

**TOWN OF ORANGETOWN  
WORKSHOP  
REGULAR TOWN BOARD MEETING  
AND AUDIT MEETING  
TUESDAY, JANUARY 12, 2016**

This Regular Town Board Meeting was opened at 7:35 p.m. Supervisor Stewart presided and Charlotte Madigan, Town Clerk, called the roll. Present were:

Absent: Councilman Denis Troy  
Councilman Thomas Diviny  
Councilman Paul Valentine  
Councilman Gerald Bottari

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, Deputy Town Attorney  
Jeff Bencik, Finance Director  
Stephen Munno, Sr. Administrative Assistant  
Joseph Moran, Commissioner of DEME  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.

Pledge of Allegiance to the Flag of the United States of America was led by Esta Baitler.

Summary of Public Comments (RTBM):

Eileen Larkin, Palisades, is very happy with the 2% tax cap. She requested that the Town Board invite United Water to a Town Board meeting to explain why NY rates are higher than New Jersey. Esta Baitler, Sparkill, asked for an update regarding a bus shelter, along Route 340.

Kevin McCormack, Orangeburg, is against Verizon erecting a 125 ft. cell tower in a residential Historic area in Blauvelt and Orangeburg. He nor his neighbors received any notices from the Land Use Boards. He suggested RPC as a better location.

John Buckley, Orangeburg Library, thanked the Town Board for the libraries' increase in funding. Heather Hurley, Pearl River, asked what these four words represent, "uses permitted by right" in the amendment for Prohibited Uses. She does not understand why not ban the manufacturing of BTX across the board.

Dr. Kathleen Kelly, Pearl River, said the Prohibited Uses amendment language is un-cleared. She asked for clarification in laymen terms and how long is the application good for.

Charles Labarbera, Pearl River, complained about the monstrous 200 ft. cell tower that was erected on Route 304. Neither he nor his neighbors were notified. It is an eyesore and his property value has decreased. He asked what the rules are for notification postings.

**RESOLUTION NO. 15**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

\*\*\*

The Town Board presented Bill Dizzine with a Certificate of Appreciation for his 43 years of dedicated service and hard work to the Town.

**RESOLUTION NO. 16**

**ACCEPT/RETIREMENT/WILLIAM  
DIZZINE/DEME**

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

RESOLVED, that the Town Board, accepts, with regret, the retirement of William Dizzine, effective January 29, 2016, from the Department of Environmental Management and Engineering.

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Board accept his retirement and thanks William Dizzine for his 43 (forty-three) years of service and dedication to the Town of Orangetown.

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

\*\*\*

**RESOLUTION NO. 17**

**RESCHEDULE PUBLIC HEARING  
AMEND RESOLUTION NO. 543/2015  
PROPOSED LOCAL LAW  
PROHIBITED USES**

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

RESOLVED, Resolution #543/2015 is hereby amended to hold a public hearing on January 19<sup>th</sup>, at 8:05 p.m., on the proposed Local Law, amending Chapter 43. §§ 4.41, 4.42 and 4.5, relating to Prohibited Uses throughout the Town of Orangetown, and the Table of General Use Regulations, 43 Attachment 7, applicable to the LI Zoning District.

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

\*\*\*

**RESOLUTION NO. 18**

**PERMISSION GRANTED/2016  
ASSOCIATION OF TOWNS**

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

RESOLVED, that permission is granted to Elected Officials and Department Heads or their representatives, to attend the 2016 Training School and Annual Meeting of the Association of Towns, in New York City, February 14-17, 2016, with the Town paying cost of courses and travel to be charged to appropriate departmental accounts.

- Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Valentine
- Noes: None
- Absent: Councilman Bottari

\*\*\*

**RESOLUTION NO. 19**

**2016 DELEGATE/ASSOCIATION OF  
TOWNS**

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

**RESOLUTION NO. 19 - Continued**

RESOLVED, that Charlotte Madigan, Town Clerk, is hereby designated Delegate for the Association of Towns Annual Meeting, February 14-17, 2016 with Robert Simon, as the alternate delegate, to represent and vote on behalf of the Town of Orangetown.

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

\*\*\*

**RESOLUTION NO. 20**

**APPOINT/BLAUVELT FIRE/STEVEN SIKORSKY/FIREFIGHTER**

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

RESOLVED, that upon the recommendation of the Blauvelt Fire Dept., Steven Sikorsky, is hereby appointed to the position Firefighter, with the Blauvelt Volunteer Fire Company and to be sworn in by Charlotte Madigan, Town Clerk, within the next thirty (30) days.

Ayes: Councilperson Diviny, Valentine, Troy  
Supervisor Stewart  
Noes: None  
Absent: Councilman Bottari

\*\*\*

**RESOLUTION NO. 21**

**APPOINT/BLAUVELT FIRE CHRISTOPHER STANFORD FIREFIGHTER**

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

RESOLVED, that upon the recommendation of the Blauvelt Fire Dept., Christopher Stanford, is hereby appointed to the position of Active Interior Firefighter, with the Blauvelt Volunteer Fire Company and to be sworn in by Charlotte Madigan, Town Clerk, within the next thirty (30) days.

