

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, JANUARY 26, 2010**

This Town Board Meeting was opened at 7:30 p.m. Supervisor Whalen presided and the Town Clerk called the Roll. Present were:

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

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  
Ron Delo, Director of the Dept. of Env'tl Management & Engineering  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Molly Nawoichyk led the Pledge of Allegiance to the Flag.

Ed O'Dea, along with Councilman Troy, presented Michael Kopunek, Susan Lanoce and James Nawoichk with a plaque recognizing and thanking them for their contributions to the Substance Abuse Committee. Steven and Nicholas Lanoce attended the ceremony, along with Molly Nawoichyk. Ed O'Dea spoke regarding the Substance Abuse Committee and what they hope to implement in the future, for example a face-book page and a way for children to text someone if they find themselves in comprising situations.

The Sheriff's Department presented a plaque to the Chief in memory of deceased officers, Sgt. Edward O'Grady, P O Waverly Brown and Brink's Officer Peter Page.

Summary of Public Comments (RTBM):

Michael Mandel, Pearl River, said in these economic times he is against any Bonding but he does support the \$1.3 million Bond for renovations at the Blue Hill Golf course. He is also in favor of shotgun starts at the golf courses.

Eileen Larkin, Palisades, said the new lights in the rotunda area are very harsh on the eyes. She congratulated Ed O'Dea and the Substance Abuse Committee's work. Ms. Larkin is in favor of the renovations for the golf course and believes renovations could be done in house. She thanked Supervisor Whalen for going to the accident scene on Route 9W.

Esta Baitler, Consumer Advocate for Cathy Lukens Home, asked the Town Board to vote in favor of Venturecrest's application for the CDBG.

**RESOLUTION NO. 61A**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

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**RESOLUTION NO. 62A**

**OPEN PH/INCREASE SEWER  
INFRASTRUCTURE PROJECT  
\$49,922,000**

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

**Resolution No. 62A - Continued**

RESOLVED, that the 8:30 p.m. public hearing to authorize an increase in the bond amount for the completion of the sewer infrastructure project, consisting of various improvements to the wastewater treatment plant, pumping stations, sewer mains and buildings and including original furnishing equipment machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a new maximum estimated cost of \$49,922,000 is hereby opened. Bond was previously approved at a maximum estimated cost of \$46,922,000.

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

\* \* \*

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are 1-E-10 and made a part of these minutes.

**Summary of Public Comments:**

Michael Mandel, Pearl River, spoke about all the increased costs for the Sewer improvements and he asked why did Stearns & Wheler exclude these items. He is against this additional Bonding. He believes the Town Board should review this project and asked if the NYS Comptrollers Office's audit would be made public.

Eileen Larkin, Palisades, is against this increase. She thought the sludge tanks were included in the original costs. This project has steadily increased and someone needs to look carefully at this project and costs.

Marie Manning, Pearl River, is in favor of this increase. Although, at the last Town Board meeting she was in office, she said she would not vote for any more increases, however, she recommends voting "yes".

Councilman Troy suggested not voting on this until after the Supervisor has a meeting with Mr. Delo. We went from \$22 to \$34 million, then we went from \$34 to \$47 million, and now, we are going from \$47 to \$50. He doesn't see the end in site. It's important for the Supervisor to have his meeting inform the Town Board. The Sludge Tanks should have definitely been part of the original plan and it bothers him that it's separate from the \$50 million.

Councilwoman Low-Hogan asked if there is a difference in voting to increase the costs of the improvements verses voting for the Bond.

John Edwards, Town Attorney, said the actual Bond resolution is not on the agenda this evening and this is a two-step process. The item, before the Town Board this evening, is to approve the increase in costs in the Establishment of the Sewer District and the related improvements, which is subject to permissive referendum. At the expiration of the 30-day period or the referendum, the Bond resolution would be presented to the Town Board. Tonight's resolution requires a super-majority of the Town Board. The next Bond resolution will require two-thirds vote. He pointed out that tonight's resolution makes certain findings regarding the necessity for the increase.

Mr. Delo, Director of Environmental Management and Engineering, explained that if the increase is not approved, we will not be able to improve five pumping stations, which could jeopardize our EFC funding. The State could issue more Consent Orders and we are at risk for environmental and public health problems. If there is not a Bond to pay additional work, we will have to find money through the Operating Budget.

Councilman Diviny asked Mr. Delo if these pump stations are in dire need to be repaired and why we have spent \$46 million and have waited so long to repair them. Before he can vote for this, he really needs a breakdown of what has been spent, what it has been spent on and what still has to be done. He needs it in black and white. We need an Audit to know where this money has been spent.

Mr. Delo said these five pumping stations are part of the project, we are not adding these to the project. We phased the work for a variety of reasons. The phasing of the work was primarily driven by the Consent Order. These five pump stations are not currently part of the Consent Order. We added these when we increased the project, on one of the increases that we did, because these are part of the Phase II pumping stations. He knows this pre-dates Councilman

Diviny but we had a Phase I project that was primarily driven by the Consent Order. All of the items in the Consent Order were included in Phase I. At that time, he presented a multi-year plan of improvements that would be made. Phase II was a series of about 11 pumping stations. Six of them are under construction, actually almost 95% complete now. We are actually in the final phases of cleaning up punch list items and trouble shooting start-up. These five were in the next phase, which we are going to bid. It was all prioritized and these are the next highest priority pump stations that needed to be done. As I indicated previously, we have 48 pumping stations and over the course of 30 years, every one of those pumping stations will need to be upgraded. Again, we have done the largest most serious ones already. These are the next five most serious ones that need to be done. He thinks he indicated in the Operating Budget this year, there is another pumping station that would be done through the Operating Budget, which we will have a bid. In the budget he submitted, he included a schedule, over the next 10 years, of upgrades to the various pumping stations. When he meets with Supervisor Whalen, he will be glad to elaborate on that to the extent he can. He has not estimated costs yet for other pumping stations, because he has not had a chance to do a design or come up with a plan. The one for 2010, he has a plan and a budget, which we will design in-house and go out to bid. Each year the next highest priority pump station or pump stations, according to how much money we have available, we would take care of at that time.

