

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, JANUARY 14, 2014**

This Town Board Meeting was opened at 7:40 p.m. Supervisor Stewart presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy  
Councilman Thomas Diviny  
Councilman Thomas Morr  
Councilman Paul Valentine

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, First Deputy Town Attorney  
Jeff Bencik, Finance Director  
James Dean, Superintendent of Highways  
Joseph Moran, Commissioner of DEMA  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks and Recreation

Eileen Larkin led the Pledge of Allegiance to the Flag.

Summary of Public Comments (RTBM):

Larry Costello, Chairman of the Golf Committee, said the golf committee supports Appliedgolf. This may reduce expenses at the golf course. The vote tonight will give a definite direction of the Town Board's intentions.

Eileen Larkin, Palisades, spoke about Medicare costs. This is subject to fraud but important to those who need it. She is in favor of proposal for Broadacres golf course.

Louis & Tracey Eichner, Pearl River, want the zoning of their property to be changed back to residential. They asked for advice and the procedure to change the zoning back.

Keith Brennan, CSEA President, is concerned and wants to be assured that Broadacres Town employees will not lose their jobs.

Allan Ryff, Deputy Supervisor, spoke for the Supervisor regarding issues about golf.

**RESOLUTION NO. 15**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

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**RESOLUTION NO. 16**

**APPOINT/ BLAUVELT FIRE DEPT  
CHRISTOS G. CHONDRIS  
FIREFIGHTER**

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

RESOLVED, that upon the recommendation of the Blauvelt Fire Dept., Christos G. Chondris is hereby appointed to the position of Firefighter, with the Blauvelt Volunteer Fire Company and was sworn-in by Charlotte Madigan, Town Clerk.

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

Noes: None

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**RESOLUTION NO. 17**

**APPOINT/ BLAUVELT FIRE DEPT  
DYLAN P. REYNOLDS/FIREFIGHTER**

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

RESOLVED, that upon the recommendation of the Blauvelt Fire Dept., Dylan P. Reynolds is hereby appointed to the position of Firefighter, with the Blauvelt Volunteer Fire Company and was sworn-in by Charlotte Madigan, Town Clerk.

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

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**RESOLUTION NO. 18**

**2014 TOWN BOARD CALENDAR  
FAILED**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and on a roll call **FAILED**:

RESOLVED, that a Town Board Calendar for Mondays be adopted.

Ayes: Supervisor Stewart , Councilman Diviny  
Noes: Councilpersons Troy, Morr, Valentine

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**RESOLUTION NO. 19**

**2014 TOWN BOARD CALENDAR  
ADOPTED**

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

RESOLVED, that the following 2014 Town Board Calendar is hereby approved:

01/07/14	Re-Organizational Meeting/Audit
01/14/14	RTBM/Audit
01/21/14	Police Commission/Workshop
01/28/14	RTBM/Audit
02/04/14	Police Commission/Workshop
02/11/14	RTBM/Audit
02/25/14	Workshop
03/04/14	RTBM/Audit
03/11/14	Police Commission/Workshop
03/25/14	RTBM/Audit
04/08/14	Police Commission/Workshop
04/22/14	RTBM/Audit
04/29/14	Workshop
05/06/14	RTBM/Audit
05/13/14	Police Commission/Workshop
05/20/14	RTBM/Audit
05/27/14	Workshop
06/03/14	RTBM/Audit
06/10/14	Police Commission/Workshop
06/17/14	RTBM/Audit
06/24/14	Workshop
07/15/14	RTBM/Audit
07/29/14	Police Commission/Workshop
08/12/14	RTBM/Audit
08/19/14	Police Commission/Workshop
09/09/14	RTBM/Audit
09/16/14	Police Commission/Workshop
09/23/14	RTBM/Audit

**Resolution No. 19 - Continued**

09/30/14	Workshop	
10/07/14	RTBM/Audit	
10/14/14	Police Commission/Workshop	
10/21/14	RTBM/Audit	
10/28/14	Workshop	
11/05/14 (Wed)	RTBM/Audit	(4 <sup>th</sup> Election Day)
11/12/14 (Wed)	Police Commission/Workshop	(11 <sup>th</sup> Veteran's Day)
11/18/14	RTBM/Audit	
12/02/14	Police Commission/Workshop	
12/09/14	RTBM/Audit	

Regular Town Board/Audit Meetings will begin at 7:30 p.m., Police Commission Meetings at 7:00 p.m.; and Town Board Workshop Meetings at 8:00 p.m. All meetings are on Tuesdays, except where indicated.

