

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, JANUARY 25, 2011**

This Town Board Meeting was opened at 7:35p.m. Supervisor Whalen presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy  
Councilwoman Nancy Low-Hogan  
Councilman Michael Maturo  
Councilman Thomas Diviny

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, First Deputy Town Attorney  
AnnMarie Hahr, Executive Assistant to the Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Scott Burton, Director of Environmental Management & Engineering  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

Councilman Denis Troy and Ed O'Dea, chairman of the Substance Abuse Committee, presented plaques to the following members of the Substance Abuse Committee, who made a difference in our community:

Chris Tierney – for his work with Drug Enforcement                      Kirk Vega – for his DWI work  
Neil O'Donnell – for his work with the youths in Nyack                      Neil Francis – as a Student Rep  
Tom Butterworth – as a Student Rep

A lengthy discussion took place by the Town Board regarding the Scope of the Law Enforcement Study.

Aimee Vargas, Clarkstown Director of Finance, said the portion of the scope of the Law Enforcement Study discussed the most is the legislature review. In December 2010, the New York Conference of Mayors had issued a report with regards to unfunded mandates, although it really spoke to the potential real property tax cap. It had some language in there in terms of reforms and there has been some discussion as to whether or not legislature type reforms would be something that would be within the scope. What we are trying to figure out is how it is that we could move forward. Issues of 207C Rockland County Police Act have all been identified as issues which have great impact on the budgets of the Police Departments and therefore it is just a function of phrasing the scope of the RFP so that they are looked at in a budgetary manner. It is important for all the Supervisors to allow the Chiefs and the PBAs the opportunity to look at the document and to provide input. Clarkstown's Town Attorney and I interpreted the 10% is really referring to the \$50,000. It is important for the Town Board to vote tonight because the application has been submitted to the Department of State as of January 19<sup>th</sup>. They require Town Board resolutions from all the participating agencies to be submitted by the end of the month. This grant probably will not be available next year. Currently, there is a pot of money that is currently available, first come, first serve, which is why it is so critically important for us to try to get this resolved as quickly as possible. The resolution tonight is to just to authorize the Supervisor to submit the grant application to the Department of State. The primary focus of the entire study is what the costs are for Policing in these municipalities and if there are ways to find cost savings and efficiencies. The scope of the study and the study will determine what is going to be looked at in the end. The Rockland PBA and all of the individual PBAs are invited to weigh in on all of the issues. The scope of this law enforcement study is to look at all the possibilities of sharing services in order to cut costs. She commended Chief Nulty because he has really come to the table in terms of giving ideas as to different things that we should be studying, and how we should be approaching this particular study.

Councilman Diviny is concerned that we are going to vote for a study that he hopes is not just a political issue. When the results come back he believes no one is going to do anything. The Town of Haverstraw has already consolidated as village and Town and he does not know if there has been any savings. Orangetown has done its best to keep costs relative to other towns in Rockland with salaries lower. He does not want to spend money for a study that no one is going to vote. He is not going to vote unless you can show me we are saving \$100 million dollars. He wants Orangetown to be protected. He believes if we consolidate, the areas of Orangetown will not see a cop because they are going to be elsewhere. God forbid a love one gets sick. The Police are the first responders. They get there way before the ambulance does, we will just see what happens, if it does go that way.

Summary of Public Comments (RTBM)

Michael Mandel, Pearl River, is against voting on the Law Enforcement Study until we have the final RFP. He asked how the Nyack Sewer improvements will be paid and why three more laborers are being hired in the Sewer department.

Eileen Larkin, Palisades, is against the resolution for Consolidation of the Police Departments. Our Police Department has an outstanding reputation and it has always been able to serve our needs.

**RESOLUTION NO. 54**

**APPOINT POET LAUERATE OF THE YEAR/ROSE MARIE RACCIOPPI**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Low-Hogan and was unanimously adopted:

RESOLVED, that Rose Marie Raccioppi is hereby designated "Poet Lauerate of the Year" for 2011.

Aye: Councilpersons Maturo, Low-Hogan, Troy, Diviny  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 55**

**APPROVE AID/ANCIENT ORDER OF HIBERNIANS (AOH) ST. PATRICK'S DAY PARADE**

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

RESOLVED, that aid to the Ancient Order of Hibernians for the St. Patrick's Day Parade in Pearl River, Sunday, March 20, 2011 by providing necessary trash barrels, barricades along the line of march, painting of the green stripe, sound system and personnel to assist, Town Showmobile for a rental fee of \$350.00, port-a-sans – cost to be shared with the Ancient Order of Hibernians; Town paying for 14 is hereby approved.

Aye: Councilpersons Troy, Diviny, Low-Hogan, Maturo  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 56**

**GRANT WAIVER/BUILDING PERMIT FEES/HIBERNIAN HOUSE OF ROCKLAND, INC.**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Maturo and was unanimously adopted:

RESOLVED, that a waiver for building permit fees and zoning board charges to the Hibernian House of Rockland, Inc. related to the construction of handicapped access to their building at 20 Railroad Avenue, Pearl River, is hereby granted.