Councilman Diviny requested to be included in the meeting.

Mr. Delo explained, we have a million feet of pipe, 48 pumping stations, and a treatment plant. At the end of this project, we will have completely rebuilt our entire liquid train of our treatment plant. We will have rebuilt, replaced our largest most complicated pumping stations; we will have rebuilt new force mains and siphon lines; we will have made major improvements. There are going to be other things to a smaller degree, but on an ongoing basis, that will have to be addressed. The sewer system runs 24 hours a day, 365 days a year. We have to find a way to keep it working and it works in a hostile environment, consisting of gases, corrosive, and abrasive materials. Every contract we have has been bid. There has not been that many change orders. The change order for Jett Industries is only change order number three. It is a \$13.7 million contract initially and the change orders that we have had on that contract have all been due to unforeseen conditions (a deteriorated influent box that was covered that no one could see and leaking deteriorated pipes). These are unforeseen things that no one could have predicted without having gone in and done all kinds of exploratory work, which would have been very expensive, without any guarantees and if anything would have been found.

Charles Richardson, Director of Finance, said the current rate is 2¼% for 30 years. The best way to fund this is with a bond, through EFC. The alternatives are either the Sewer fund balance (which at the end of 2008 the balance was \$1.8 million) or increasing Sewer taxes. If you spend any of this money ahead of time, using Town money, you cannot reimburse it with bonds.

Mr. Delo explained the EFC allocations also depend on how much the Federal government gives to the state of New York. In the last few years, the Federal government has cut back dramatically on the amount of money they give. Recently, they have increased the authorization with some of the stimulus money, so the state has plenty of money. He also said the EFC has been calling requesting, when they can have the increase authorization and the Bond resolution. So they can ensure funding will be made available to us for this year.

John Edwards, Town Attorney, recommended continuing the public hearing. The process entails adopting the resolution of approving the increase of the estimated cost, which is subject to permissive referendum (30-days) and then after the 30-days adopting the Bond resolution, which is subject to an Estoppel Notice (20-days).

**RESOLUTION NO. 63**

**CONTINUE PUBLIC COMMENTS  
INCREASE SEWER INFRASTRUCTURE  
PROJECT/\$49,922,000**

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

**Resolution No. 63 - Continued**

RESOLVED, that the public portion of this public hearing is hereby to be continued on February 9, 2010, at 8:05 p.m.

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

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**RESOLUTION NO. 64**

**TOWN BOARD DECISION/CONTINUE  
PUBLIC HEARING/INCREASE  
SEWER INFRASTRUCTURE  
PROJECT/\$49,922,000**

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

RESOLVED, that the Town Board will continue the public hearing for approving the increased cost of the establishment of the Orangetown Sewer District (\$49,922,000) to February 9, 2010 at 8:05 p.m.

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

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**RESOLUTION NO. 65**

**OPEN PH/PUBLIC INTEREST/BOND  
\$1.2 MILLION SLUDGE TANKS  
RENOVATION**

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

RESOLVED, that the 8:35 p.m. public hearing to determine the public interest to make the improvement, to increase and improve the facilities of the Orangetown Sewer District in the Town of Orangetown, consisting of the renovation of sludge tanks at a maximum estimated cost of \$1,200,000.00, and to authorize a bond for \$1.2 million for renovation of sludge tanks is hereby opened.

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

\* \* \*

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are I-F-10 and made a part of these minutes.

John Edwards, Town Attorney, explained this is a two resolution item. First, you have to make a determination whether it is in the public's interest to make the improvements and the second is the actual Bond resolution. Both could be considered and adopted tonight. A public hearing has to be done on both items with separate resolutions. He suggested continuing the public hearing with respect to the determination of public interest and the Bond resolution to provide the financing.

Mr. Delo, Director of Environmental Management and Engineering, pointed out this is independent from the rest of the project. This is a Consent Order item with serious penalties, if this work is not done, in accordance with the Consent Order. The penalties could easily add up to more than \$1.2 million. It is up to the Town Board how to finance it, but the work must be done. He attempted and is still trying to find other financing and funding for this part of the project. Unfortunately, it is time consuming and a slow process. More funding is becoming

available through the stimulus money and he is still optimistic the Town will be able to get enough funding.

Summary of public comments:

Eileen Larkin, Palisades, thinks it would have been cheaper to get rid of the three sludge tanks and build new ones that are state of the art. What exactly are the renovations?

Mr. Delo said we have four tanks. Two concrete tanks were constructed in 1959 and have not been used since the early to mid '90's. At that time, steel tanks were constructed with pin-hole leaks since the time they were installed. In his opinion, you do not make above-ground steel tanks. Over the last 15 years, these tanks have corroded and they cannot be taken out of service. The renovations are to the old concrete tanks, consisting of repairing the concrete interiors, liners, aluminum covers, connecting the covers to the control system, putting new mixers in the tanks, and new pumps. The steel tanks will be emptied and demolished.

Habib Hasan, Pearl River, agrees with the questions that were addressed and for this to be adjourned. He feels the Town Attorney is more toward the side of the project then advising the Town.

Donald Brenner, former Director of Dept. of Public Works, said he designed and built the concrete tanks. He feels this project should move forward but he questions whether the steel tanks should be demolished, because these steel tanks, with a liner, could give extra storage space.