Ayes: Councilpersons Valentine, Morr, Troy, Diviny  
 Noes: Supervisor Stewart

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**RESOLUTION NO. 20**

**TOWN BOARD/LEAD AGENCY/SEQRA REVIEW/MANAGEMENT CONTRACT APPLIED GOLF, LLC (BROADACRES GOLF COURSE)/NEGATIVE DECLARATION**

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

WHEREAS, by previous resolution, the Town Board authorized a Request for Proposals (“RFP”), inviting proposals for the private management of the Broadacres Golf Course; and

WHEREAS, any action taken in furtherance of such RFP is subject to review under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board is the only Involved Agency with respect to any action that may be undertaken relating to the management of the Broadacres golf course, as contemplated in the RFP; and

WHEREAS, the Town Board has carefully considered the proposed action, including the likely cost savings that would result from the proposed action; and

WHEREAS, the Town Board has further reviewed and considered the Short Environmental Assessment Form prepared by the Supervisor and Town Attorney relating to the proposed action; and

WHEREAS, having carefully considered all of the above, and having taken a hard look at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impacts or effects caused or occasioned by the execution of an agreement for the private management of the Broadacres Golf Course,

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby declares itself to be Lead Agency for purposes of environmental review of the proposed action; and

BE IT FURTHER RESOLVED, that the Town Board issues a Determination of Non-significance with respect to the referenced action in the form annexed hereto, and authorizes the Town Supervisor, or his designated agent, to execute and circulate same as may be required, and to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency in accordance with the applicable provisions of law.

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

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

**DATE:** January 14, 2014

**LEAD AGENCY:** The Town Board of the Town of Orangetown  
Orangetown Town Hall  
26 Orangeburg Road  
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) 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:**

Execution of a management agreement for the private management of the Broadacres Golf Course.

**SEQRA STATUS:**

Unlisted Action

**DESCRIPTION OF ACTION:**

The proposed action consists approval of a management contract for the private management of the Broadacres Golf Course for the 2014 and 2015 golf seasons, and an option for the 2016 season if the golf course continues to be owned by, and available to, the Town for that year.

**REASONS SUPPORTING THIS DETERMINATION:**

Presently, and for many years now, the 9-hole Broadacres Golf Course purchased by the Town as part of the larger real property purchase of property formerly a part of the properties comprising the Rockland Psychiatric Center ("RPC") has operated at a deficit to the Town. More recently, the Town obtained special state legislation permitting the alienation of the golf course (on defined terms), thereby allowing it to be sold for economic development if and when an appropriate developer is found. In the interim, in order to stem the mounting financial loss to the Town attributable to the golf course, the Town Board has issued an RFP, seeking private management of the course.

Although private management is not likely to make the course profitable in the short term, it is expected that, on an annual basis, the Town will lose less under private management than as an operating asset of the Town, and in year three or four (if the course continues to then operate as a golf course), it might well operate at a profit rather than as a drain on the Town's resources. There will be no significant adverse environmental impact as a result of the proposed action.

**RESOLUTION NO. 21**

**APPROVE MANAGEMENT  
CONTRACT/APPLIEDGOLF, LLC  
MANAGEMENT OF BROADACRES  
GOLF COURSE FOR 2014 and 2015**

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

WHEREAS, by previous resolution, the Town Board authorized a Request for Proposals ("RFP"), inviting proposals for the private management of the Broadacres Golf Course; and

WHEREAS, in furtherance of said resolution, on or about May 25, 2013, notice of the said RFP was both published in the official newspaper of the Town and otherwise advertised electronically, with responsive proposals required to be submitted on July 22, 2013; and

WHEREAS, on the designated date, only one proposal was submitted in response to the RFP, that being from AppliedGolf, LLC; and

**Resolution No. 21 - Continued**

WHEREAS, the Town Board has interviewed AppliedGolf and, on the basis of experience and reputation in the industry, and financial resources of the company and its principals and staff, the Board has determined that it is qualified to undertake the management of the golf course for the Town; and

WHEREAS, through negotiation, the Town has refined the financial and other material terms of an agreement between the parties for the 2014 and 2015 golf seasons, with an option for the 2016 season, subject to the continued ownership and availability of the golf course by the Town; and

WHEREAS, the Town Board has determined that it is in the best economic interests of the Town to contract with AppliedGolf for the management of the Broadacres Golf Course,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves an agreement, in principle, between the Town and AppliedGolf for the management of the Broadacres Golf Course for the 2014 and 2015 golf seasons, with an option for the 2016 golf season, subject to the continued availability of the course, on the financial terms set forth in AppliedGolf’s written proposal dated November 22, 2013, as revised by letter dated December 17, 2013, and subject further to the execution of a formal contract to be prepared by the Town Attorney and approved by the Town Board.

