

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, JANUARY 26, 2009**

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

Councilman Denis Troy  
Councilwoman Marie Manning  
Councilwoman Nancy Low-Hogan  
Councilman Michael Maturo

Also present: Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
John S. Edwards, Town Attorney  
Teresa M. Kenny, First Deputy Town Attorney  
Suzanne Barclay, Exec Asst. to Supervisor  
Charles Richardson, Director of Finance  
Ann Maestri, Supervisor of Fiscal Services  
James Dean, Superintendent of Highways  
Ron Delo, Director, Dept. of Environmental Mgt. & Eng.  
Robert Simon, Receiver of Taxes  
Mark Albert, Acting Superintendent of Parks, Rec & Building Maint

Charlotte Madigan, Town Clerk, led the Pledge of Allegiance to the Flag.

Supervisor Kleiner said Pfizer Pharmaceuticals is in agreement to purchase Wyeth and even though specific decisions regarding reduction in personnel wouldn't be until later in the year, we need to voice our concerns now.

Kleiner announced that local elected officials are banding together against the proposed rate increases for the Metropolitan Transportation Authority (MTA) and Governor Patterson's 0.33 percent proposed payroll tax on all residents within the MTA's service region.

The Orangetown Museum is offering a \$500 prize for a poster contest in connection with the Quadricentennial (400 Anniversary of the Hudson River). Further notice will be given.

The Town Clerk will hold satellite office hours on February 4<sup>th</sup> and 11<sup>th</sup> from 10:30 a.m. – 12:30 p.m. at the Pearl River Library.

#### Public Comment

Michael Mandel, Pearl River, is concerned about tax increases and the economy. The Town should have a hiring freeze on new hires or replacements. He asked the amount of the WWTP-06-1G change order and what the January 10, 2009 Special Town Board Meeting was concerning.

Roberta Bangs, President of Hi-Tor Animal Care Center, gave an update of their services and the rescue of 23 dogs last month. They wish to pursue their long-term goal of building a new shelter and they are thankful to Orangetown for their continued support.

Pat Boulay, Blauvelt, gave an update of meetings regarding traffic problems (speeding) on and near Swanekin Road and asked for long-term solutions. She submitted a petition from concerned residents.

Mike Palko, member of RUSH-Pearl River, is concerned with the new design for Hillside and the visual and noise pollution, a concrete retaining wall and flooding. Water, which doesn't get replaced in the underground water table, will have to be replaced by United Water causing an additional expense to residents. Any additional work to the sewer system or storm drains should be paid for by the developer.

Norman Schaifer, Tappan, spoke about an email he sent the Town Board regarding the disaster the economy is going into with foreclosures, reduction of real estate values and tax issues. He feels the Town is only dealing with small issues and should start dealing with large important issues.

Gail Raffaele, Tappan, would like the Town Attorney's legal opinion as to amending a resolution when there's a subsequent contract covering this item (DCAK Architects item #14). This is a feeble attempt to mislead the auditors. She asked how many Community Development Block

Grant committee members pay taxes in the Town of Orangetown. Ms. Raffaele asked that the minutes of the October 27, 2008 meeting be amended to indicate that she did not use the words “public decorum” rather she objected to time constraints imposed by the Board pertaining to public participation at meetings. She also asked if the taxpayers would be faced with additional costs based upon the secret September 23<sup>rd</sup> meeting.

John S. Edwards, Town Attorney, said he thinks if Ms. Raffaele’s point is that the contract should be amended as oppose to the resolution which is probably true. The prior resolution accepts the proposal for the feasibly study. He thinks it’s the contract that is actually being amended. He believes the initial contract inadvertently left out the reimbursable expenses. A resolution should be adopted to amend the contract.

Andrew Wiley, Pearl River, asked if the bid for wiring of the court room went out to competitive bid and if this was part of the FIOS agreement. He’s concerned that the bid for website transfer and hosting and the bid for scanning software are being broken down to avoid competitive bid. He asked about the Special Town Board Meeting of January 10<sup>th</sup> and asked that the Workshop agendas be posted on the website. He disagrees with the Caretakers low rent. Now, that Vision-Science is not moving, is that property still entitled to the Empire Zone?

### **RESOLUTION NO. 61**

### **CLOSE PUBLIC PORTION**

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

RESOLVED, that the public comment portion is hereby closed.

Ayes: Councilpersons Troy, Low-Hogan, Manning, Maturo  
Supervisor Kleiner

Noes: None

\* \* \*

### **RESOLUTION NO. 62**

### **OPEN PH/AMENDMENT TO PLANNED ADULT COMMUNITY FLOATING ZONE (PAC)**

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

RESOLVED that the public hearing to consider a proposed local law, amending the Town Code of the Town of Orangetown, Chapter 43, Section 4.6, relating to the Planned Adult Community Floating Zone, is hereby opened.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo  
Supervisor Kleiner

Noes: None

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 01-A-09 and made a part of these minutes.

Supervisor Kleiner said the reason for this public hearing is to clarify who is eligible and certain issues with regards to income.