**RESOLUTION NO. 66**

**CLOSE PH/PUBLIC INTEREST/BOND  
\$1.2 MILLION/SLUDGE TANKS  
RENOVATION**

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

RESOLVED, that the public portion of this public hearing is hereby closed.

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

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**RESOLUTION NO. 67**

**LEAD AGENCY/BOND \$1.2 MILLION  
SLUDGE TANKS RENOVATION**

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

RESOLVED, that the Town Board hereby declares itself Lead Agency in this matter.

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

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**RESOLUTION NO. 68**

**SEQRA DECLARATION/PUBLIC  
INTERES/BOND \$1.2 MILLION  
SLUDGE TANKS RENOVATION**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

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**RESOLUTION NO. 69****TOWN BOARD DECISION/PUBLIC INTEREST ORDER/INCREASE COST OF SEWER DISTRICT AND IMPROVEMENTS THEREFOR BOND \$1.2 MILLION/SLUDGE TANKS RENOVATION/ADOPT**

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

WHEREAS, the Town Board of the Town of Orangetown, Rockland County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the renovation of sludge tanks; and

WHEREAS, at a meeting of said Town Board duly called and held on December 14, 2009, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Orangetown Sewer District in said Town at a maximum estimated cost of \$1,200,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Orangetown, New York, in said Town, on January 26, 2010, at 8:35 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the renovation of sludge tanks, at a maximum estimated cost of \$1,200,000.

Section 2. This order shall take effect immediately.

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

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**RESOLUTION NO. 70****TOWN BOARD DECISION/BOND \$1.2 MILLION SLUDGE TANKS RENOVATION**

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

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, TO PAY COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF ORANGETOWN SEWER DISTRICT IN THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 26, 2010, said Town Board has determined it to be in the public interest to increase the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, at a maximum estimated cost of \$1,200,000; and

WHEREAS, it is now desired to provide funding for such capital project;

**Resolution No. 70 - Continued**

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, consisting of the renovation of sludge tanks, there are hereby authorized to be issued \$1,200,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$1,200,000 and that the plan for the financing thereof is by the issuance of the \$1,200,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon all the taxable real property within said Orangetown Sewer District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

**Resolution No. 70 - Continued**

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution which takes effect immediately shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

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

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**RESOLUTION NO. 71**

**OPEN PH/CDBG COMMUNITY DEVELOPMENT BLOCK GRANT**

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

RESOLVED, that 8:40 p.m. public hearing to consider applications and recommendations, from the Town’s CDBG Committee, to be submitted to the Rockland County Consortium of Towns and Villages Community Development Citizen Viewpoint of the 2010 Block Grant Funds is hereby opened.

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

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Summary of Public comments:

Shelly Morgan, Tappan, is against the Homes for Heroes application. Government funding is opened to the public and not just Veterans. Therefore, it will not be limited to Veterans. Esta Baitler, Consumer Advocate for Cathy Lukens Home, is in favor of the Venturecrest Residence application because of the necessity for medical reasons and safety.

**RESOLUTION NO. 72**

**CLOSE PH/CDBG COMMUNITY DEVELOPMENT BLOCK GRANT**

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

RESOLVED, that the public portion of this public hearing is hereby closed.

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



**RESOLUTION NO. 73****APPROVE ACCEPTANCE/SUBMIT  
APPLICATIONS/CDBG COMMUNITY  
DEVELOPMENT BLOCK GRANT**

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

RESOLVED, that the Orangetown Town Board approved, in the following order, the 2010 CDBG Committee's recommendation, to be submitted to the County of Rockland Community Development Office for consideration and approval. Application to be delivered to Rockland Community Development Office by January 29, 2010.

1. Venturecrest Residence - \$15,000
2. Homes for Heroes - \$250,000

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

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**RESOLUTION NO. 74****REAPPOINT/ORANGETOWN PARKS  
DEVELOPMENT ADVISORY  
BOARD/OPDAC**

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

RESOLVED, that Micki Leader is hereby reappointed to the Orangetown Parks Development Advisory Board for 2010.

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

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**RESOLUTION NO. 75****REAPPOINT/ORANGETOWN  
ENVIRONMENTAL COMM.**

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

RESOLVED, that Fran Oldenburger is hereby reappointed to the Orangetown Environmental Committee for 2010.

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

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**RESOLUTION NO. 76****APPOINT/ORANGETOWN YOUTH  
RECREATION ASSESSMENT ADV.  
COMM.**

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

RESOLOVED, that Bill Lee is hereby appointed to the Orangetown Youth Recreation Assessment Advisory Committee for 2010.

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

**RESOLUTION NO. 77**

**APPOINT/BOARD OF ETHICS  
MICHAEL MANDEL**

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

RESOLVED, that Michael Mandel is hereby appointed to the Board of Ethics, for a five year term, expiring December 31, 2012.

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

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**RESOLUTION NO. 78**

**APPOINT/BOARD OF ETHICS  
CHAIRMAN/MICHAEL MANDEL**

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

RESOLVED, that Michael Mandel is hereby appointed Chairman of the Board of Ethics for 2010.

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

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**RESOLUTION NO. 79**

**SET PUBLIC HEARING/O&R  
CORPORATE DRIVE SUBSTATION**

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

RESOLVED, that upon the recommendation of the Town Attorney, a Public Hearing is scheduled for Tuesday, February 9, 2010 at 8:30 PM on the Application of Orange and Rockland Utilities for the Construction of Corporate Drive Substation Transmission Structures in the Town of Orangetown S/B/L 74.09-2-2.