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

\*\*\*

**RESOLUTION NO. 22**

**ACCEPT/RESIGNATION/JILL FIELDSTEIN/ACABOR**

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

RESOLVED, that the Town Board accepts, with regret, the resignation of Jill Fieldstein, Chairwoman, of the Architecture & Community Appearance Board of Review (ACABOR), effective 12/31/2015.

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Board accept her resignation and thanks Jill Fieldstein for her dedication and commitment to ACABOR.

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

\*\*\*

**RESOLUTION NO. 23**

**CREATE POSITION/JUSTICE COURT/ASSOCIATE JUSTICE COURT CLERK**

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

RESOLVED, that upon the recommendation of Rockland County Personnel, create the position of Associate Justice Court Clerk, in the Justice Court. This position is an exempt position and will be on the CSEA exclusion list.

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

\*\*\*

**RESOLUTION NO. 24**

**APPOINT KATHRYN MURPHY JUSTICE COURT/ASSOCIATE JUSTICE COURT CLERK**

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

RESOLVED, that Kathryn Murphy is hereby appointed to the position of Associate Justice Court Clerk, at a salary of \$41,858.00, effective January 1, 2016.

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

\*\*\*

**RESOLUTION NO. 25**

**REPEAL RESOLUTION NO. 557/2015 AWARDING BID/ACTIVATED CARBON MEDIA**

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

RESOLVED, that on the recommendation of the Commissioner of DEME and the Town Attorney, and with the consent of the vendor, General Carbon Corp., Resolution No. 557 of 2015, duly adopted December 8, 2015, awarding the bid for the replacement of Activated Carbon Media at the Town's Waste Treatment Plant to General Carbon is hereby repealed.

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

\*\*\*

**RESOLUTION NO. 26**

**AWARD BID/ACTIVATED CARBON MEDIA/GENERAL CARBON CORP.**

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

WHEREAS, by Invitation to Bid, dated October 28, 2015, duly published and circulated, the Town solicited bids for the replacement of activated carbon media at the Town's Wastewater Treatment Plant on a unit basis, with an estimated quantity of three (3) units; and

WHEREAS, at public opening, General Carbon Corp., of Paterson New Jersey, was determined to be the lowest responsible bidder with a bid of \$20,808.08 per unit, installed, in

**RESOLUTION NO. 26 - Continued**

accordance with the specifications bid, and a total price of \$62,424.24, based on the estimated quantity; and

WHEREAS, by Resolution 557 of 2015, the Town Board awarded the contract for the said public work to General Carbon in the amount of \$62,424.24; and

WHEREAS, the Commissioner of DEME has determined that six (6) units, rather than three (3), are required to be replaced; and

WHEREAS, General Carbon has advised that it is ready, willing and able to perform based on the greater number of units, at the per unit price bid; and

WHEREAS, by resolution of even date herewith, with the consent of the vendor, Resolution 557 of 2015 was repealed; and

WHEREAS, the Town Board wishes to provide for the full activated carbon needs of the Treatment Plant,

NOW, THEREFORE, BE IT RESOLVED, that the contract for the replacement of activated carbon media, in six (6) vessels, at the Town's Wastewater Treatment Plant, for a total cost of \$124,848.48 (at a per unit price of \$20,808.08 per unit, installed) is hereby awarded to General Carbon Corp.

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

\*\*\*

**RESOLUTION NO. 27**

**APPOINT/ARTHUR HIGGINS  
DEME/MAINTENANCE MECHANIC II**

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

RESOLVED, that upon the recommendation of the Commissioner of DEME, Arthur Higgins is hereby appointed to the position of Maintenance Mechanic II, CSEA grade 17, step 19/24, at a salary of \$106,240.00, effective January 13, 2016. This vacancy is due to a retirement and is funded in the 2016 operating budget.

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

\*\*\*

**RESOLUTION NO. 28**

**APPOINT/MARTIN MURPHY  
LABORER/DEME**

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

RESOLVED, that upon the recommendation of the Commissioner of DEME, Martin Murphy is hereby appointed (Provisional) to the position of Laborer, CSEA grade 9, step 1 at a salary of \$51,994.00, effective January 13, 2016. This position is funded in the 2016 operating budget.

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

\*\*\*

**RESOLUTION NO. 29**

**PAY VOUCHERS**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Troy 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 \$1,763,897.59.

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

\*\*\*

**RESOLUTION NO. 30**

**ADJOURNED/MEMORY**

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

RESOLVED, at 8:50 p.m., the Town Board adjourned, in memory of Letitia LaForgia, Pearl River; George Morrison, Blauvelt; and Eileen Reynolds.

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

---

**Charlotte Madigan, Town Clerk**