Public portion for the public hearing:

Michael Mandel, Pearl River, brought to everyone’s attention, Section 4.64 states “Dwelling units may be for sale or rent” and Section 4.66 states “All affordable units shall be owner-occupied. He asked if over 55 years of age and no children will be stipulated in all agreements. Gail Raffaele, Tappan, requested that the Rockland County Planning Board comments be read into the record. She suggested this be tabled and this public hearing be resumed once we receive comments from the Rockland County Planning Board. Several years ago the legislation said hey you attorneys, why don’t you start talking English and why don’t you speak a little more carefully. She thinks Section 2A should be rewritten to say exactly what the Town Board intends to do. Jo-Ann Coffey-Fasulo, Pearl River, asked what is meant by permanent and asked when the Town Board will change the terms from affordable to below market housing.

Andrew Wiley, Pearl River, asked if the public will be able to comment again since the County has not yet made any comments. He believes the income eligibility should be based on two persons not four and three bedroom units should also be affordable. He believes SEQRA has been violated because the zoning is being amended.

Donald Brenner, Attorney, believes since this statute has been approved by the Attorney General, any material change would be preempted of state rights. He believes definitions can be defined and making amendments should be looked into.

John S. Edwards, Town Attorney, spoke about the question of language defining who could live in the below market value homes. The intent being no one under the age of 55 and a spouse, (who could be younger), would be allowed permanent residence. The questions that were raised were concerning adult children, those below the age of 18 and handicapped children between the ages of 18 and 21. Other questions included the phrase "dwelling units maybe for sale or rent".

**RESOLUTION NO. 63**

**ADJOURNED PH/AMENDMENT TO  
PLANNED ADULT COMMUNITY  
FLOATING ZONE (PAC)/FEBRUARY 9TH**

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

RESOLVED that this public hearing to consider a proposed local law, amending the Town Code of the Town of Orangetown, Chapter 43, Section 4.6, relating to the Planned Adult Community Floating Zone, is hereby adjourned to February 9, 2009 at 8:00 p.m.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 64**

**APPROVE ACCEPTANCE/SUBMIT  
COMMUNITY DEVELOPMENT BLOCK  
GRANT APPLICATIONS**

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

RESOLVED that the Town Board approved acceptance of the Town's CDBG Committee's recommendation, in the following order, of the 2009 applications to be submitted to the County of Rockland Community Development Office for consideration and approval:

1. Rockland Hospital Guild's CLUE IV Program - \$30, 500
2. Cortwood Village - \$135,000
3. Dowling Gardens - \$54, 700

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 65**

**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items six (6) through twenty-five (25), except item 10 are hereby combined.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 66****POLICE REGULATION/HANDICAPPED  
PARKING /FRANKLIN AVE/PEARL RIVER**

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

RESOLVED, that upon the recommendation of the Traffic Advisory Board, install two handicapped accessible parking spaces on the south side of Franklin Avenue east of the driveway of 130 Franklin Avenue (The United Methodist Church of Pearl River).

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 67****AID/ANCIENT ORDER OF HIBERNIANS  
(AOH)/ST PATRICK'S DAY PARADE**

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

RESOLVED, that the request of the Ancient Order of Hibernians for the Town to supply necessary trash barrels, barricades, painting of the green stripe, 14 portable toilets, the sound system and personnel to operate it, and the Town Showmobile at a rental charge of \$300, for the annual St. Patrick's Day Parade on Sunday, March 22, 2009 to be charged to Account No. A7550001/50011 is hereby approved.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 68****RPC/DECLARE SURPLUS/FURNITURE  
AND EQUIPMENT/DAY CARE CENTER**

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

RESOLVED, that the furniture and equipment left in the former day care center, in RPC buildings owned by the Town, is hereby declared surplus and authorized to be auction on-line.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 69****APPROVE PROPOSAL/JOHN W KRYDA  
TAPING/TELEVISION BROADCAST**

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

RESOLVED, that the proposal submitted by John W. Kryda, in the amount of \$1,080.00 plus \$50.00 for materials to improve wiring for taping meetings for television broadcasting, in Court Room 1, is hereby approved.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 70****APPROVE/2008 BUDGET TRANSFERS**

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

**Resolution No. 70 - Continued**

RESOLVED, that the following 2008 budget transfers are hereby approved.