Ayes: Councilpersons Valentine, Morr and Supervisor Stewart  
 Noes: Councilpersons Troy, Diviny

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**RESOLUTION NO. 22**

**APPOINT/REAPPOINT LIAISONS  
 LAND USE BOARDS/COMMITTEES**

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

RESOLVED, that the following Town Officials are hereby reappointed/appointed liaisons to the following land use boards and committees:

ACABOR	Troy
Blue Hill Golf Course Advisory Committee	Valentine
Board of Assessment Review	Diviny
Board of Ethics	Ryff
Bureau of Fire Prevention	Diviny & Morr
Environmental Committee	Stewart
HABOR	Morr
Orangetown Housing Authority	Troy
Orangetown Emergency Management Comm.	Diviny
OPDAC	Stewart
Planning Board	Morr
Project Review Committee	Valentine
Shade Tree Commission	Stewart
Senior Citizen Advisory Committee	Troy
Substance Abuse Committee	Troy
Traffic Advisory Board	Valentine
Volunteer Health Advisory Committee	Morr
Youth Recreation Assessment Advisory Comm.	Diviny
Zoning Board of Appeals	Diviny

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

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**RESOLUTION NO. 23****SET PUBLIC HEARING/LOCAL LAW  
FLOOD DAMAGE PREVENTION**

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

RESOLVED, that the Town Board shall conduct a Public Hearing, on January 28, 2014 at 8 p.m., on a proposed Local Law, repealing existing Chapter 14B of the Town Code, and adopting a new Chapter 14B, both relating to Flood Damage Prevention.

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

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**RESOLUTION NO. 24****SET PUBLIC HEARING/CENTRAL  
NYACK FIRE DISTRICT MAP  
BOUNDARY LINES**

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

WHEREAS, the Board of Fire Commissioners of the Central Nyack Fire District has requested the Town Board of the Town of Orangetown approve the Central Nyack Fire District Boundary Map labelled "Central Nyack Fire District 2" as prepared by the Rockland County Planning Department – Geographical Information Systems (GIS) and dated September 2008; and

WHEREAS said Central Nyack Fire District Boundary Map was accepted and approved by the Board of Fire Commissioners of the Central Nyack Fire District at a regular meeting held on February 7, 2012;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Town of Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962 on February 11, 2014 at 8:00 p.m., or as soon thereafter as possible, pursuant to Town Law § 176(5), to consider approving the proposed district boundary lines map of the Central Nyack Fire District 2, and be it

FURTHER RESOLVED, that the Town Attorney prepare a Notice of Public Hearing and the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the Office of the Town Clerk.

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

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**RESOLUTION NO. 25****APPROVE CONTRACT/COUNTY  
REIMBURSEMENT/COMNETIX  
FINGERPRINTING HARDWARE  
UPGRADES**

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

RESOLVED, that the Town Board hereby approves the execution of a Contract between the Town and the County of Rockland, pursuant to which the Town shall be paid the sum of TWENTY THOUSAND TWO HUNDRED THIRTY NINE DOLLARS (\$20,239.00), as reimbursement for the Town Police Department's purchase of Comnetix fingerprinting hardware upgrades.

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

**RESOLUTION NO. 26****ACCEPT RESIGNATION/RETIREMENT  
POLICE OFFICER ROBERT L. SICK**

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

RESOLVED, that the resignation/retirement of Police Officer Robert L. Sick from the Orangetown Police Department is hereby accepted with regret, effective January 25, 2014.

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

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**RESOLUTION NO. 27****APPOINT MARK ALBERT AS TOWN-  
WIDE AUTOMATED EXTERNAL  
DEFIBRILLATION (“AED”)  
COORDINATOR**

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

RESOLVED, that upon the recommendation of the Town Attorney and Superintendent of Parks, Recreation & Buildings, the Town Board hereby appoints Mark Albert, as the Town-wide (non-police) Coordinator of Automated External Defibrillation (“AED”) services for the Town of Orangetown (Resolution No. 575/2013 approved AED).

