

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JANUARY 28, 2008**

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

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

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
John S. Edwards, Town Attorney
Teresa Kenny, First Deputy Town Attorney
Suzanne Barclay, Exec Asst. to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Ron Delo, Director, Dept. Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardiello, P.E., Director, OBZPAE
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

Donald Brenner, Attorney, presented the Town Board with background history of Hunter Douglas, the leading manufacturer of custom windows. Hunter Douglas has submitted a site plan to ACABOR to bring its headquarters to Orangetown.

Announcements:

A Quiet Zone Meeting will take place on January 30th, 7 p.m. at Town Hall.

An Information Meeting regarding a zone change for 205 Oak Tree Road, Tappan will take place on February 4th, 7:30 p.m. at Town Hall.

The Town Board plans to designate itself lead agency of the zoning for the redevelopment of RPC.

The Town Attorney's Office is reviewing the two-phase energy saving contract presented by Siemens Corporation.

The Pearl River Chamber and the Shade Tree Committee will work together regarding plantings for downtown Pearl River.

The Traffic Calming Committee has looked at other municipalities for suggestions.

A link has been established on the Town's website for residents to track persons who have been classified as sex offenders.

The Open Space Committee/Environmental Committee will be more concerned with energy efficiency, green building and environmental issues. Letters of Intent to join this committee are being accepted.

The Town Board is accepting applications for ACABOR and Deputy Town Attorney.

Public Comment

Mike Casey, Pearl River, said in April 2006 he was employed by Custom Gardens, the sub-contractor, for construction of the baseball fields and was not paid the prevailing wage. He believes he should be paid the prevailing wage and paid for rainy days, which is Custom Gardens' usual policy. He hasn't been call by Custom Gardens for work since shortly after speaking to Rich Rose on June 7th.

Michael Mandel, Pearl River, asked how is the 6.7% tax increase being reduced, supports Siemens proposal, and recommends a job freeze and elimination of the Pearl River Parking Supervisor position.

Jim Castagna, Sparkill, suggested an alternative for Sparkill parking and requested grants be looked at for the Rail Trails and facilities for bicycles and pedestrians.

Bob Crable, Sparkill, said the golf fees had not been approved by the 2008 Golf Committee and asked why and when did barriers replace a traffic light in Sparkill?
 Watson Morgan, Blauvelt, spoke regarding streetlights and asked if Orange and Rockland could install more efficient streetlights?

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RESOLUTION NO. 76

CLOSE PUBLIC PORTION

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

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

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

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RESOLUTION NO. 77

**OPEN PH/COMMUNITY
 DEVELOPMENT BLOCK GRANT**

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

RESOLVED, that the public hearing to consider comment on community development and housing needs for the 2008 CDBG Program to be submitted to The Rockland County Consortium in accordance with the Community Development Block Grant Program is hereby opened.

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

The public portion was opened and there was no public comment.

RESOLUTION NO. 78

**CLOSE PH/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 hearing to consider comment on community development and housing needs for the 2008 CDBG Program to be submitted to The Rockland County Consortium in accordance with the Community Development Block Grant Program is hereby closed.

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

Eliot Tozer, Deputy Supervisor, explained the two applications submitted for this funding: Dowling Gardens roof repair with an estimated cost of \$55,000 and an emergency generator for Camp Venture. Camp Venture is a residence for mental challenged adults.

RESOLUTION NO. 79

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

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

Resolution No. 79 - Continued

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

1. Camp Venture – emergency generator
2. Dowling Gardens – roof repair

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

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RESOLUTION NO. 80

**AUTHORIZE/AGREEMENT
COMMUNITY DEVELOPMENT
PROGRAM/ROCKLAND CTY**

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

WHEREAS, the Secretary of Housing and Urban Development of the United States is authorized, under Title I of the Housing and Community Development Act of 1974 as amended, and Title II of the National Affordable Housing Act of 1990, as amended, to make grants to

states and other units of general local government to help finance Community Development Programs; and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more municipal corporations, to apply for, accept and expend funds made available by the federal government, either directly or through the State, pursuant to the provisions of any Federal law which is not inconsistent with the statutes or constitution of this State, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, the Community Development Act of 1974 as amended, Title II of the National Affordable Housing Act of 1990, as amended, and any "Eligible Activities" thereunder are not inconsistent with the statutes or Constitution of the State; and