Aye: Councilpersons Low-Hogan, Maturo, Troy, Diviny  
Supervisor Whalen  
Noes: None

**RESOLUTION NO. 57****TRAFFIC ADVISORY BOARD  
APPROVE STOP SIGNS/AZALEA RD  
TOWNLIN RD/OWEN & GEORGE ST**

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

RESOLVED, that upon the recommendation of the Traffic Advisory Board, installation of "STOP" signs is hereby approved at the following locations:

- 1) Azalea and Townline Road, Pearl River
- 2) Owen and George Streets, Pearl River

Aye: Councilpersons Troy, Diviny, Low-Hogan, Maturo  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 58****AUTHORIZE/SUPERVISOR/EXECUTE  
INTER-MUNICIPAL AGREEMENT  
ROCKLAND CTY/PRD TRAINING**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Chief of Police, an Intermunicipal Agreement between the Town and the County of Rockland providing for overtime reimbursement by the County, in the amount of TWENTY THOUSAND SEVEN HUNDRED FORTY-NINE AND 95/100 (\$20,749.95) for overtime incurred during the PRD training exercises and the period of February 22, 2010 through March 31, 2010 is hereby approved, and the Town Supervisor is hereby authorized to execute such Agreement on behalf of the Town.

Aye: Councilpersons Maturo, Troy, Low-Hogan, Diviny  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 59****AUTHORIZE/SUPERVISOR/EXECUTE  
INTER-MUNICIPAL AGREEMENT  
ROCKLAND CTY INTELLIGENCE CTR**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Chief of Police, an Intermunicipal Agreement between the Town and the County of Rockland providing for partial reimbursement by the County, in the amount of ONE HUNDRED EIGHTY-FIVE THOUSAND SIX HUNDRED NINETY-FOUR AND NO/100 (\$185,694.00) of the compensation costs of one Town Police Officer for services rendered to the Rockland County Intelligence Center for and during the period of January 1, 2010 through December 31, 2010, is hereby approved and the Town Supervisor is hereby authorized to execute such Agreement on behalf of the Town.

Aye: Councilpersons Diviny, Troy, Low-Hogan, Maturo  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 60****AUTHORIZE/SUPERVISOR/EXECUTE  
INTER-MUNICIPAL AGREEMENT  
ROCKLAND CTY NARCOTICS TASK  
FORCE**

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

**Resolution No. 60 - Continued**

RESOLVED, that upon the recommendation of the Town Attorney and the Chief of Police, an Intermunicipal Agreement between the Town and the County of Rockland providing for partial reimbursement by the County in the amount of ONE HUNDRED SEVENTY ONE THOUSAND EIGHT HUNDRED SIXTY FIVE AND 00/100 (\$171,865.00) of the compensation costs of one Town Police Officer for services rendered to the Rockland County Narcotics Task Force for and during the period of January 1, 2010 through December 31, 2010, is hereby approved and the Town Supervisor is hereby authorized to execute such Agreement on behalf of the Town.

Aye: Councilpersons Diviny, Troy, Low-Hogan, Maturo  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 61**

**SCHEDULE PUBLIC HEARING  
 DATE/ENFORCEMENT OF PARKING  
 INFRACTIONS & METERS**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that a Public Hearing is scheduled for March 8, 2011 at 8:00 PM regarding a proposed Local Law relating to enforcement of parking, infractions and meters.

Aye: Councilpersons Low-Hogan, Troy, Maturo, Diviny  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 62**

**AMEND RESOLUTION NO. 437/2010  
 ELECTED & APPOINTED OFFICIALS  
 STANDARD WORK DAY REPORTING**

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

Whereas, the New York State Comptroller passed Regulations regarding reporting and record keeping requirements for elected and appointed officials being reported into the retirement system and requiring the officials to maintain a record of activities for a consecutive three month period; and

Whereas, to comply with the Regulations the Town passed Resolution No. 437 of 2010; and

Whereas the Comptroller has requested that all employees have an end term date, that the last four numbers of an employees social security number (not to be included in public version) be included in the Resolution and that the affidavit of posting indicate it was for a 30 day period; and

Whereas there have been two new appointments and two resignations since the time of the Resolution;

Be it Resolved, that the Town Board hereby amends Resolution No. 437 of 2010 to include the requested information and the amended Resolution shall be posted for at least 30 days and that a certified copy of the resolution shall be filed by the Clerk with the Office of the State Comptroller.