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

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**RESOLUTION NO. 28****LEASE AGREEMENT/GOLF CARTS  
BLUE HILL GOLF COURSE**

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

WHEREAS, the Superintendent of Parks and Recreation advertised for Request for Proposals (RFP) for a Lease Agreement for Golf Carts at the Blue Hill Golf Course, which were received and publicly opened on December 31, 2013; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 01-A-14, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Town Attorney and the Superintendent of Parks and Recreation, the Town Board hereby approves a 5-year lease and related finance agreement with Club Car, Inc. and Dag Lage Landen Public Finance, LLC for the lease of 108 golf carts and 7 additional staff carts for use at the Blue Hill Golf Course, at an annual cost of \$83,592.00, in accordance with the terms of the Town’s Request for Proposals and Club Car’s response thereto. As bid, the proposal includes Club Car’s buyout of the balance due on the Town’s current lease in the sum of \$82,944.00; and be it further

RESOLVED that the Supervisor, or his designated representative, shall be authorized to execute and deliver the required lease and finance documents.

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

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**RESOLUTION NO. 29****AID/ANCIENT ORDER OF HIBERNIANS  
ST PATRICK’S DAY PARADE**

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

**RESOLUTION NO. 29 - Continued**

RESOLVED, that the request for aid, from the Ancient Order of Hibernians, by providing necessary trash barrels, barricades along the line of march, painting of the green stripe, sound system and personnel to assist, showmobile and port-a-sans (cost to be shared with the AOH, Town paying for 14) for the St Patrick's Day Parade, Sunday, March 23, 2014.

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

Noes: None

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**RESOLUTION NO. 30****PERMISSION GRANTED  
2014 ASSOCIATION OF TOWNS**

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

RESOLVED, that permission is granted to Charlotte Madigan, Town Clerk, to attend the 2014 Training School and Annual Meeting of the Association of Towns in New York City, February 16-19, 2014 and she is hereby designated Delegate to represent and vote on behalf of the Town of Orangetown, at a cost of \$1,500.00.

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

Noes: None

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**RESOLUTION NO. 31****2014 ALTERNATE DELEGATE  
ASSOCIATION OF TOWNS**

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

RESOLVED, that Robert Simon, Receiver of Taxes, is hereby designated the Alternate Delegate to the Association of Towns Meeting February 16-19, 2014, to represent and vote on behalf of the Town of Orangetown.

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

Noes: None

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**RESOLUTION NO. 32****PERMISSION GRANTED/GFOA  
CONFERENCE / FINANCE**

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

RESOLVED, that upon the recommendation of the Finance Director, permission is hereby granted to Ann Maestri, Janice Ganley and Natalie Schutter, to attend the GFOA conference in Albany, NY, from April 1-4, 2014, at a cost of \$2,520.

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

Noes: None

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**RESOLUTION NO. 33****APPROVE 2014 BINGO LICENSES**

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

RESOLVED, that upon the recommendation of the Town Clerk, the following 2014 Bingo Licenses are hereby approved:



**Resolution No. 33 - Continued**

St. Margaret's Catholic Church  
Beth Am Temple

St. Margaret's Church School Auxiliary

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

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**RESOLUTION NO. 34****ACCEPT/RECEIVE/FILE/DOCUMENTS TOWN CLERK'S OFFICE**

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

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

1. November 19, 2013 Special Town Board Meeting/Executive Session minutes; December 3, 2013 Regular Town Board/Audit Meeting minutes; December 10, 2013 Police Commission/Executive Session minutes and December 17, 2013 Regular Town Board/Audit/Executive Session minutes.
2. Supervisor's Tax Roll Information Report, dated 12/20/13.
3. 2014 Caretaker Agreements: Iacobellis/Nike Park and Limandri/Henry V. Borst Park.
4. 2014 Memorandum of Understanding between the Town and the NY Sharks Aquatics.
5. Blauvelt Free Library: 2014 Agreement, Insurance, By-Laws and Employee Personnel Guide.

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

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**RESOLUTION NO. 35****ENTER EXECUTIVE SESSION POLICE PERSONNEL**

In attendance, at this Executive Session, were Supervisor Stewart, Councilmen Troy, Diviny, Morr and Valentine, Charlotte Madigan, John Edwards, Teresa Kenny, Aric Gorton, Chief Nulty and Captains Zimmerman and Butterworth.

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

RESOLVED, that the Town Board entered Executive Session to discuss Police Personnel matters, at 8:35 p.m. Supervisor Stewart said no further votes will be taken.

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

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**RESOLUTION NO. 36****RE-ENTER RTBM  
ADJOURNED/MEMORY**

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

RESOLVED, that the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Erwin (Ernie) Robbins, Tappan and Orangetown's Park Ranger; Catherine Baldassare, Sparkill and employee Rima Delvecchio's mother; and Peter Madden, Pearl River, at 9:03 p.m.

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

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Charlotte Madigan, Town Clerk