WHEREAS, a number of municipalities have requested Rockland's participation, and the County of Rockland has determined that it is desirable and in the public's interest that it make application for Community Development Block Grant funds and HOME funds as an Urban County; and

WHEREAS, participation by the County of Rockland as an Urban County in the Community Development Program requires that the Town of Orangetown and the County of Rockland cooperate in undertaking, or assisting in undertaking, essential community development and housing activities, specifically those activities authorized by statutes enacted pursuant to Article 18 of the New York State Constitution.

WHEREAS, this Board deems it to be in the public interest for the Town of Orangetown to enter into a Cooperation Agreement with the County of Rockland for the aforesaid purposes.

NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Thom Kleiner be and hereby is authorized to execute a Cooperation Agreement between the Town of Orangetown and the County of Rockland for the purposes of undertaking a Community Development Program pursuant to the Housing and Community Development Act of 1974 as amended and Title II of the National Affordable Housing Act of 1990, as amended.

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

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RESOLUTION NO. 81**ACCEPT/PROPOSAL/ROCKLAND
HOUSING ACTION COALITION
(RHAC)/HOLLOWS AT BLUE HILL**

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

RESOLVED, that the Town Board accepts the proposal submitted by Rockland Housing Action Coalition (RHAC), for consulting services in the amount of \$3,000, in administering the six affordable housing units in the Hollows at Blue Hill development in accordance with the Town of Orangetown's Planned Adult Community Zone (PAC).

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

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RESOLUTION NO. 82**ACCEPT/PROPOSAL/DCAK
ARCHITECTS/FEASIBILITY STUDY
TOWN HALL BASEMENT**

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

RESOLVED, that the Town Board accepts the proposal submitted by DCAK Architects, in the amount of \$7,500 for the Feasibility Study of the renovation of the Town Hall Basement.

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

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RESOLUTION NO. 83**APPOINT/2008 SUBSTANCE ABUSE
COMMITTEE**

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

RESOLVED, that William Carroll, Michael Clarke, Ed O'Dea and Ann Marie Hahr are appointed to the 2008 Substance Abuse Committee.

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

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RESOLUTION NO. 84**COMBINED AGENDA ITEMS**

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

RESOLVED, that agenda items eight (8) through twenty-six (26), except item 16 are hereby combined.

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

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RESOLUTION NO. 85**APPROVE/2008 CERTIFICATE OF
REGISTRATION/SEWER WORK**

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

Resolution No. 85 - Continued

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, approve a Certificate of Registration for 2008 sewer work to the following:

- R.R. Plumbing Services Corporation, d/b/a/ Roto Rooter, 525 Waverly Avenue, Mamaroneck, NY
- Ronald J. Tarigo, 5 Cross Creek Lane, Stony Point, NY
- Ronald Filera Landscape Contractors, LLC, 570 South Pascack Road, Chestnut Ridge, NY
- Phoenix Excavators Corp., 62 Rose Road, West Nyack, NY
- Monsey Excavating, Inc., 71 Montebello Commons Drive, Suffern, NY
- Rino Paving & Construction, Inc., 3 Hillside Avenue, Suffern, NY 10901
- Kevin Stokes Excavating, Inc., 52 Grotke Road, Chestnut Ridge, NY
- Mark Olsen Excavation, 57 North Airmont Road, Suffern, NY
- Environmental Construction, Inc., 21 Kay Fries Drive, Stony Point, NY

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

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RESOLUTION NO. 86 **AUTHORIZE/ROCKLAND CTY
 DRAINAGE AGENCY/GRANT
 APPLICATION**

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

RESOLVED, that the Town is hereby authorized to participate as a project sponsor with the Rockland County Drainage Agency in a grant application to the New York State Environmental Protection Fund for the County of Rockland Watershed Management Plan.

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

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RESOLUTION NO. 87 **APPROVE/2007 BUDGET TRANSFERS**

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

RESOLVED, that the 2007 budget transfers, labeled Exhibit 1-B-08 and made a part of these minutes, are hereby approved.