Fund	Type	Department	Line Item	Account Number	Existing	Change	Result		
1	General	Increase	Supervisor	Cap Outlay	A1220002	50200	\$ 4,200	\$ 420	\$ 4,620
2	General	Increase	Supervisor	Conferences	A1220004	50441	\$ 2,000	\$ 450	\$ 2,450
3	General	Increase	Receiver	Advertsing	A1330004	50407	\$ 4,000	\$ 2,400	\$ 6,400
5	General	Increase	Town Clerk	Part time	A1410001	50013	\$ 12,000	\$ 8,000	\$ 20,000
6	General	Decrease	Town Clerk	Advertising	A1410004	50407	\$ 12,000	\$ (1,000)	\$ 11,000
7	General	Decrease	Town Clerk	Maint Agree	A1410004	50443	\$ 3,500	\$ (2,900)	\$ 600
8	General	Decrease	Town Clerk	Contracts	A1410004	50457	\$ 8,000	\$ (2,800)	\$ 5,200
9	General	Decrease	Town Clerk	Books Pub	A1410004	50445	\$ 7,500	\$ (2,300)	\$ 5,200
10	General	Increase	Town Attny	Cap Outlay	A1440002	50200	\$ -	\$ 2,200	\$ 2,200
11	General	Decrease	Town Attny	Contracts	A1440004	50457	\$ 245,000	\$ (2,200)	\$ 242,800
12	General	Increase	Building Maint	Utilities	A1620004	50455	\$ 17,500	\$ 13,000	\$ 30,500
13	General	Increase	Shared Serv	Office	A1622004	50440	\$ 6,500	\$ 6,000	\$ 12,500
14	General	Increase	Traffic Control	Contracts	A3310004	50457	\$ 10,000	\$ 2,010	\$ 12,010
15	General	Increase	Sust Abuse	Contracts	A4210004	50457	\$ 37,000	\$ 150	\$ 37,150
16	General	Increase	Supt High	Part Time	A5010001	50013	\$ -	\$ 6,400	\$ 6,400
17	General	Decrease	Supt High	Telephone	A5010004	50471	\$ 10,500	\$ (5,400)	\$ 5,100
18	General	Decrease	Supt High	Office	A5010004	50440	\$ 4,200	\$ (1,000)	\$ 3,200
19	General	Decrease	Garage	Utilities	A5132004	50455	\$ 90,000	\$ (9,000)	\$ 81,000
20	General	Increase	Sidewalks	Contracts	A5410004	50457	\$ 150,000	\$ 9,000	\$ 159,000
21	General	Increase	Aging	Appt Off	A6772001	50015	\$ 5,263	\$ 200	\$ 5,463
22	General	Increase	Rec Admin	Seasonal	A7020001	50013	\$ 15,000	\$ 900	\$ 15,900
23	General	Decrease	Rec Admin	Advertising	A7020004	50407	\$ 2,500	\$ (900)	\$ 1,600
24	General	Decrease	Rec Admin	Postage	A7020004	50442	\$ 20,000	\$ (10,000)	\$ 10,000
25	General	Decrease	Rec Admin	Office	A7020004	50440	\$ 10,000	\$ (5,000)	\$ 5,000
26	General	Decrease	Rec Admin	Equip rent	A7020004	50444	\$ 6,000	\$ (3,000)	\$ 3,000
27	General	Increase	Parks	Gas	A7110004	50462	\$ 22,000	\$ 12,000	\$ 34,000
28	General	Decrease	Parks	Part Time	A7110001	50013	\$ 30,000	\$ (9,000)	\$ 21,000
29	General	Decrease	Parks	Double Time	A7110001	50020	\$ 18,000	\$ (8,000)	\$ 10,000
30	General	Increase	Spec Rec	Cap Outlay	A7180002	50200	\$ -	\$ 22,000	\$ 22,000
31	General	Decrease	Parks	Cap Outlay	A7110002	50200	\$ 67,000	\$ (16,000)	\$ 51,000
32	General	Decrease	Parks	Time & 1/2	A7110001	50012	\$ 15,000	\$ (6,000)	\$ 9,000
33	General	Decrease	Spec Rec	Landscaping	A7180004	50460	\$ 25,000	\$ (14,000)	\$ 11,000
34	General	Increase	Youth Rec	Seasonal	A7310001	50013	\$ 341,000	\$ 4,000	\$ 345,000
35	General	Increase	Youth Rec	Contracts	A7310004	50457	\$ 313,000	\$ 10,000	\$ 323,000
36	General	Decrease	Youth Rec	Joiny Youth	A7310004	50482	\$ 15,000	\$ (8,000)	\$ 7,000
37	General	Increase	Community	Program	A7320004	50457	\$ 55,000	\$ 12,500	\$ 67,500
38	General	Increase	Town Hist	Appt Off	A7510001	50015	\$ 5,330	\$ 910	\$ 6,240
39	General	Increase	Town Muse	Seasonal PT	A7520001	50013	\$ 5,600	\$ 2,710	\$ 8,310
40	General	Increase	Town Museum	Appt Off	A7520001	50015	\$ 55,716	\$ 3,730	\$ 59,446
41	General	Increase	Sanit Comm	Contracts	A8189004	50457	\$ -	\$ 420	\$ 420
42	General	Decrease	Refuse & Garb	Contracts	A8160004	50457	\$ 160,000	\$ (35,650)	\$ 124,350
43	General	Increase	Retirement	Fringes	A9010008	50800	\$ 330,213	\$ 1,540	\$ 331,753
44	General	Increase	Unemploy	Fringes	A9050008	50800	\$ (13,000)	\$ 14,010	\$ 1,010
45	General	Decrease	Health Insur	Fringes	A9060008	50800	\$1,206,759	\$ (51,000)	\$1,155,759
46	General	Increase	Dental	Fringes	A9061008	50800	\$ 88,000	\$ 4,900	\$ 92,900
47	General	Increase	BAN Debt	Issuance	A9730004	50457	\$ 65,000	\$ 14,000	\$ 79,000
48	General	Decrease	BAN Debt	Principal	A9730006	50600	\$ 282,500	\$ (15,000)	\$ 267,500
49	General	Increase	BAN Debt	Interest	A9730007	50700	\$ 208,369	\$ 54,300	\$ 262,669
							Net	\$ -	
51	Police	Increase	Retirement	Fringes	B9015168	50800	\$2,320,000	\$ 82,000	\$2,402,000
52	Police	Increase	Dental	Fringes	B9061168	50800	\$ 180,757	\$ 5,000	\$ 185,757
53	Police	Decrease	Hospitalization	Fringes	B9060168	50800	\$2,308,000	\$ (51,000)	\$2,257,000
54	Police	Decrease	Social Security	Fringes	B9030168	50800	\$ 810,000	\$ (36,000)	\$ 774,000
							Net	\$ -	
55	TOV	Increase	Fire Safety	Contracts	B3621174	50457	\$ 1,000	\$ 860	\$ 1,860
56	TOV	Increase	ZBA	Salaries	B8010171	50011	\$ 70,679	\$ 1,700	\$ 72,379

