective January 15, 2017.

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

Noes: None

RESOLUTION NO. 3

**PROMOTE/DANIEL J. COSTELLO
POLICE SERGEANT**

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

RESOLVED, that upon the recommendation of the Chief of Police, promote Daniel J. Costello, from Rockland County civil service list # 13041/72-028, to the position of Police Sergeant/Town of Orangetown, effective January 15, 2017, at a salary consistent with the labor agreement between the Town of Orangetown and Orangetown PBA.

Ayes: Councilperson Valentine, Supervisor Stewart
Councilpersons Troy, Diviny, Bottari

Noes: None

RESOLUTION NO. 4

**PROMOTE/DAVID J. MELLIN
POLICE LIEUTENANT**

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

RESOLVED, that upon the recommendation of the Chief of Police, promote David J. Mellin, from Rockland County civil service list # 15077/70-258, to the position of Police Lieutenant/Town of Orangetown, effective January 15, 2017, at a salary consistent with the labor agreement between the Town of Orangetown and Orangetown PBA.

Ayes: Councilperson Valentine, Supervisor Stewart
Councilpersons Troy, Diviny, Bottari

Noes: None

Charlotte Madigan, Town Clerk, administered the Oath of Office to Sgt. Daniel Costello and Lt. David Mellin.

Benediction: Rabbi Daniel Pernick, Beth Am Temple

The Town Board took a 20-minute recess.

RESOLUTION NO. 5

**RE-ENTERED REORGANIZATIONAL
MEETING**

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

RESOLVED, that, at 9:15 pm, the Town Board re-entered the ReOrganizational Meeting.

Ayes: Supervisor Stewart, Councilperson Valentine
Councilpersons Troy, Diviny, Bottari

Noes: None

RESOLUTION NO. 6

OFFICIAL UNDERTAKING ELECTED AND APPOINTED OFFICIALS

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

RESOLVED, that upon the recommendation of the Director of Finance, Jeff Bencik, approve Official Undertaking, to be filed in the Rockland County Clerk's Office, for elected and appointed officials, officers and employees as the Town Board may require for the faithful performance of their duties and the prompt and proper account for paying over all money received by said employees in their official capacities.

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

RESOLUTION NO. 7

2017/MARRIAGE OFFICERS

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

RESOLVED, that the following are designated as Marriage Officers, effective January 1, 2017 - December 31, 2017, at no salary.

Supervisor Andrew Stewart
Councilman Thomas F. Diviny
Councilman Paul Valentine
Councilman Jerry Bottari
Councilman Denis Troy
Town Clerk, Charlotte Madigan

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

RESOLUTION NO. 8

OFFICIAL NEWSPAPER

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

RESOLVED, that the Town Board hereby designates the Journal News as the official newspaper of the Town, pursuant to NYS Town Law Section 64 (11), and the Our Town and Rockland County Times, for additional notices as the Board may determine necessary or advisable, on a case by case basis.

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

RESOLUTION NO. 9

2017 BANKING DEPOSITORIES

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

RESOLVED, that the following banks are designated as the banking depository for the Town of Orangetown:

J.P. Morgan Chase Key Bank TD Bank

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

RESOLUTION NO. 10

2017 RECEIVER OF TAXES/BANKING DEPOSITORIES

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

RESOLVED, that the following banks are designated as the banking depository for the Receiver of Taxes:

Sterling National Bank

J.P. Morgan Chase

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

Noes: None

RESOLUTION NO. 11

REAPPOINT/REGISTRAR OF VITAL STATISTICS/CHARLOTTE MADIGAN

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

RESOLVED, that Charlotte Madigan, Town Clerk, is hereby reappointed Registrar of Vital Statistics, effective January 1, 2017 through December 31, 2017.

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

Noes: None

RESOLUTION NO. 12

REAPPOINT/RECORDS MANAGEMENT OFFICER (RMO)/CHARLOTTE MADIGAN

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

RESOLVED, that Charlotte Madigan, Town Clerk, is hereby reappointed Records Management Officer (RMO).

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

Noes: None

RESOLUTION NO. 12A

REAPPOINT/RECORDS ACCESS OFFICER (RAO)/CHARLOTTE MADIGAN

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

RESOLVED, that Charlotte Madigan, Town Clerk, is hereby reappointed Records Access Officer (RAO).

Ayes: Councilperson Troy, Supervisor Stewart
Councilpersons Diviny, Valentine, Bottari

Noes: None

RESOLUTION NO. 13

**RE-APPOINT/ GERALDINE
ORLIK/TERESA ACCETTA-PUGH
RITA MCCABE/DEPUTY TOWN
CLERKS/DEPUTY REGISTRARS OF
VITAL STATISTICS**

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

RESOLVED, that Geraldine Orlik, Teresa Accetta-Pugh and Rita McCabe are hereby re-appointed Deputy Town Clerk(s) and Deputy Registrar(s) of Vital Statistics.

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

Noes: None

RESOLUTION NO. 14

**SET PH/COMMUNITY
DEVELOPMENT BLOCK
GRANT/JANUARY 24, 2017**

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

RESOLVED, the Town of Orangetown hereby sets January 24, 2017 at 8:05 PM for a Public Hearing on 2017 Community Development Block Grant proposals.

Ayes: Supervisor Stewart, Councilperson Valentine
Councilpersons Troy, Diviny, Bottari

Noes: None

RESOLUTION NO. 15

**GRANT PERMISSION/P.O. MICHAEL
TAYLOR/DRUG ABUSE RESISTANCE
EDUCATION (DARE) CLASS/NYS FIRE
TRAINING ACADEMY MONTOUR
FALLS, NY/JAN. 16-27, 2017**

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

RESOLVED, that upon the recommendation of the Chief of Police, approve P.O. Michael Taylor to attend a Drug Abuse Resistance Education (DARE) basic training class, at the NYS Fire Training Academy, Montour Falls, NY, January 16-27, 2017, with the \$995.00 tuition, meals, lodging and training cost, to be funded by Wellcore Inc. (Stop Act Grant), and travel expenses, to be funded through the Police Department.

Ayes: Supervisor Stewart, Councilperson Valentine
Councilpersons Troy, Diviny, Bottari

Noes: None

RESOLUTION NO. 16

PAY VOUCHERS

Supervisor Stewart 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 the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds for a total amount of \$1,562,633.27.

Ayes: Supervisor Stewart, Councilperson Valentine
Councilpersons Troy, Diviny, Bottari

Noes: None

RESOLUTION NO. 17

**ENTER EXECUTIVE SESSION
CSEA UNION CONTRACT**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, Valentine and Bottari, Charlotte Madigan, John Edwards, Teresa Kenny and Jeff Bencik.

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

RESOLVED, at 9:30 p.m. the Town Board entered Executive Session to discuss the CSEA Union Contract. Supervisor Stewart said no further votes will be taken.

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

RESOLUTION NO. 18

RE-ENTERED RTBM/ADJOURNED

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

RESOLVED, at 9:57 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Dan Cooper, Pearl River.

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

Charlotte Madigan, Town Clerk