Elected Official Title	Name					
Supervisor	Paul Whalen					
Town Clerk	Charlotte Madigan					
Receiver Taxes	Robert Simon					
Town Justice	Paul B. Phinney					

Town Justice	Richard C. Finning				
Councilman	Denis Troy				
Councilman	Michael Maturo				
Councilman	Thomas Diviny				
Councilwoman	Nancy Low Hogan				

Appointed Officials Title	Name				
Assessor	Brian Kenney				
Confidential Assistant to Supervisor	Ann Marie Hahr				
Court Clerk	Maureen McGrath				
Planning Board	<b>Bruce Bond</b>				
Zoning Board of Appeals	Nanette Albanese				
Zoning Board of Appeals	Patricia Castelli				
Planning Board member	Kevin Garvey				
HABOR member	Thomas Quinn				
HABOR member	Walter Wheatley				
Zoning Board	Daniel Sullivan				
Director of DEME	Scott Burton				
Supt. of Parks & Recreation	Aric Gorton				
Chief Operator Waste Water IV	Joseph Rutkowski				
Director of OBZPAE	John Giardiello				
Finance Director	Charles Richardson				
Highway Maintenance Sup. III	Michael Yannazzone				
Legal Stenographer	Mary Ferraro				
Personnel Administrator	Eileen Schlag				
Secretarial Assistant Legal	Barbara Dardzinski				
Town Attorney	John Edwards				
Deputy Town Attorney	Teresa Kenny				
Deputy Town Attorney	Dennis Michaels				
Deputy Town Attorney	Robert Magrino				
Deputy Town Attorney	Denise Sullivan				
Deputy Town Attorney	Rick Pakola				
Deputy Town Attorney	Barbara Gionta				
Animal Control Officer	James Robbins				
Animal Control Officer	Richard Padilla				

Aye: Councilpersons Diviny, Troy, Low-Hogan, Maturo  
 Supervisor Whalen  
 Noes: None

**RESOLUTION NO. 63**

**APPROVE 2010 BUDGET TRANSFERS**

Councilman Diviny offered the following resolution, which was seconded by Councilwoman Low-Hogan and was unanimously adopted:

RESOLVED, that the attached 2010 budget transfers are hereby approved:

#	Fund / Dept.	Line Item	Account Number		Current Budget	Change	Revised Budget	Comments
	<b>General</b>							
1	Supervisor	Office Supplies	A.1220.	440	\$ 3,000	\$ 470	\$ 3,470	
2		Publications		445	\$ 560	\$ 120	\$ 680	
3		Part Time		013	\$ 15,000	\$ (590)	\$ 14,410	
4	Finance	Contracts	A.1310	457	\$ 4,500	\$ 1,320	\$ 5,820	Computer purchase
5		Salaries		015	\$ 101,826	\$ (1,320)	\$ 100,506	
6	Assessor	Salaries	A.1355	011	\$ 303,847	\$ 9,500	\$ 313,347	Leave Payout
7		Tax Certs			\$ 30,000	\$ (9,500)	\$ 20,500	
8	Engineer	Salaries	A.1440	011	\$ 293,302	\$ 1,610	\$ 294,912	
9		OT		012	\$ 2,100	\$ 130	\$ 2,230	
10		Double Time		020	\$ 2,300	\$ 210	\$ 2,510	
11		Contracts		457	\$ 12,554	\$ (1,950)	\$ 10,604	
12	Sidewalks	Contracts	A.5410	457	\$ 161,000	\$ 13,817	\$ 174,817	
13		Fund Balance	A.5990	000	\$ -	\$ 13,817	\$ 13,817	Reserved Funds
14	Parks Admin	OT	A.7020	012	\$ 4,000	\$ 940	\$ 4,940	
15		Part Time		013	\$ 15,500	\$ 1,920	\$ 17,420	
16		Advertising		407	\$ 2,500	\$ (940)	\$ 1,560	
17		Office Supplies		440	\$ 8,000	\$ (1,920)	\$ 6,080	
18	Youth Rec	Seasonal	A.7310	013	\$ 339,000	\$ 7,100	\$ 346,100	Extra Costs
19		Contracts		457	\$ 355,000	\$ 6,000	\$ 361,000	
20		Rec Charges	A.2025	028	\$ 416,000	\$ 13,100	\$ 429,100	Extra Revenue
21	Museum	Seasonal	A.7520	013	\$ 12,700	\$ 540	\$ 13,240	
22		Maint Supplies		446	\$ 1,000	\$ (540)	\$ 460	
23	Adult Rec	Seasonal	A.7620	013	\$ 14,000	\$ (1,600)	\$ 12,400	
24		Contracts		457	\$ 42,000	\$ 1,600	\$ 43,600	
25	Benefits	Unemployment	A.9050	800	\$ 13,000	\$ 3,200	\$ 16,200	
26		Dental	A.9061	800	\$ 107,000	\$ 600	\$ 107,600	
27		Retirement	A.9010	800	\$ 505,000	\$ (3,800)	\$ 501,200	
28	BAN Costs	Contracts	A.9730	457	\$ 40,000	\$ 7,000	\$ 47,000	
29		Principal		600	\$ 200,000	\$ (18,000)	\$ 182,000	December Issues
30		Interest		700	\$ 165,000	\$ 11,000	\$ 176,000	December Issues
31	Shared Services	Salaries	A.1622	011	\$ 184,988	\$ 12,100	\$ 197,088	Delay in salary moves
32		Contracts	A.1622	457	\$ 56,670	\$ 8,000	\$ 64,670	Asset Appraisal
33	Central Data	OT	A.1682	012	\$ 25,000	\$ (12,100)	\$ 12,900	
34		Capital Outlay	A.1682	200	\$ 56,000	\$ (8,000)	\$ 48,000	
35	Traffic Control	Capital Outlay	A.3310	200	\$ 125,000	\$ 10,000	\$ 135,000	Traffic Study
36		Contacts	A.3310	457	\$ 25,200	\$ 500	\$ 25,700	
37	Debt service	Principal	A.9730	600	\$ 182,000	\$ (10,500)	\$ 171,500	
38	Supt of Highway	Salaries	A.5010	011	\$ 221,641	\$ 17,100	\$ 238,741	Split salaries
39	Garage	Utilities	A.5132	455	\$ 85,500	\$ (17,100)	\$ 68,400	
	<b>Police Fund</b>							
40	Police	Capital Outlay	B.3120	200	\$ 306,625	\$ 27,000	\$ 333,625	