57	TOV	Increase	HABOR	Salaries	B8011171	50015	\$ 10,916	\$ 1,220	\$ 12,136
58	TOV	Increase	Planning Bd	Salaries	B8020171	50011	\$ 88,100	\$ 1,800	\$ 89,900
59	TOV	Increase	Planning Bd	Transcription	B8020174	50456	\$ 3,000	\$ 6,010	\$ 9,010
60	TOV	Increase	Refuse & Garb	Contracts	B8160174	50457	\$ 568,000	\$ 14,000	\$ 582,000
61	TOV	Decrease	Shade Tree	Landscaping	B8560174	50460	\$ 20,000	\$ (20,000)	\$ -
62	TOV	Decrease	Insurance	Risk	B1910174	50043	\$ 11,200	\$ (5,590)	\$ 5,610
							Net	\$ -	
63	Highway PT	Increase	Highway Repair	Contracts	D5110044	50457	\$ 115,000	\$ 34,826	\$ 149,826
64	Highway PT	Increase	State Aid Other	Traffic Calmin	D0308904	43503	\$ -	\$ 34,826	\$ 34,826
65	Highway PT	Decrease	Insurance	Risk Retentio	D1910104	50043	\$ 107,000	\$ (21,400)	\$ 85,600
66	Highway PT	Decrease	Interfd Charges	Interfd Charge	D1989044	50478	\$ 424,000	\$ (66,600)	\$ 357,400
67	Highway PT	Increase	Highway Repair	Gas & Diesel	D5110044	50475	\$ 198,000	\$ 70,700	\$ 268,700
68	Highway PT	Increase	Highway Repair	Salaries	D5110041	50011	\$2,100,384	\$ 30,000	\$2,130,384
69	Highway PT	Decrease	CHIPS	Contracts	D5112044	50457	\$ 174,287	\$ (12,000)	\$ 162,287
70	Highway PT	Decrease	Retirement	Fringes	D9010048	50800	\$ 170,000	\$ (12,000)	\$ 158,000
71	Highway PT	Decrease	Workers Comp	Fringes	D9040048	50800	\$ 33,000	\$ (6,000)	\$ 27,000
72	Highway PT	Increase	Social Security	Fringes	D9030048	50800	\$ 162,000	\$ 9,100	\$ 171,100
73	Highway PT	Increase	Hospitalization	Fringes	D9060048	50800	\$ 412,000	\$ 7,300	\$ 419,300
74	Highway PT	Increase	Dental Insur	Fringes	D9061048	50800	\$ 32,000	\$ 900	\$ 32,900
							Net	\$ -	
75	Highway TW	Increase	Bridge Repairs	Gen Exp	D5120054	50200	\$ 25,000	\$ 11,000	\$ 36,000
76	Highway TW	Increase	Brush & Weed	Salaries	D5140051	50011	\$1,018,846	\$ 220,000	\$1,238,846
77	Highway TW	Decrease	Snow Removal	Salaries	D5142051	50011	\$ 398,077	\$ (231,000)	\$ 167,077
78	Highway TW	Increase	Social Security	Fringes	D9030058	50800	\$ 131,000	\$ 5,000	\$ 136,000
79	Highway TW	Decrease	Retirement	Fringes	D9010058	50800	\$ 163,000	\$ (9,000)	\$ 154,000
80	Highway TW	Increase	Hospitalization	Fringes	D9060058	50800	\$ 384,400	\$ 4,000	\$ 388,400
							Net	\$ -	
81	Blue Hill	Decrease	Insurance	Risk	E1910004	50043	\$ 93,000	\$ (18,600)	\$ 74,400
82	Blue Hill	Decrease	Interfd Charges	Interfd Charge	E1989004	50478	\$ 197,000	\$ (17,700)	\$ 179,300