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

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RESOLUTION NO. 88 **APPROVE/CAPITAL PROJECT
 TRAFFIC SIGNALS/TRANSFER
 \$25,000**

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

RESOLVED, that a capital project for traffic signals is hereby created and \$25,000 is transferred from Account No. A3310002 50200.

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

RESOLUTION NO. 89**AUTHORIZE HIGHWAY DEPT
AMERICAN PUBLIC WORKS ASSOC**

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

RESOLVED, that the Highway Department is hereby authorized to host the American Public Works Association Annual Equipment Show on Wednesday, May 21, 2008, from 10:00 a.m. to 3:00 p.m. at the Highway Department Facility.

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

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RESOLUTION NO. 90**AUTHORIZE/HIGHWAY DEPT
12th ANNUAL OPEN HOUSE**

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

RESOLVED, that the Highway Department is hereby authorized to host their 12th Annual Open House on Saturday, May 17, 2008, from 10:00 a.m. to 12:00 p.m. at the Highway Department Facility.

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

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RESOLUTION NO. 91**PERMISSION GRANTED/PARKS
2008 NYS RECREATION/PARK
SOCIETY CONFERENCE**

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

RESOLVED, that permission is hereby granted to Richard L. Rose, Jr. to attend the 2008 New York State Recreation and Park Society Conference in Saratoga from March 29-April 2 at a cost of \$671.00, to be charged to Account No. A7020004/50441 and 50480, and allow the use of a Town vehicle.

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

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RESOLUTION NO. 92**2008 FIELD AND PARKS USE FEES**

Councilman Troy offered the following resolution, which was seconded by Councilwoman Manning and on a roll call was adopted:

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings and the Orangetown Park Development Advisory Committee(UPDEC), the 2008 Field and Parks Use Fees are approved as follows:

Orangetown Youth Groups/Leagues:

Field/Courts without use of lights – No Charge
Softball Fields/Courts with Lights -- \$20.00
Baseball fields with lights --\$30.00

Orangetown Adult Groups/Organizations/Leagues.

Softball Fields without Lights --\$35.00
Softball Fields with Lights --\$50.00
Baseball Fields without Lights --\$40.00
Baseball Fields with Lights --\$50.00

Resolution No. 92 - Continued

- Athletic Fields/Courts without Lights--\$30.00
- Athletic Fields/Courts with Lights--\$50.00
- College Field Use --\$75.00 w/o lights \$100.00 with lights
- Park Permit for General Park Use--\$25.00 + Labor—Resident
- All Non-Orangetown/Groups—Add 100% to above fees
- Showmobile Use Fee --\$250.00 per event/day, plus labor

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

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RESOLUTION NO. 93

2008 GOLF COURSES RATES

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

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings and the Golf Course Operations Advisory Committee, 2008 Golf Courses rates are approved as follows:

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|---|---|
| <p>Resident Rates:
 Weekdays--\$25.00
 Weekdays After 4:00--\$18.00
 Weekday Senior--\$20.00
 Weekday Senior After 4:00--\$15.00
 Weekday Youth--\$15.00
 Weekday Youth-After 4:00--\$12.00
 Weekend Reserved--\$33.00 00
 Weekend--\$30.00
 Weekend After 4:00--\$20.00
 Weekend Senior after 4:00--\$18.00
 Weekend Youth After \$4.00--\$16.00
 Seasonal Program--\$30.00 (29)</p> <p>Tournament Rates:
 Resident--\$30.00 (29)
 Non-Resident--\$50.00 (49)</p> <p>Winter Rates:
 Resident--\$20.00
 Non-Resident--\$36.00
 Senior--\$15.00</p> <p>Carts:
 Adult 18 hole --\$34.00 (32)
 Adult 9 hole -- \$17.00 (16)
 Senior 18 hole--\$28.00
 Senior 9 hole --\$14.00
 Single 9--\$9.00 (8)
 Senior Single 9--\$7.00</p> <p>Resident Permit Fees
 Adult - - \$50.00
 Senior - - \$40.00
 Youth - - \$25.00
 Broadacres - - \$75.00 (70)</p> | <p>Non-Resident Rates:
 Weekdays----\$44.00 (43)
 Weekdays After 4:00--\$27.00
 Weekend--\$53.00 (52)
 Weekend After 4:00--\$32 (31)
 Seasonal Program--\$30.00 (29)</p> |
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Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo
 Supervisor Kleiner
 Noes: None

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RESOLUTION NO. 94**ACCEPT RETIREMENT/POLICE
PO RONALD AMOIA**

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

RESOLVED, that Town Board hereby accepts with regret PO Ronald Amoia's (Shield #139) retirement, effective January 9, 2008.