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

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**RESOLUTION NO. 80**

**BLUE HILL/BROADACRES/2010 FEE  
SCHEDULE/APPROVED**

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

RESOLVED, that the following fee schedule for the Blue hill Golf Course and Broadacres Golf Club for the 2010 season as prepared by the Superintendent of Parks and the Orangetown Golf Advisory Committee is hereby approved.

**Town of Orangetown Department of Recreation and Parks  
2010 Blue Hill/Broadacres Fee Schedule**

Permit Rates		
Type:		2010 Fee
Adult Resident		\$60.00
Senior Resident		\$50.00
Youth Resident		\$30.00
Broadacres Grandfather		\$85.00
Associate		\$85.00
Corporate		\$150.00

<b>Weekday Resident Greens Fees</b>		
<b>Service:</b>		<b>2010 Fee</b>
Weekday Resident		\$27.00
Weekday Resident-After 3:30pm		\$20.00
Weekday Senior		\$22.00
Weekday Senior-9 Hole		\$16.00
Weekday Senior-After 3:30pm		\$16.00
Weekday Youth		\$16.00
Weekday Youth-After 3:30pm		\$13.00
Weekday-After 6:00pm (June, July, August)		\$14.00

<b>Weekday Associate/Corporate Greens Fees</b>		
<b>Service:</b>		<b>2010 Fee</b>
Associate Weekday		\$38.00
Associate Weekday – After 3:30pm		\$25.00
Associate-After 6pm (June, July, August)		\$20.00
Corporate Weekday		\$42.00
Corporate Weekday – After 3:30pm		\$27.00
Corporate-After 6pm (June, July, August)		\$23.00

<b>Weekend Resident Greens Fees</b>		
<b>Service:</b>		<b>2010 Fee</b>
Weekend Resident		\$32.00
Weekend Resident-After 3:30pm		\$22.00
Weekend Senior-After 3:30pm		\$20.00
Weekend Youth-After 3:30pm		\$17.00
<b>Service:</b>		<b>2010 Fee</b>
Associate Weekend		\$44.00
Associate Weekend – After 3:30pm		\$29.00
Corporate Weekend		\$50.00
Corporate Weekend – After 3:30pm		\$32.00
Seasonal Assoc./Corp. Alternate		-----
Seasonal Associate Alternate		\$27.00
Seasonal Corporate Alternate		\$30.00

<b>Non-Resident Greens Fees</b>		
<b>Service:</b>		<b>2010 Fee</b>
Weekday Non-Resident		\$46.00
Weekday Non-Resident – After 3:30pm		\$29.00
Non-Resident – After 6pm (June, July, August)		\$24.00
Weekend Non-Resident		\$55.00
Weekend Non-Resident – After 3:30pm		\$34.00
Seasonal Non-Resident		\$32.00

**OUTINGS, TOURNAMENTS AND SHOT GUN STARTS TO BE ANNOUNCED IN FEBRUARY**

<b>Golf Cart Rental Rates</b>		
<b>Service:</b>		<b>2010 Fee</b>
18 Hole Cart		\$33.22
9 Hole Cart		\$16.61
Single 9 Hole Cart Rate		\$8.30
Senior Cart		\$27.68
Senior 9 Hole Cart		\$13.84
Senior Single 9-Hole Cart		\$7.38

<b>Winter Rates</b>		
<b>No Earlier Than 10/23 – No Later Than 4/1</b>		
<b>Service:</b>		<b>2010 Fee</b>
Residents		\$22.00
Senior Residents		\$16.00
Associates		\$34.00
Corporate		\$37.00
Non-Residents		\$39.00

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

**RESOLUTION NO. 81****ACCEPT PROPOSAL/TRAFFIC  
ENGINEERING SERVICES**

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

RESOLVED, that upon the recommendation of Superintendent of Highways, the proposal submitted by Adler Consulting, PLLC, for Traffic Engineering Services, in the amount of \$7,500.00, to prepare a detailed Traffic Signal Plan to replace the existing traffic signal at the intersection of William Street and Central Avenue, to be charged to Account No. A3310004/50457, is hereby accepted.

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

\* \* \*

**RESOLUTION NO. 82****AUTHORIZE/HIGHWAY ANNUAL OPEN  
HOUSE**

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

RESOLVED, that the Highway Department is hereby authorized to host their 14<sup>th</sup> Annual Open House on Saturday, May 22, 2010, from 10:00 a.m. to 12:00 p.m. at the Highway Department Facility.

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

\* \* \*

**RESOLUTION NO. 83****AWARD BID/VAC/ALL SWEEPER BODY**

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

WHEREAS, the Superintendent of Highways, duly advertised for sealed bids for a Vac/All Sweeper Body, which were received and publicly opened on January 13, 2010. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 1-G-10 and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Empire Municipal Equipment, LLC of Bronx, New York, in the amount of \$150,925.00, the only qualified bidder. This piece of equipment will be mounted on a cab and chassis purchased through New York State Contract in the amount of \$86,631.95. The total price for this multi-purpose equipment is \$237,556.95 to be charged to Account No. H5130012/50200.

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

\* \* \*

**RESOLUTION NO. 84****BOND RESOLUTION/BLUE HILL GOLF  
COURSE RENOVATIONS/TABLED**

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

**Resolution No. 84 - Continued**

RESOLVED, that a Resolution authorizing Renovation Work at The Blue Hill Golf Course Clubhouse in and for The Town Of Orangetown, Rockland County, New York, at a Maximum Estimated Cost Of \$1,300,000 and authorizing, Subject To Permissive Referendum, the issuance of \$1,300,000 Bonds of said Town to pay the cost thereof is hereby TABLED.

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

\* \* \*

**RESOLUTION NO. 85**

**APPROVE 2009 BUDGET TRANSFERS**

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

RESOLVED, that the following Budget Transfers for 2009, in the amount of \$1,972,826.00 among individual budget accounts are hereby approved.