83	Blue Hill	Increase	Blue Hill	Part Time	E7250001	50013	\$ 275,000	\$ 24,000	\$ 299,000
84	Blue Hill	Increase	Blue Hill	DB Time	E7250001	50020	\$ 25,000	\$ 6,000	\$ 31,000
85	Blue Hill	Increase	Social Security	Fringes	E9030008	50800	\$ 78,000	\$ 3,700	\$ 81,700
86	Blue Hill	Increase	Hospitalization	Fringes	E9060008	50800	\$ 155,000	\$ 9,600	\$ 164,600
87	Blue Hill	Increase	Dental	Fringes	E9061008	50800	\$ 12,449	\$ 400	\$ 12,849
88	Blue Hill	Decrease	Unemployment	Fringes	E9050008	50800	\$ 50,000	\$ (7,400)	\$ 42,600
							Net	\$ -	
89	Broad Acres	Increase	Broad Acres	Time & 1/2	ER725101	50012	\$ 12,000	\$ 2,200	\$ 14,200
90	Broad Acres	Increase	Broad Acres	Chemicals	ER725104	50449	\$ 35,000	\$ 10,100	\$ 45,100
91	Broad Acres	Increase	Broad Acres	Contracts	ER725104	50457	\$ 70,000	\$ 13,300	\$ 83,300
92	Broad Acres	Increase	Broad Acres	Veh Repair	ER725104	50446	\$ 20,000	\$ 5,100	\$ 25,100
93	Broad Acres	Increase	Broad Acres	Fuel	ER725104	50462	\$ 9,500	\$ 7,500	\$ 17,000
94	Broad Acres	Increase	Broad Acres	Landscaping	ER725104	50460	\$ 30,000	\$ 5,200	\$ 35,200
95	Broad Acres	Increase	Social Security	Fringes	ER903008	50800	\$ 24,000	\$ 3,700	\$ 27,700
96	Broad Acres	Increase	Dental	Fringes	ER906108	50800	\$ 3,780	\$ 100	\$ 3,880
97	Broad Acres	Decrease	Debt Service	Principal	ER973006	50600	\$ 62,500	\$ (47,200)	\$ 15,300
							Net	\$ -	
98	Sewer	Increase	Interfd Charges	Interfd Charge	G1989004	50478	\$ 540,000	\$ 41,000	\$ 581,000
99	Sewer	Increase	Admin	Contracts	G8110004	50457	\$ 8,000	\$ 100	\$ 8,100
100	Sewer	Increase	Indust Pretreat	Lab Tests	G8121004	50463	\$ 65,000	\$ 9,700	\$ 74,700
101	Sewer	Decrease	Collection	Salaries	G8120001	50011	\$ 787,380	\$ (34,000)	\$ 753,380
102	Sewer	Decrease	Collection	Time & 1/2	G8120001	50012	\$ 60,000	\$ (5,000)	\$ 55,000
103	Sewer	Increase	Plant	Salaries	G8130001	50011	\$1,237,852	\$ 130,000	\$1,367,852
104	Sewer	Increase	Plant	Double Time	G8130001	50020	\$ 80,000	\$ 73,000	\$ 153,000
105	Sewer	Decrease	Plant	Chemicals	G8130004	50449	\$ 203,230	\$ (76,000)	\$ 127,230
106	Sewer	Decrease	Debt Service	Principal	G9730007	50600	\$ 195,000	\$ (195,000)	\$ -
107	Sewer	Increase	Debt Service	Interest	G9061008	50800	\$ 787,370	\$ 258,200	\$1,045,570
108	Sewer	Decrease	Retirement	Fringes	G9010008	50800	\$ 284,094	\$ (50,000)	\$ 234,094