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

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RESOLUTION NO. 95**ACCEPT RETIREMENT/POLICE
PO GEORGE KOPAC**

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

RESOLVED, that Town Board hereby accepts with regret PO George Kopac's, (Shield #145) retirement, effective January 11, 2008.

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

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RESOLUTION NO. 96**APPOINT TEMPORARY POLICE
OFFICER/CHRISTOPHER
CONNOLLY**

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

RESOLVED, that upon the recommendation of the Chief of Police, and per the authorization of Rockland County Commissioner of Personnel Patricia Prendergast, Christopher Connolly, 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 Rockland County Police and Public Safety Academy, at a salary of \$35,686.

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

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RESOLUTION NO. 97**RETAIN/BECKMANN APPRAISALS
CHROMALLOY AMERICAN CORP**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Assessor, Beckmann Appraisals, Inc., of Tappan, NY, is hereby retained to prepare a preliminary and trial appraisal (latter if necessary) for the real property known as Chromalloy American Corp., S/B/L 73.20-1-1, located at 300 – 330 Blaisdell Road, Orangeburg, NY, at a cost of \$7,500.00 for the preliminary appraisal and \$12,500.00 for the trial appraisal (if necessary).

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

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RESOLUTION NO. 98**RETAIN/BECKMANN APPRAISALS
PAXAR CORPORATION**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Assessor, Beckmann Appraisals, Inc., of Tappan, NY, is hereby retained to prepare a preliminary and trial appraisal (latter if necessary) for the real property known as Paxar Corporation, S/B/L 70-19-1-44, located at 524 Route 303, Orangeburg, NY, at a cost of \$5,000.00 for the preliminary appraisal and \$7,500.00 for the trial appraisal (if necessary).

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

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RESOLUTION NO. 99**STEARNS & WHELER, LLC/CONSULTING
AGREEMENT/WASTEWATER TREATMT
CAPITAL PROJECT/RECEIVE/FILE**

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

RESOLVED, that the Consulting Agreement, dated August 29, 2005, between Stearns & Wheler, LLC and the Town of Orangetown for the Wastewater Treatment Capital Project is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 100**ACCEPT MINUTES**

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

RESOLVED, that the Town Board hereby accepts the Reorganizational Meeting Minutes of 1/7/2008.

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

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RESOLUTION NO. 101**CARETAKER AGREEMENT/NIKE
LAND /RECEIVE/FILE**

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

RESOLVED, that the fully executed Caretaker Agreement for Nike Lane is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 102**MAINTENANCE BOND/WJL EQUITIES
CORP/CENTRAL AVE/E LEWIS SEWER
REPLACEMENT/RECEIVE/FILE**

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

Resolution No. 102 - Continued

RESOLVED, that the original Maintenance Bond from WJL Equities Corporation for the Central Avenue and E. Lewis Sewer Replacement work (ITB-DEME 25-07) is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 103

AUTHORIZE AGREEMENT/HI-TOR ANIMAL SHELTER AGRMT

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

RESOLVED, that the Supervisor is hereby authorized to sign the two-year Agreement between the Town of Orangetown and Hi-Tor Animal Shelter for pound and related services for lost, strayed or homeless animals.

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

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RESOLUTION NO. 104

ADJOURNMENT/MEMORY

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

RESOLVED, that the Town Board adjourned this meeting at 9:10 p.m., in memory of Margaret Boustedt, Pearl River, Joseph Pennissi, Pearl River, Esther A. Ferguson, Sparkill (Pearl River), Beatrice W. Agnew, Nyack (Palisades Library), Donna Lope-Poloni, Pearl River and Steve Chanowsky, CSEA representative.

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

Charlotte Madigan, Town Clerk