			<b>Current Budget</b>	<b>Proposed Transfers</b>	<b>Revised Budget</b>
<b>Pension Related Transfers</b>					
A GENERAL FUND					
Retirement	A9010008__	50800	\$ 298,700	\$ 55,000	\$ 353,700
Health Ins	A9060008__	50800	\$ 1,303,000	\$ (55,000)	\$1,248,000
B POLICE					
Retirement	B9015168	50800	\$ 1,967,000	\$ 489,000	\$2,456,000
Health Ins	B9060168__	50800	\$ 2,521,000	\$ (136,000)	\$2,385,000
Capital					
Outlay	B3120162	50200	\$ 341,210	\$ (120,000)	\$ 221,210
Gasoline	B3120164	50462	\$ 279,538	\$ (75,000)	\$ 204,538
Sick Buy					
Out	B3120161	50021	\$ 240,000	\$ (158,000)	\$ 82,000
B TOWN OUTSIDE VILLAGE					
Retirement	B9010178__	50800	\$ 63,700	\$ 11,600	\$ 75,300
Health Ins	B9060178__	50800	\$ 270,000	\$ (8,000)	\$ 262,000
Dental	B9061178	50800	\$ 24,800	\$ (3,600)	\$ 21,200
				\$ -	
D HIGHWAY FUND					
Retirement	D9010048__	50800	\$ 142,000	\$ 27,000	\$ 169,000
Health Ins	D9060048__	50800	\$ 453,000	\$ (25,000)	\$ 428,000
Social					
Security	D9030048__	50800	\$ 215,000	\$ (2,000)	\$ 213,000
Retirement	D9010058__	50800	\$ 136,400	\$ 26,000	\$ 162,400
Health Ins	D9060058__	50800	\$ 420,000	\$ (23,000)	\$ 397,000
Overtime	D5110041	50012	\$ 72,202	\$ (3,000)	\$ 69,202
E BLUE HILL GOLF COURSE					
Retirement	E9010008__	50800	\$ 54,200	\$ 10,000	\$ 64,200
Health Ins	E9060008__	50800	\$ 176,000	\$ (10,000)	\$ 166,000
ER BROADACRES GOLF COURSE					
Retirement	ER901008__	50800	\$ 16,200	\$ 3,000	\$ 19,200
Health Ins	ER906008__	50800	\$ 47,900	\$ (3,000)	\$ 44,900
G SEWER					
Retirement	G9010008__	50800	\$ 210,800	\$ 39,000	\$ 249,800
Health Ins	G9060008__	50800	\$ 690,000	\$ (39,000)	\$ 651,000
<b>MTA Related Transfers</b>					
A GENERAL FUND					
Tax	A1980004	50457	\$ -	\$ 16,360	\$ 16,360
Health Ins	A9060008__	50800	\$ 1,248,000	\$ (16,360)	\$1,231,640

<b>B POLICE</b>						
Tax	B1980164	50457	\$ -	\$ 31,900	\$ 31,900	
Sick buy out	B3120161	50021	\$ 82,000	\$ (31,900)	\$ 50,100	
<b>B TOWN OUTSIDE VILLAGE</b>						
Tax	B1980174	50457	\$ -	\$ 3,550	\$ 3,550	
Salaries	B3620174	50011	\$ 753,128	\$ (3,550)	\$ 749,578	
<b>D HIGHWAY PART TOWN</b>						
Tax	D1980104	50457	\$ -	\$ 5,170	\$ 5,170	
Salaries	D5110041	50011	\$ 2,175,169	\$ (5,170)	\$2,169,999	
<b>D HIGHWAY TOWN WIDE</b>						
Tax	D1980105	50457	\$ -	\$ 6,310	\$ 6,310	
Salaries	D5140051	50011	\$ 1,015,079	\$ (6,310)	\$1,008,769	
<b>E BLUE HILL GOLF COURSE</b>						
Tax	E1980004	50457	\$ -	\$ 3,140	\$ 3,140	
Salaries	E7250001	50011	\$ 694,238	\$ (3,140)	\$ 691,098	
<b>ER BROADACRES GOLF COURSE</b>						
Tax	ER198004	50457	\$ -	\$ 1,100	\$ 1,100	
Salaries	ER725101	50011	\$ 232,293	\$ (1,100)	\$ 231,193	
<b>G SEWER</b>						
Tax	G1980004	50457	\$ -	\$ 8,700	\$ 8,700	
Salaries	G8120001	50011	\$ 927,015	\$ (8,700)	\$ 918,315	
<b>SP PEARL RIVER PARKING</b>						
Tax	SP198004	50457	\$ -	\$ 140	\$ 140	
Salaries	SP332001	50011	\$ 59,000	\$ (140)	\$ 58,860	
<b>OTHER BUDGET TRANSFERS</b>						
<b>GENERAL FUND</b>						
<b>Finance</b>						
Salaries	A1310001	50015	\$ 325,927	\$ 10,000	\$ 335,927	
Office	A1310001	50440	\$ 3,000	\$ 2,000	\$ 5,000	
<b>Receiver</b>						
Part Time	A1330001	50013	\$ 20,000	\$ 3,100	\$ 23,100	
Time & 1/2	A1330001	50012	\$ 1,000	\$ 400	\$ 1,400	
<b>Assessment Review</b>						
Contracts	A1356004	50457	\$ 9,100	\$ 1,200	\$ 10,300	
<b>Building Maintenance</b>						
Salaries	A1620001	50011	\$ 27,693	\$ 30,000	\$ 57,693	
<b>Shared Services</b>						
Contracts	A1622004	50457	\$ 113,000	\$ 37,000	\$ 150,000	
<b>Substance Abuse</b>						
Contracts	A4211004	50457	\$ 37,000	\$ 13,800	\$ 50,800	
<b>Aging</b>						
Salaries	A6772001	50015	\$ 5,266	\$ 200	\$ 5,466	
<b>Interfund</b>						
Transfers	A9950029	50900	\$ 10,000	\$ 24,200	\$ 34,200	
<b>Benefits</b>						
Health Ins	A9060008__	50800	\$ 1,231,640	\$ (120,900)	\$1,110,740	
<b>Town Clerk</b>						
Part Time	A1410001	50013	\$ 16,000	\$ 6,000	\$ 22,000	
Advertising	A1410004	50407	\$ 12,000	\$ (3,000)	\$ 9,000	
Office	A1410004	50440	\$ 9,700	\$ (3,000)	\$ 6,700	
<b>Engineer</b>						
Cap outlay	A1440002	50210	\$ -	\$ 2,400	\$ 2,400	
Overtime	A1440001	50012	\$ 4,000	\$ (2,400)	\$ 1,600	
<b>Highway</b>						
Salaries	A5010001	50011	\$ 213,116	\$ 2,500	\$ 215,616	