109	Sewer	Decrease	Social Security	Fringes	G9030008	50800	\$ 218,616	\$ (2,000)	\$ 216,616
110	Sewer	Decrease	Workers Comp	Fringes	G9040008	50800	\$ 47,000	\$ (9,000)	\$ 38,000
111	Sewer	Decrease	Hospitalization	Fringes	G9060008	50800	\$ 633,000	\$ (3,000)	\$ 630,000
112	Sewer	Decrease	Dental	Fringes	G9061008	50800	\$ 48,290	\$ (7,000)	\$ 41,290
113	Sewer	Decrease	Sewer Equip	Capital	G8197002	50200	\$ 114,500	\$ (21,000)	\$ 93,500
114	Sewer	Decrease	Collection	Utilities	G8120004	50455	\$ 595,000	\$(110,000)	\$ 485,000
							Net	\$ -	
107	Sewer	Increase	State Aid	State Aid	G0398900	43989	\$ -	\$ 40,000	40000
108	Sewer	Increase	Admin	Contracts	G8110004	50457	\$ 8,000	\$ 40,000	\$ 48,000
109	Sewer	Increase	Capital	Maint Agree	G8197004	50443	\$ 125,000	\$ 371,320	\$ 496,320
110	Sewer	Increase	Out of Town	Out ofTown	G0237400	41011	\$ 350,000	\$ 371,320	\$ 721,320
111	Police	Increase	Police	Capital Out	B3120162	50200	410991	\$ 16,000	\$ 426,991
112	Police	Increase	Police	Contracts	B3120164	50457	\$ 160,579	\$ 1,000	\$ 161,579
113	Police	Increase	Hospitalization	Fringes	B9060168	50800	\$2,221,000	\$ 36,000	\$2,257,000
114	Police	Decrease	Worker Comp	Fringes	B9040168	50800	\$ 153,500	\$ (30,000)	\$ 123,500
115	Police	Decrease	Social Security	Fringes	B9030168	50800	\$ 810,000	\$ (23,000)	\$ 787,000
							Net	\$ -	
116	TOV Other	Decrease	Shade Tree	Contracts	B8560174	50457	\$ 25,000	\$ (9,000)	\$ 16,000
117	TOV Other	Increase	Shade Tree	Landscping	B8560174	50460	\$ 20,000	\$ 5,000	\$ 25,000
118	TOV Other	Increase	Refuse	Supplies	B8160174	50440	\$ 1,000	\$ 1,120	\$ 2,120
119	TOV Other	Increase	Refuse	Utilities	B8160174	50445	\$ 1,700	\$ 3,200	\$ 4,900
120	TOV Other	Decrease	Refuse	Contracts	B8160174	50457	\$ 582,000	\$ (320)	\$ 581,680
							Net	\$ -	
121	General	Increase	Housing Auth	Contracts	A8989634	50457	\$ 40,000	\$ 5,000	\$ 45,000
122	General	Increase	Museum	Capital Out	A7520002	50200	\$ -	\$ 3,000	\$ 3,000
123	General	Increase	Supervisor	Salaries	A1220001	50011	\$ 67,646	\$ 12,000	\$ 79,646
124	General	Increase	Finance	Salaries	A1310001	50011	\$ 270,812	\$ 10,000	\$ 280,812
125	General	Increase	Finance	Office	A1310004	50440	\$ 1,800	\$ 930	\$ 2,730
126	General	Decrease	Finance	Conferences	A1310004	50441	\$ 3,000	\$ (1,350)	\$ 1,650
127	General	Decrease	Finance	Postage	A1310004	50442	\$ 3,800	\$ (650)	\$ 3,150
128	General	Increase	Finance	Books	A1310004	50445	\$ -	\$ 30	\$ 30
129	General	Increase	Finance	Contracts	A1310004	50457	\$ 800	\$ 200	\$ 1,000
130	General	Increase	Finance	Travel	A1310004	50480	\$ 200	\$ 840	\$ 1,040
131	General	Increase	Clerk	Part Time	A1410001	50013	\$ 20,000	\$ 4,000	\$ 24,000
132	General	Increase	Clerk	Utilities	A1410004	50455	\$ 24,000	\$ 1,500	\$ 25,500
133	General	Increase	Clerk	Contracts	A1410004	50457	\$ 3,000	\$ 2,700	\$ 5,700
134	General	Increase	Clerk	Water	A1410004	50473	\$ 1,000	\$ 620	\$ 1,620
135	General	Increase	Attorney	Capital Out	A1420002	50200	\$ -	\$ 2,200	\$ 2,200
136	General	Increase	Bldg Maint	Agreements	A1620004	50443	\$ 42,000	\$ 6,700	\$ 48,700
137	General	Decrease	Bldg Maint	Repairs	A1620004	50453	\$ 60,000	\$ (18,000)	\$ 42,000
138	General	Increase	Bldg Maint	Contracts	A1620004	50457	\$ 45,000	\$ 18,000	\$ 63,000
139	General	Increase	Shared Serv	Salaries	A1622001	50011	\$ 184,632	\$ 4,600	\$ 189,232
140	General	Increase	Shared Serv	Time & 1/2	A1622001	50012	\$ -	\$ 2,900	\$ 2,900
141	General	Decrease	Shared Serv	Part Time	A1622001	50013	\$ 11,240	\$ (2,900)	\$ 8,340
142	General	Decrease	Attorney	Contracts	A1420004	50457	\$ 243,200	\$ (52,320)	\$ 190,880
							Net	\$ -	
143	Highway TW	Decrease	Insur	Risk	D1910105	50043	\$ 88,000	\$ (17,600)	\$ 70,400
144	Highway TW	Increase	Bridge Repair	Gen Exp	D5120054	50400	\$ 36,000	\$ 17,600	53600
145	Highway TW	Decrease	Interfund Ch	Interfund Ch	D1989054	50478	\$ 415,000	\$ (53,400)	361600
146	Highway TW	Increase	Machinery	Capital Out	D5130052	50200	\$ 708,510	\$ 31,800	740310
147	Highway TW	Increase	Machinery	Contact Exp	D5130054	50400	\$ 358,749	\$ 25,900	384649
148	Highway TW	Increase	Brush & Weeds	Conferences	D5130054	50441	\$ 1,800	\$ 670	\$ 2,470
149	Highway TW	Decrease	Brush & Weeds	Equip Rent	D5130054	50444	\$ 15,000	\$ (15,000)	\$ -
150	Highway TW	Increase	Brush & Weeds	Contracts	D5130054	50457	\$ 10,000	\$ 12,540	\$ 22,540
151	Highway TW	Increase	Brush & Weeds	Uniforms	D5130054	50465	\$ 27,000	\$ 450	\$ 27,450
152	Highway TW	Decrease	Brush & Weeds	Travel	D5130054	50480	\$ 900	\$ (770)	\$ 130
153	Highway TW	Increase	Brush & Weeds	Time &1/2	D5140051	50012	\$ 128,039	\$ 33,000	\$ 161,039