41	FEMA	B.4089	000	\$ -	\$ 27,000	\$ 27,000	Grant Funding	
	Police Fund							
42	Support Staff	Salaries	B.3124	011	\$ 377,325	\$ 6,100	\$ 383,425	
43		OT		012	\$ 16,000	\$ 100	\$ 16,100	
44		Seasonal		013	\$ 25,000	\$ 400	\$ 25,400	
45	Crossing Grds	Salaries	B.3126	019	\$ 170,000	\$ (6,600)	\$ 163,400	
46	Benefits	Life Insurance	B.9045	800	\$ 65,000	\$ 7,000	\$ 72,000	
47		Hospitalization	B.9060	800	\$2,475,000	\$ (7,000)	\$ 2,468,000	
48	<b>Debt Fund</b>	EFC Fees	V.1380	457	\$ -	\$ 115,600	\$ 115,600	
49		EFC Interest	V.9790	700	\$1,067,146	(115,600)	\$ 951,546	
	<b>TOV Fund</b>							
50	MTA Tax	MTA Tax	B.1980	457	\$ 10,000	\$ 20	\$ 10,020	
51	Social Security		B.9030	800	\$ 105,000	\$ (20)	\$ 104,980	
52	Street Lighting	Utilities	B.5182	455	\$ 500,000	\$ 44,000	\$ 544,000	13 Months Vacant Positions
53	Safety Inspection	Contracts	B.3620	457	\$ 23,000	\$ (17,000)	\$ 6,000	
54		Salaries	B.3620	011	\$ 726,333	\$ (18,000)	\$ 708,333	
55		OT	B.3620	012	\$ 20,000	\$ (9,000)	\$ 11,000	
57	Planning Board	Salaries	B.8020	011	\$ 104,672	\$ 9,400	\$ 114,072	Comp Time Payout
58	Safety Inspection	OT	B.3620	012	\$ 11,000	\$ (9,400)	\$ 1,600	
59	Fire Prevention	Contracts	B.3621	457	\$ 2,000	\$ 2,310	\$ 4,310	
60			B.3621	200	\$ 3,000	\$ (2,310)	\$ 690	
61	Refuse & Garbage	Contracts	B.8160	457	\$ 582,780	\$ 22,820	\$ 605,600	Facility costs
62	Retirement	Benefits	B.9010	800	\$ 107,500	\$ (6,200)	\$ 101,300	
63	Social Security	Benefits	B.9030	800	\$ 105,000	\$ (4,900)	\$ 100,100	
64	Unemployment	Benefits	B.9040	800	\$ 7,500	\$ (1,000)	\$ 6,500	
65	Hospitalization	Benefits	B.9060	800	\$ 270,000	\$ (1,500)	\$ 268,500	
66	Dental	Benefits	B.9061	800	\$ 21,000	\$ (1,000)	\$ 20,000	
67	Fire Prevention	Seasonal	B.3621	013	\$ 39,278	\$ (3,900)	\$ 35,378	
68	Safety Inspection	Telephone	B3620	480	\$ 11,000	\$ (3,400)	\$ 7,600	
69	Safety Inspection	Publication	B3620	445	\$ 3,600	\$ (920)	\$ 2,680	
	<b>Highway Fund Part Town</b>							
70	Highway Repair	Salaries	D.5110	011	\$2,332,386	\$ (42,100)	\$ 2,290,286	
71		OT	D.5110	012	\$ 58,090	\$ (11,200)	\$ 46,890	
72		Double Time	D.5110	020	\$ 12,905	\$ (7,700)	\$ 5,205	
73		Diesel Fuel	D.5110	462	\$ 200,972	\$ 92,100	\$ 293,072	
74	CHIPS	Contracts	D.5112	457	\$ 187,695	\$ (31,100)	\$ 156,595	
	<b>Town Wide</b>							
75	Snow Removal	Double Time	D.5142	020	\$ 234,819	\$ 57,410	\$ 292,229	
76		OT	D.5142	012	\$ 142,466	\$ 7,400	\$ 149,866	
77		Chemicals	D.5142	444	\$ 364,896	\$ (20,400)	\$ 344,496	
78		Contracts	D.5142	457	\$ 15,000	\$ (5,310)	\$ 9,690	
79		Meals	D.5142	458	\$ 7,000	\$ (500)	\$ 6,500	
80	Brush & Weeds	Salaries	D.5140	011	\$1,065,047	\$ (12,400)	\$ 1,052,647	
81		Double Time	D.5140	020	\$ 145,064	\$ (11,700)	\$ 133,364	
82		OT	D.5140	012	\$ 165,820	\$ (8,500)	\$ 157,320	
83		Seasonal	D.5140	013	\$ 105,133	\$ (6,000)	\$ 99,133	
84	Retirement	Benefits	D.9010	800	\$ 213,000	\$ 4,310	\$ 217,310	
85	Hospitalization	Benefits	D.9060	800	\$ 427,000	\$ (4,310)	\$ 422,690	
	<b>Blue Hill Golf</b>							
86	Dental	Benefits	E.9061	800	\$ 14,000	\$ 600	\$ 14,600	
87	Hospitalization	Benefits	E.9060	800	\$ 165,000	\$ (600)	\$ 164,400	
	<b>Broad Acres</b>							
88	Social Security	Benefits	ER.9030	800	\$ 30,000	\$ 40	\$ 30,040	