Cap outlay	A5010002	50020	\$ 5,250	\$ (2,500)	\$ 2,750
Capital					
outlay	A5132002	50200	\$ -	\$ 15,100	\$ 15,100
Sidewalks	A5410004	50457	\$ 150,000	\$ (15,100)	\$ 134,900
<b>Parks</b>					
Capl Outlay	A7180002	50200	\$ -	\$ 4,200	\$ 4,200
Chemicals	A7180004	50449	\$ 10,000	\$ (4,200)	\$ 5,800
Seasonal	A7310001	50011	\$ 325,000	\$ 12,000	\$ 337,000
Contracts	A7310004	50457	\$ 300,000	\$ (12,000)	\$ 288,000
Part time	A7620001	50013	\$ 13,500	\$ (1,200)	\$ 12,300
Contracts	A7620004	50457	\$ 40,000	\$ 1,200	\$ 41,200
<b>Museum</b>					
Seasonal	A7520001	50013	\$ 8,000	\$ 2,100	\$ 10,100
Cap Outlay	A7520002	50200	\$ -	\$ 8,550	\$ 8,550
Contracts	A7520004	50457	\$ 16,000	\$ (6,000)	\$ 10,000
Utilities	A7520004	50455	\$ 12,500	\$ (4,650)	\$ 7,850
<b>Debt Service</b>					
Interest	A9730007	50700	\$ 334,000	\$ 94,500	\$ 428,500
Principal	A9730006	50600	\$ 235,000	\$ 47,500	\$ 282,500
Contracts	A9730004	50457	\$ 60,000	\$ (7,500)	\$ 52,500
Sidewalks	A5410002	50200	\$ 303,799	\$ (134,500)	\$ 169,299
<b>POLICE FUND</b>					
<b>Radio/Support</b>					
Salaries	B3121161	50011	\$ 358,517	\$ 25,000	\$ 383,517
OT	B3121161	50012	\$ 16,000	\$ 2,000	\$ 18,000
Part Time	B3121161	50013	\$ 25,000	\$ 5,000	\$ 30,000
Part Time	B3122161	50013	\$ 34,125	\$ (32,000)	\$ 2,125
OT	B3122161	50012	\$ 60,000	\$ (18,300)	\$ 41,700
Unemploymt	B9050168	50800	\$ 2,500	\$ 10,100	\$ 12,600
Police Life	B9045168	50800	\$ 60,000	\$ 9,200	\$ 69,200
Dental	B9061168	50800	\$ 188,700	\$ 6,000	\$ 194,700
Social	B9030168	50800	\$ 810,000	\$ (7,000)	\$ 803,000
				\$ -	
<b>TOWN OUTSIDE VILLAGE FUND</b>					
Salaries	B8989171	50015	\$ 17,728	\$ 6,800	\$ 24,528
Salaries	B8160171	50011	\$ 62,119	\$ 2,200	\$ 64,319
Recycling	B8160174	50457	\$ 582,780	\$ 22,000	\$ 604,780
Salaries	B8011171	50015	\$ 10,458	\$ 1,300	\$ 11,758
Social Sec	B9030178	50800	\$ 98,000	\$ 500	\$ 98,500
Utilities	B5182174	50455	\$ 410,009	\$ 15,700	\$ 425,709
Overtime	B3621171	50012	\$ 3,000	\$ 300	\$ 3,300
Salaries	B3620171	50011	\$ 753,128	\$ (48,800)	\$ 704,328
<b>HIGHWAY FUND</b>					
<b>Part Town</b>					
Salaries	D5110041	50011	\$ 2,175,169	\$ (46,000)	\$2,129,169
Equip	D5110041	50444	\$ 37,500	\$ 14,000	\$ 51,500
Contracts	D5110044	50457	\$ 150,000	\$ 30,000	\$ 180,000
Dental	D9061048	50800	\$ 34,600	\$ 2,000	\$ 36,600
<b>Town Wide</b>					
Bridge Rep	D5120054	50400	\$ 33,400	\$ 5,000	\$ 38,400
Contrcts	D5140054	14395	\$ 14,395	\$ 7,000	\$ 21,395
Chemicals	D5142054	50449	\$ 387,548	\$ 124,000	\$ 511,548
Salaries	D5142004	50011	\$ 435,034	\$ (25,000)	\$ 410,034
DB Time	D5142051	50020	\$ 226,749	\$ (98,000)	\$ 128,749
Overtime	D5142051	50012	\$ 136,987	\$ (16,000)	\$ 120,987
Dental	D9061058	50800	\$ 32,000	\$ 1,000	\$ 33,000
Social Sec.	D9030058	50800	\$ 143,000	\$ 2,000	\$ 145,000
<b>SEWER FUND</b>					
Salaries	G8121001	50011	\$ 48,913	\$ (4,000)	\$ 44,913
Salaries	G8120001	50011	\$ 927,015	\$ (246,000)	\$ 681,015
Salaries	G8130001	50011	\$ 1,153,616	\$ 100,000	\$1,253,616
Serv Conn	G8197004	50410	\$ 200,000	\$ 185,000	\$ 385,000
Capital	G8197002	50200	\$ 186,000	\$ (10,000)	\$ 176,000