154	Highway TW	Increase	Brush & Weeds	Seasonal	D5140051	50013	\$ 90,949	\$ 11,000	\$ 101,949
155	Highway TW	Increase	Brush & Weeds	DB Time	D5140051	50020	\$ 132,870	\$ 7,000	\$ 139,870
156	Highway TW	Decrease	Snow Removal	DB Time	D5142051	50020	\$ 219,081	\$ (53,190)	\$ 165,891
157	Highway TW	Decrease	Snow Removal	Time & 1/2	D5142051	50012	\$ 132,355	\$ (38,700)	\$ 93,655
158	Highway TW	Increase	Snow Removal	Equip Rent	D5142054	50444	\$ 2,000	\$ 1,500	\$ 3,500
159	Highway TW	Increase	Snow Removal	Contracts	D5142054	50457	\$ 15,000	\$ 30,000	\$ 45,000
160	Highway TW	Increase	Social Security	Fringes	D9030058	50800	\$ 136,000	\$ 7,200	\$ 143,200
							Net	\$	-

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
 Supervisor Kleiner  
 Noes: None

\* \* \*

**RESOLUTION NO. 71**

**APPROVE CONTRACT/ES11 LLC  
 WEBSITE DEVELOPMENT**

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

RESOLVED, that the contract with ES11 LLC of Latham, NY in the amount of \$3,000 for site transfer and web hosting for one year of the Town’s website is hereby approved.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
 Supervisor Kleiner  
 Noes: None

\* \* \*

**RESOLUTION NO. 72**

**APPROVE CONTRACT/ESP NY  
 SCANNING SOFTWARE/IMAGING  
 SYSTEM**

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

RESOLVED, that the contract with ESP NY for lease purchase of scanning software in the amount of \$7,095 for the imaging system and \$4,308 for a three year maintenance contract is hereby approved.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
 Supervisor Kleiner  
 Noes: None

\* \* \*

**RESOLUTION NO. 73**

**AMEND CONTRACT/DCAK  
 ARCHITECTS**

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

RESOLVED, that the adoption of this resolution amends the contract between DCAK Architects and the Town of Orangetown to reflect the total expenses of \$8,612.72 which represents \$7,500 for basic services and \$1,112.72 for reimbursable expenses in accordance with their proposal.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
 Supervisor Kleiner  
 Noes: None

\* \* \*

**RESOLUTION NO. 74**

**RESCIND RESOLUTION NO. 825/2008  
 BID/COMPACT UTILITY LOADER  
 MIDHUDSON BOBCAT**

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

**Resolution No. 74 - Continued**

RESOLVED, that upon the recommendation of the Superintendent of Highways, Resolution No. 825/2008, awarding the bid for a Compact Utility Loader to MidHudson Bobcat is hereby rescinded.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

**RESOLUTION NO. 75****AWARD BID/COMPACT UTILITY  
LOADER/GRASSLAND EQUIPMENT  
HIGHWAY DEPT**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for a compact utility loader with attachments, which were received and publicly opened on December 4, 2008. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 01-B-09, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Grassland Equipment, Latham, NY, in the amount of \$21,398.55.00, to be charged to Account Number D5130/0400.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 76****ACCEPT RESIGNATION/PARKS  
MICHAEL McCAFFERTY**

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

RESOLVED, that Michael McCafferty's resignation (groundswoker, Department of Recreation and Parks), is hereby accepted with regrets, effective January 16, 2009.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 77****APPROVE CERTIFICATE OF  
REGISTRATION FOR 2009 SEWER  
WORK**

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

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Management and Engineering and the Town Attorney, the following are approved for a Certificate of Registration for 2009 to perform sewer work:

MRJ excavating, Inc., New City, NY  
Carmelo Scaffidi & Sons, Inc., Stony Point, NY  
Victor P. Zugibe, Inc., Garnerville, NY  
Environmental Construction, Inc., Stony Point, NY  
Rino Paving & Construction, Inc., 20 Viola Rd., Suffern, NY

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

**RESOLUTION NO. 78****PERMISSION GRANTED/DEME  
NY ENVIRONMENT ASSOCIATION  
81<sup>ST</sup> ANNUAL MEETING**

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

RESOLVED, that permission is hereby granted to Ronald C. Delo, to attend the 81<sup>st</sup> Annual Meeting of the N.Y. Environment Association, February 1-4, 2009, at a cost of \$580.00 to be charged to Account No. G8110004/50441.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 79****ACCEPT MINUTES**

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

RESOLVED, that the January 5, 2009 Reorganizational Meeting minutes; the January 10, 2009 Special Town Board Meeting minutes; the January 12, 2009 Regular Town Board Meeting and Audit Meeting minutes are hereby approved.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 80****AMENDMENT TO OCCUPANCY  
PERMIT/UPPER GRANDVIEW PUMP  
STATION (WWTP CAPITAL  
IMPROVEMENT PLAN/RECEIVE  
AND FILE**