89	Unemployment	Benefits	ER.9050	800	\$ 22,800	\$ 8,700	\$ 31,500	
90	Dental	Benefits	ER.9061	800	\$ 4,200	\$ 110	\$ 4,310	
91	Hospitalization	Benefits	ER.9060	800	\$ 45,000	\$ (8,600)	\$ 36,400	
92	Retirement	Benefits	ER.9010	800	\$ 28,000	\$ (250)	\$ 27,750	
93	Broad Acres	Capital Outlay	ER.7251	200	\$ 25,000	\$ (9,500)	\$ 15,500	
94	Broad Acres	Seasonal	ER.7251	013	\$ 112,570	\$ 1,400	\$ 113,970	
95	Broad Acres	Chemical	ER.7251	449	\$ 26,800	\$ 8,100	\$ 34,900	
<b>Pearl River Parking</b>								
96	Pearl River Parking	Salaries	SP.3320	011	\$ 59,000	\$ 1,300	\$ 60,300	
97	Pearl River Parking	Utilities	SP.3320	455	\$ 3,000	\$ (1,300)	\$ 1,700	
<b>Sewer</b>								
98	Admin	Salaries	G.8110	011	\$ 724,620	\$ 21,900	\$ 746,520	Leave Payout
99		OT	G.8110	012	\$ 50,000	\$ 9,800	\$ 59,800	
100		Double Time	G.8110	020	\$ 22,000	\$ 3,200	\$ 25,200	
101	Sewer Collection	Salaries	G.8120	011	\$ 719,406	\$ (14,100)	\$ 705,306	
102		OT	G.8120	012	\$ 40,000	\$ (1,710)	\$ 38,290	
103		Double Time	G.8120	020	\$ 40,000	\$ (5,800)	\$ 34,200	
104	Hospitalization	Benefits	G.9060	800	\$ 680,000	\$ (13,290)	\$ 666,710	
105	Retirement	Benefits	G.9010	800	\$ 326,000	\$ 9,200	\$ 335,200	
106	Dental	Benefits	G.9061	800	\$ 55,263	\$ (9,200)	\$ 46,063	

Aye: Councilpersons Diviny, Low-Hogan, Troy, Maturo  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 64**

**APPOINT DEME LABORERS  
 JOHN GANSSE/VINCENT  
 MATTHEW/JOHN FARLEY**

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

RESOLVED, that upon the recommendation of the Director of Environmental Management and Engineering, John Ganssle, Vincent Matthew and John Farley are hereby appointed to the position of Laborer, grade 9, at a salary of \$47,196, effective 1/31/11.

Aye: Councilpersons Troy, Maturo, Low-Hogan, Diviny  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 65**

**DEME/AWARD BID/NYACK SEWER  
 IMPROVEMENTS**

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

WHEREAS, the Director of the Department of Environmental Management & Engineering duly advertised for sealed bids for NYACK SEWER IMPROVEMENTS - 2010, which were received and publicly opened on December 29, 2010. The Director made this recommendation to the Town Board; a copy is labeled Exhibit 01-B-11, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Mastrantoni Construction Corp., Mahopac, NY, the lowest qualified bidder, in the amount of \$140,400 to be charged to Account No. G8197.452.