Outlay						
Utilities	G8120004	50455	\$	595,000	\$ (130,000)	\$ 465,000
Salaries	G8111001	50011	\$	703,965	\$ (25,000)	\$ 678,965
Social Sec.	G9030008	50800	\$	238,337	\$ (15,000)	\$ 223,337
Dental	G9061008	50800	\$	50,700	\$ (5,000)	\$ 45,700
Repairs	G8130004	50452	\$	2,652	\$ 35,000	\$ 37,652
Misc Exp	G8130004	50475	\$	20,000	\$ 35,000	\$ 55,000
Testing	G8121004	50463	\$	65,000	\$ 4,000	\$ 69,000
Contracts	G8120004	50457	\$	15,000	\$ 60,000	\$ 75,000
Supplies	G8110004	50440	\$	6,000	\$ 4,100	\$ 10,100
Maint	G8110004	50443	\$	-	\$ 1,500	\$ 1,500
Equip	G8110004	50444	\$	3,000	\$ 9,400	\$ 12,400
Contracts	G8110004	50457	\$	300	\$ 1,000	\$ 1,300

**BLUE HILL**

Contracts	E7250004	50457	\$	300,000	\$ (31,000)	\$ 269,000
Chemicals	E7250004	50449	\$	130,000	\$ (9,000)	\$ 121,000
Unemploy	E9050008	50800	\$	50,000	\$ 40,000	\$ 90,000

**DEBT SERVICE FUND**

EFC Fees	V1380493	50457		\$10,000	\$116,841	\$126,841
Interest	V9710840	50600		\$11,000	\$34,965	\$45,965
Principal	V9710840	50700		\$318,919	\$151,806	\$167,113

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

\* \* \*

**RESOLUTION NO. 86**

**RECLASSIFY POSITION/ MOTOR EQUIPMENT OPERATOR II/DEME JOHN CURRAN**

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

RESOLVED, that upon the recommendation of Rockland County Personnel Office, the position of John Curran to Motor Equipment Operator II, in the Department of Environmental Management & Engineering, grade 12, step 2, annual salary \$55,748., effective January 27, 2010 is hereby reclassified.

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

\* \* \*

**RESOLUTION NO. 87**

**RECLASSIFY POSITION/AUTOMOTIVE MECHANIC I/PARKS AND RECREATION GEORGE LINDERMAN**

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

RESOLVED, that upon the recommendation of Rockland County Personnel Office, the position of George Linderman to Automotive Mechanic I, in the Department of Recreation & Parks, grade 15, step 14, annual salary \$83,387, effective January 27 2010, is hereby reclassified.

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

\* \* \*



**RESOLUTION NO. 88****APPOINT/REAL PROPERTY  
VALUATION ASSISTANT/ASSESSOR'S  
OFFICE/HUGH DAVIES**

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

RESOLVED, Hugh Davies is appointed to the position of Real Property Valuation Assistant, in the Assessor's Office, grade 9, step 1, annual salary \$45,373, effective January 27, 2010.

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

\* \* \*

**RESOLUTION NO. 89****APPROVE UPGRADE/ASSISTANT  
GREENSKEEPER/ROBERT GERARD**

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

RESOLVED, that the upgrade of Robert Gerard's position of Assistant Greenskeeper from grade 14, step 8 to grade 15, step 8, annual salary \$79,672, effective January 27, 2010 is hereby approved.

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

\* \* \*

**RESOLUTION NO. 90****APPROVE/CERTIFICATE OF  
REGISTRATION/2010 SEWER WORK**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Diviny 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 2010 Sewer Work is approved to the following:

Calmart Enterprises. Inc., 4 Burts Road, Congers, NY 10920  
Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ 07456  
Ronald J. Tarrigo, 5 Crosscreek Lane, Stony Point, NY 10980  
Victor P. Zubige, Inc., 66 West Railroad Avenue, Garnerville, NY 10923

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

\* \* \*

**RESOLUTION NO. 91****APPROVE CHANGE ORDER  
CONTRACT PS-06-3G  
COPPOLA SERVICES, INC.**

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

**Resolution No. 91 - Continued**

RESOLVED, upon the recommendation of the Director of Environmental Management and Engineering, a time and materials Change Order to Contract PS-06-3G, Coppola Services, Inc., in an amount not to exceed \$100,000.00, to assist the Town in Performing that required inspection, cleaning and repair of siphon lines, to be charged to Account No. G68197004/50443, is hereby approved.

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

\* \* \*

**RESOLUTION NO. 92**

**APPROVE CHANGE ORDER  
CONTRACT WWTP-06-1G  
JETT INDUSTRIES, INC.**

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

RESOLVED, that upon the recommendation of the Director of Environmental Management and Engineering, Change Order 3 to Contract WWTP-06-1G, Jett Industries, Inc., in the amount of \$142,205.84, for installing new effluent manhole No. 4 and replacing and increasing the size of the sludge withdrawal line from Secondary Clarifier No. 3 from 6" to 8" at the wastewater treatment plant, to be charged to Account No. H8132513/50200, is hereby approved.