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

RESOLVED, that the Amendment to Occupancy Permit T1U742304, for the New York State Thruway Authority, for the Upper Grandview Pump Station (Tier 2/3 Pump Stations – Phase II, Wastewater Infrastructure Capital Improvement Plan) is received and filed in the Town Clerk's Office.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 81****DEME/CHANGE ORDER NO. 1G-02  
WWTP-06-1G/JETT INDUSTRIES  
RECEIVE AND FILE**

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

RESOLVED, that the fully executed copy of Change Order No.1G-02 for Contract No. WWTP-06-1G with Jett Industries, Inc., which was approved by Town Board Resolution No. 791/2008 is received and filed in the Town Clerk's Office.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 82****CARETAKER AGREEMENTS  
RECEIVE AND FILE**

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

RESOLVED, that the fully executed Caretaker Agreements between Thomas Iacobellis and the Town, for Nike Lane; Steven Bello and the Town, for the Blue Hill Cottage; and Anthony Limandri and the Town, for Borst Memorial Park are received and filed in the Town Clerk's Office.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 83****AMENDMENT/INTERMUNICIPAL  
AGREEMENT/UPPER NYACK**

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

RESOLVED, that the fully executed copy of the Amendment to the Intermunicipal Agreement between the Village of Upper Nyack and the Town is received and filed in the Town Clerk's Office.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 84****REAPPOINT/BOARD OF ASSEMENT  
REVIEW/ANN KOCH**

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

RESOLVED, that Ann Koch is hereby reappointed to the Board of Assessment Review for a five-year term beginning on October 1, 2008.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 85****APPOINT/TEMPORARY POLICE  
OFFICER/ANDREW VERGINE**

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

RESOLVED, that Andrew Vergine is hereby appointed from Rockland County Civil Service List # (OC) "04200 Police Officer", to the "Temporary" position of "Police Officer", for the sole purpose of allowing him to attend the police officer certification course at the Rockland County Police and Public Safety Academy, effective February 2, 2009, at a salary consistent with the terms of the labor agreement between the Town of Orangetown and PBA bargaining unit.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 86****REASSIGN POLICE DUTIES  
DETECTIVE/YOUTH OFFICER  
JOSEPH SULLIVAN**

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

RESOLVED, that upon the recommendation of the Chief of Police, detail Joseph Sullivan to the duties of detective/youth officer, effective January 31, 2009, at a salary consistent with the terms of labor agreement between the Town of Orangetown and the PBA bargaining unit.

Ayes: Councilpersons Maturo, Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 87****ACCEPT RESIGNATION/ZONING  
BOARD OF APPEAL/JOHN DOHERTY**

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

RESOLVED, that John Doherty's resignation from the Zoning Board of Appeals is hereby accepted with regrets, effective January 31, 2009.

Ayes: Councilpersons Troy, Low-Hogan, Manning, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 88****AID/PEARL RIVER PARK & ACTIVITY  
COMMITTEE/JULY 4, 2009**

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

RESOLVED, that the request of the Pearl River Park & Activity Committee, Inc. for the Town to supply Police Detail, three yards of sand, necessary trash barrels and field clean up, barricades, four (4) portable toilets (two handicapped accessible) for the 4<sup>th</sup> of July Fireworks Display and Celebration on Saturday, July 4, 2009 (rain date of Sunday, July 5, 2009), to be charged to Account No. A7550001/50011 is hereby approved.

Ayes: Councilpersons Troy, Low-Hogan, Manning, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 89****ENTER AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:37 p.m.

Ayes: Councilpersons Low-Hogan, Manning, Troy, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 90****PAY VOUCHERS**

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

**Resolution No. 90 - Continued**

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Trust and Agency, Special District, Special Parking and Capital Projects Funds for a total amount of \$471,587.72.

Ayes: Councilpersons Low-Hogan, Manning, Troy, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 91****ENTER EXECUTIVE SESSION**

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

RESOLVED, that the Town Board entered Executive Session at 9:41 p.m.

Ayes: Councilpersons Low-Hogan, Maturo, Manning, Troy  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 92****RE-ENTERED RTBM**

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

RESOLVED, that the Town Board re-entered the Regular Town Board Meeting at 10:30 p.m.

Ayes: Councilpersons Manning, Maturo, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 93****APPOINT/SENIOR CLERK TYPIST  
LISA HASTINGS/JUSTICE**

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

RESOLVED, that Lisa Hastings is hereby appointed to the position of Senior Clerk Typist in the Justice Department, permanent from EL #08081, mandatory probationary period of six months, Grade 5-1, annual salary \$36,534, effective February 9, 2009.

Ayes: Councilpersons Low-Hogan, Manning, Troy, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 94****RE-ENTERED EXECUTIVE SESSION**

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

RESOLVED, that the Town Board re-entered the Executive Session at 10:32 p.m.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 95**

**ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned this meeting at 11:50 p.m. in memory of Irving Feiner, Nyack, and Edward Guilfoyle, Pearl River.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo  
Supervisor Kleiner  
Noes: None

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**Charlotte Madigan, Town Clerk**