Aye: Councilpersons Troy, Maturo, Low-Hogan, Diviny  
 Supervisor Whalen  
 Noes: None



**RESOLUTION NO. 66**

**CERTIFICATE OF REGISTRATION  
2011 SEWER WORK**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for 2011 Sewer Work is approved to the following:

Pearl River Plumbing, Heat & Electric, 60-70 Dexter Place, Pearl River, NY 10965  
Ronald Filera Landscape Contractors, 520 S. Pascack Rd., Chestnut Ridge, NY 10977

Aye: Councilpersons Diviny, Maturo, Troy, Low-Hogan  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 67**

**ACCEPT MINUTES**

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

RESOLVED, that the January 4, 2011 Re-Organizational Meeting minutes are hereby accepted.

Aye: Councilpersons Diviny, Maturo, Troy, Low-Hogan  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 68**

**COMBINED AGENDA ITEMS**

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

RESOLVED, that agenda items fifteen (15) thru twenty (20) are hereby combined

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 69**

**BLICKMAN SUBDIVISION  
PERFORMANCE BOND/LETTER OF  
CREDIT/RECEIVED/FILED**

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

RESOLVED, that an Amended Letter of Credit, increasing the amount by \$3,600 for a total amount of \$101,520 from HSBC Bank for the Blickman Subdivision Performance Bond (69.19-1-25.1-25.3) is received.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 70**

**SICKLES FARM SUBDIVISION  
PERFORMANCE BOND/LETTER OF  
CREDIT/RECEIVED/FILED**

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

**Resolution No. 70 - Continued**

RESOLVED, that an Amended Letter of Credit, with a new Expiration Date of December 13, 2011, from Trustco Bank, for the Sickles Farm Subdivision (69.08-1-2), is received and filed in the Town Clerk’s Office.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 71**

**SLUDGE HANDLING FACILITY  
MODIFICATIONS (WWTP-10-01)  
GENERAL /NOTICE TO PROCEED  
SPECTRASERV/RECEIVED/FILED**

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

RESOLVED that the Notice to Proceed letter to Spectraserv for the Sludge Handling Facility Modifications (WWTP-10-01) General is received and filed in the Town Clerk’s Office.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 72**

**SLUDGE HANDLING FACILITY  
MODIFICATIONS (WWTP-10-02)  
ELECTRICAL /NOTICE TO PROCEED  
RAY S. PANTEL, INC/RECEIVED/FILED**

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

RESOLVED that the Notice to Proceed letter to Ray S. Pantel, Inc. for the Sludge Handling Facility Modifications (WWTP-10-02) Electrical is received and filed in the Town Clerk’s Office.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 73**

**SLUDGE HANDLING FACILITY  
MODIFICATIONS (WWTP-10-03)  
PLUMBING/NOTICE TO PROCEED  
HAUSER BROTHERS, INC.  
RECEIVED/FILED**

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

RESOLVED that the Notice to Proceed letter to Hauser Brothers, Inc. for the Sludge Handling Facility Modifications (WWTP-10-03) Plumbing is received and filed in the Town Clerk’s Office.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 74**

**SLUDGE HANDLING FACILITY  
MODIFICATIONS (WWTP-10-04)  
HVAC/NOTICE TO PROCEED/HAUSER  
BROTHERS, INC./RECEIVED/FILED**

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

RESOLVED that the Notice to Proceed letter to Hauser Brothers, Inc. for the Sludge Handling Facility Modifications (WWTP-10-03) Plumbing is received and filed in the Town Clerk's Office.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 75**

**AWARD LEASE/GOLF CARTS  
BROADACRES GOLF COURSE**

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

WHEREAS, the Superintendent of Parks and Recreation duly advertised for sealed bids for a lease agreement for golf carts for Broadacres golf Course, which were received and publicly opened on January 13, 2011. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 01-C-11, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded is hereby awarded to EZ Go, Newburgh, NY, for a term of 4 years, in the amount of \$25,824.96 annually.

Aye: Councilpersons Troy, Maturo, Low-Hogan, Diviny  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 76**

**PERMISSION GRANTED/PARKS AND  
RECREATION/NATURAL TURF  
MANAGEMENT/FEBRUARY 2**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, permission is hereby granted to Park Foreman Jim Wilson and Superintendent of Parks and Recreation to attend the Grass Roots Seminar on Natural Turf Management for Schools and Towns on February 2<sup>nd</sup> at a cost of \$75.00 per person.