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

\* \* \*

**RESOLUTION NO. 93**

**AWARD BID/MAINTENANCE  
POLICE RADIO EQUIPMENT/  
GOOSETOWN**

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

WHEREAS, the Town of Orangetown duly advertised for sealed bids for the maintenance of Police Radio Equipment in 2010 and 2011, which were received and publicly opened on December 2, 2009. The Chief of Police made this recommendation to the Town Board; a copy is labeled Exhibit 1-H-10 and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to the only bidder, Goosetown Communications, Congers, NY, \$40,788 in 2010 and \$40,788 in 2011, to be charged to Account No. B3120164/50453.

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

\* \* \*

**RESOLUTION NO. 94****ACCEPT MINUTES**

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

RESOLVED, the January 5, 2010 ReOrganizational Meeting minutes and the January 12, 2010 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

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

**RESOLUTION NO. 95****NYS DEPT OF TRANSPORTATION  
REQUEST SPEED/TRAFFIC/SAFETY  
STUDY/ROUTE 9W**

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

WHEREAS, on January 16, 2010, there was a tragic fatality on New York State Route 9W in the proximity of the intersection with Oak Tree Road in the Hamlet of Palisades;

WHEREAS, in response to the tragedy, the Town of Orangetown Supervisor Paul Whalen met with concerned citizens, relevant Town employees, officials from the New York State Department of Transportation, as well as the Honorable Thomas P. Morahan, State Senator 38<sup>th</sup> District, the Honorable Ellen Jaffee, New York State Assemblywoman 95<sup>th</sup> District, and the Honorable Connie Coker, Rockland County Legislator;

WHEREAS, the Town has been informed that in order to request the New York State Department of Transportation conduct a speed, traffic and safety study of Route 9W, the Town Board must pass a resolution requesting such a study;

WHEREAS, the Town Board has previously requested that the New York State Department of Transportation accomplish a speed, traffic and safety study for the Route 9W corridor between Lowland Drive and Tappan Zee Elementary School;

WHEREAS, given the concerns of Town of Orangetown citizens regarding the safety of the entire 9W corridor through the Town of Orangetown, Supervisor Whalen recommends that the Town Board pass a resolution requesting that the New York State Department of Transportation conduct a speed, traffic and safety study of the entire 9W corridor through the Town of Orangetown;

WHEREAS, the Honorable Thomas P. Morahan, State Senator 38<sup>th</sup> District, also recommends that the Town Board adopt a resolution requesting the State conduct a speed, traffic and safety study for the entire 9W corridor through the Town of Orangetown;

WHEREAS, the Honorable Ellen Jaffee, New York State Assemblywoman 95<sup>th</sup> District, also recommends that the Town Board adopt a resolution requesting the State conduct a speed, traffic and safety study for the entire 9W corridor through the Town of Orangetown;

WHEREAS, the Honorable Connie Coker, Rockland County Legislator, also recommends that the Town Board adopt a resolution requesting the State conduct a speed, traffic and safety study for the entire 9W corridor through the Town of Orangetown;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby requests that the New York State Department of Transportation conduct a speed, traffic and safety study for the entire Route 9W corridor through the Town of Orangetown.

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

\* \* \*

**RESOLUTION NO. 96****ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:45 p.m.

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

\* \* \*

**RESOLUTION NO. 97****PAY VOUCHERS**

Councilwoman Low-Hogan 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 General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds for a total amount of \$1,255,532.60.

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

\* \* \*

**RESOLUTION NO. 98****CLOSED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:45 p.m.

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

\* \* \*

**RESOLUTION NO. 99****ENTERED EXECUTIVE SESSION  
PERSONNEL LITIGATION**

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, to discuss litigation on a personnel matter, at 9:58 p.m.

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

\* \* \*

**RESOLUTION NO. 100****RE-ENTERED RTBM**

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

RESOLVED, that the Town Board re-entered the Regular Town Board Meeting, at 10:59 p.m.

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

\* \* \*

**RESOLUTION NO. 101****REQUEST ROCKLAND COUNTY  
PERSONNEL/POLICE CHIEF  
PROMOTIONAL EXAM**

Councilman Diviny offered the following resolution, which was seconded by Councilwoman Low-Hogan and on a roll call was adopted:

**Resolution No. 101 - Continued**

WHEREAS, the Town is presently involved in litigation in the Rockland County Supreme Court, concerning the May 13, 1997 appointment of Police Chief Kevin Nulty to the permanent civil service title of Chief of Police; and

WHEREAS, there currently is no valid civil service list for the position of Chief of Police from which any appointment could be made in the event there were to be a vacancy in that position; and

WHEREAS, the Rockland County Department of Personnel has informed the Town that, at the request of one or more other municipalities in the County, in or about March 2010, a competitive examination will be conducted for the title of Chief of Police; and

WHEREAS, the Town Board believes that it is in the best interests of the Town for there to be a valid promotional list available to it in the event a vacancy should occur in the position,

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor, or his designee, is hereby authorized and directed to request of the Rockland County Department of Personnel, that a promotional examination be conducted for the position of Chief of Police, Town of Orangetown, at the earliest opportunity.

Ayes: Councilpersons Diviny, Troy  
Supervisor Whalen  
Noes: Councilwoman Low-Hogan  
Absent: Councilman Maturo

\* \* \*

**RESOLUTION NO. 102****ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned, in memory of Schatzi Florence Garrecht, Tappan; Robert D. Shields, Tappan; Jordan Barreto-Meta (age 11), Palisades and Joyce McGarvey, Pearl River, at 11:10 p.m.

Ayes: Councilpersons Troy, Low-Hogan, Diviny  
Supervisor Whalen  
Noe: None  
Absent: Councilman Maturo

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**Charlotte Madigan, Town Clerk**