Aye: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 77**

**DECLARE EQUIPMENT SURPLUS**

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

RESOLVED, that upon the recommendation of the Orangetown Police Department declared the following equipment surplus:

ITEM	NUMBER	Comments	Recommended Disposition
Whalen Strobe Light Bars	17	assorted styles/sizes/models	SURPLUS

Motorola MDT MW520 Keyboards	18		SURPLUS
Motorola MDT MW520 Monitors	15		SURPLUS
Motorola MDT MW520 Modems	16		SURPLUS
Motorola MDT MW520 CPUs	15		SURPLUS
Motorola MDT MW520 Mounts	15		SURPLUS
Assorted antennas	21	assorted sizes	SURPLUS
PA Microphones	3		SURPLUS
PA/Siren Speaker	2		SURPLUS
PA/Siren Speaker mounts	4		SURPLUS
Light Bar lens covers	40	red/amber/clear/blank/spacers	SURPLUS
Light Bar Reflectors / Bulbs	30	assorted bulbs / bulb holders	SURPLUS
Light Bar Wiring Harness	MULTIPLE		SURPLUS
Radio Charger – HT600 (6 unit)	2		SURPLUS
Radio Charger – HT600 (1 unit)	1		SURPLUS
Radio Charger – VISAR (1 unit)	1		SURPLUS
Motorola Remote Speakers	8		SURPLUS
Siren Control Unit	3		SURPLUS
Motorola MAX TRAC Radio	1		SURPLUS
Motorola MARA TRAC Radio	1		SURPLUS
3M OptiCoM Detector	2		SURPLUS
3M OptiCoM CPU	1		SURPLUS
Assorted leather gear	MULTIPLE	holster/ammo/buckles/cuff	SURPLUS
Collapsible Stretcher	1		SURPLUS
Motorola MITREK radio controller	1		SURPLUS
Motorola SYNTOR radio controller	15		SURPLUS
Survivair SCBA	1	non OSHA/NFPA compliant	SURPLUS
Whalen Light Box Control	3		SURPLUS
Aircraft Firefighting Proximity Suit	4		SURPLUS
Military Field Telephone Set	3		SURPLUS
Model 900 Breathalyzer	1		SURPLUS
LO-Jack Receiver unit	2		SURPLUS
Honda Scooter	2		SURPLUS
Flashback / WIG WAG controllers	10		SURPLUS
Strobe Power Pack	2		SURPLUS
BL 10000 Light Bar Power Pack	10		SURPLUS
Remote Control Educational Robots	3	Bus / Car / PO (ROBOTRONICS)	SURPLUS
10 Amp Battery Chargers	2	Johnson Controls	SURPLUS
Dart Gun	1	ACO weapon	DESTROY

Aye: Councilpersons Diviny, Troy, Low-Hogan, Maturo  
 Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 78**

**GRANT APPL/LAW ENFORCEMENT  
 STUDY CONSOLIDATION POLICE  
 DEPARTMENT NYS DEPT OF STATE**

Under new business, Councilman Maturo offered the following resolution, which was seconded by Councilwoman Low-Hogan and was unanimously adopted:

**RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR A GRANT FROM THE NEW YORK STATE DEPARTMENT OF STATE ON BEHALF OF THE TOWNS OF CLARKSTOWN, ORANGETOWN, HAVERSTRAW AND STONY POINT**

WHEREAS, the Supervisors of the Towns of Clarkstown, Orangetown, Haverstraw and Stony Point, recognizing the exemplary work and contribution of the men and women in their

**Resolution No. 78 - Continued**

respective police departments, propose a law enforcement study for the consolidation and/or sharing of services of the police departments currently operating separately in each municipality in order to reduce the cost and size of government; and

WHEREAS, the Towns of Clarkstown, Orangetown, Haverstraw and Stony Point wish to obtain the High Priority Planning Grant in the program year 2010-2011 from the New York State Department of State for monetary assistance in carrying out the project known as the law enforcement study for the consolidation and/or sharing of services within the municipalities; and

WHEREAS, the Town of Clarkstown is to be the lead agency for such grant, and the Towns of Orangetown, Haverstraw and Stony Point will be co-applicants, which pursuant to an inter-municipal agreement **to be negotiated**, shall reimburse the Town of Clarkstown for the expenditures rendered in order to complete the named project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orangetown hereby authorizes the submission of an application to the New York State Department of State for a grant in the amount of \$50,000 for reimbursement of said project; and be it

FURTHER RESOLVED, that the Town Board of the Town of Orangetown hereby authorizes its contribution towards the 10% total local share for the project costs, which will be divided proportionately by the participating Towns as stated in an inter-municipal agreement to be signed at a later date;

FURTHER RESOLVED, that the Supervisor is authorized to execute said application on behalf of the Town of Orangetown and take all necessary actions to implement this resolution.

Aye: Councilpersons Maturo, Low-Hogan, Troy, Diviny  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 79**

**ORANGE & ROCKLAND UTILITIES  
SUBMISSION OF HOME RULE  
REQUEST/ALIENATE PARKLAND H-  
FRAME TRANSITION STRUCTURES**

Under new business, Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Maturo and was unanimously adopted:

WHEREAS, by past resolutions, including resolution 408 of 2010, the Town Board authorized the submission of home rule legislation for the alienation of certain Town owned park lands in the nature of the grant of an easement to Orange & Rockland Utilities, a public utility company, to facilitate the installation of certain transmission structures and related facilities required to enhance its ability to deliver adequate power to the corporate drive area in the hamlet of Orangeburg, in the Town of Orangetown; and

WHEREAS, late in the state legislative session, proposed home rule legislation was submitted in the State Senate as S 8278-A and in the State Assembly as A 11512-A, but one or both of such bills was not acted upon before the end of the legislative session, requiring the submission of new home rule legislation in order to achieve the result proposed therein; and

WHEREAS, the Town Board has considered the newly proposed special state legislation, introduced as S 2404 and A 00550, and now wishes to confirm its support thereof;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board, acting as Lead Agency under the State Environmental Quality review Act ("SEQRA") ratifies and reaffirms its previous Declaration of Non-significance with respect to the proposed action to be undertaken on the lands to be alienated;

**Resolution No. 79 – Continued**

2. The Town Board expressly approves the submission of S 2404 and A 00550; and

3. The Town Supervisor shall be authorized to take all action, and to sign all documents, on behalf of the Town to effectuate the intent of this resolution.

Aye: Councilpersons Low-Hogan, Maturo, Troy, Diviny  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 80**

**HOME RULE/ORANGETOWN PUBLIC LIBRARY DISTRICT PALISADES/SPARKILL BOUNDARIES**

Under new business, Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Maturo and was unanimously adopted:

RESOLVED, that the Town Board hereby authorizes the submission of a Home Rule Request for the enactment of special state legislation modifying Chapter 349 of the Laws of 1973 (“An act to creating the Orangetown public library district”), to amend the boundaries of Library District No. 4 (Palisades / Sparkill), and to authorize the Town Board to adopt appropriations for the individual free association libraries based on the individual needs of each such library as determined by the Town Board.

Aye: Councilpersons Low-Hogan, Maturo, Troy, Diviny  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 81**

**ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:05 p.m.

Aye: Councilpersons Diviny, Troy, Low-Hogan, Maturo  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 82**

**PAY VOUCHERS**

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

RESOLVED, that 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 \$659,227.51.

Ayes: Councilpersons Diviny, Troy, Low-Hogan, Maturo  
 Supervisor Whalen  
 Noes: None

\* \* \*

**RESOLUTION NO. 83**

**ENTER EXECUTIVE SESSION**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the Town Board entered Executive Session at 9:30 p.m.

Ayes: Councilpersons Low-Hogan, Troy, Maturo, Diviny  
 Supervisor Whalen  
 Noes: None

**Resolution Nos. 84 and 85 see Executive Session.****RESOLUTION NO. 86****AWARD BID/BLUE HILL GOLF COURSE  
CLUBHOUSE RENOVATIONS**

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

WHEREAS, the Superintendent of Parks-Rec & Maint. duly advertised for sealed bids for Blue Hill Golf Course Renovations, which were received and publicly opened and read on January 13, 2011,

NOW, THEREFORE, BE IT RESOLVED, that the bids are awarded to the lowest qualified bidders as follows:

Contract No. 1G, General, -- Devine Construction Corporation in the sum of  
\$709,000.00, subject to reduction for Alternates 1, 5 and 8, as bid;

Contract No. 1E, Electrical -- Fanshawe Inc.d/b/a Rockland Electric for the sum of  
\$92,000.00, subject to reduction for Alternate 1, as bid;

Contract No. 1P, Plumbing  
and Fire Protection -- Pearl River Plumbing and Heating d/b/a Bertussi's in the  
sum of \$88,710.00;

Contract No. 1H, HVAC -- Pearl River Plumbing and Heating d/b/a Bertussi's in the  
sum of \$68,800.00, subject to reduction for Alternate 1, as bid;

AND IT IS FURTHER RESOLVED, that the placement by Devine Construction Corporation of its "base bid" price on a sheet denominated Addendum 3 is determined by the Board to be a non-material irregularity which the Town Board by this resolution waives.

Aye: Councilpersons Troy, Maturo, Low-Hogan, Diviny  
Supervisor Whalen

Noes: None

\* \* \*

**RESOLUTION NO. 87****ADJOURNMENT**

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

RESOLVED, that the Town Board adjourned, in memory of Anne Marie Ventriglia, Nyack; Anthony Domenic Branca, Jr., Orangeburg; Kenneth J. Drab, Nyack; William Franco, Blauvelt; Richard F. Everett, Pearl River; Henry W. Bach, Pearl River; Joseph LeRoy, Pearl River, at 9:59 p.m.

Ayes: Councilpersons Maturo, Diviny, Troy, Low-Hogan  
Supervisor Whalen

Noes: None

---

**Charlotte Madigan, Town Clerk**