

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, FEBRUARY 8, 2011**

This Town Board Meeting was opened at 7:37 p.m. Supervisor Whalen presided and the Town Clerk called the Roll. Present were:

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

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

Chris Jackson led the Pledge of Allegiance to the Flag.

Chris Jackson, Orangeburg Fire Dept., spoke about the warehouse fire on January 11<sup>th</sup>. He presented a plaque of appreciation to Sgt. Sean Russo for his help in getting four trapped firemen out of the warehouse.

**Public Comments (RTBM)**

Habib Hasan, Pearl River, wants the Town Board to withdraw from the Police Study and spoke about other prevailing matters across Town.

Mike Mandel, Pearl River, is against hiring Court Constables. Chapter 7B of the Town Code requires this position to have specific continuing training. Before hiring, a cost benefit analysis and a threat analysis should be done. He questioned why the Colleges are being charged for field use. Esta Baitler, Consumer Advocate for Cathy Lukens Home, asked who maintains the Rail Trails and sidewalks along Route 340.

Helen Shaw, Pearl River, understands Shoprite's zone change application has been withdrawn. She is concerned with the large amount of snow on the Shoprite property.

Eileen Larkin, Palisades, is against Verizon soliciting door to door in the evening hours. She is against hiring Court Constables. She asked if the unpaid Back Nine License Fees are covered by insurance.

Jeff McNichol and Ann Marie Uhl, members of the Youth Recreation Advisory Committee, had a long discussion regarding Recreation fees. They have asked for a reasonable increase in the recreation fees. The maintenance costs must be received from other sources. The college fees are important with sharing in the maintenance costs of the fields.

Bob Iorio, Orangeburg, is a 41 year resident and an active participant of Youth Recreation and Athletics. He is frustrated that the colleges are not paying their fair share of fees for use of the fields. Mr. Fitzpatrick, representing the Orangetown Patriots, said they pay \$13,800 for 5 days to practice at Tappan Zee High School. We are giving away our fields for nothing and we can not play football anywhere. It is a shame that we are the taxpayers and it costs us for our children to play football.

**RESOLUTION NO. 92**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

**RESOLUTION NO. 93****TERMINATE AND CANCEL THE  
12/29/2006 LICENSE AGREEMENT OF  
BACK NINE, LLC.**

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

*Whereas*, the Town of Orangetown (“the Town” or “Orangetown”) is the Licensor under a 12/29/2006 license Agreement (“License Agreement”) with Back Nine, LLC, the latter whom is the Licensee under the License Agreement, which License Agreement grants a License to the Licensee to operate the food and beverage restaurant facility commonly known as the Blue Hill Café, The Mansion and/or the Players Club, at the Orangetown Blue Hill Golf Course;

*Whereas*, the Licensee has not fully paid its License Fee owed to the Town under the License Agreement, which outstanding License Fee arrears is \$59,750 (through January 2011);

*Whereas*, by failing and/or refusing to fully remit said License Fee to the Town, the Licensee is not operating, carrying-out and/or performing in material compliance with the terms and provisions of the License Agreement;

*Whereas*, the Licensee’s failure and/or refusal to fully remit said License Fee to the Town is a material breach and/or default under, and/or a violation of, the License Agreement; and

*Whereas*, the Licensee has not cured its said breach, default and/or violation after the Town sent the Licensee a 30-day written notice to cure, and said cure period has expired;

*Now*, based on all of the information before the Town Board, and the findings hereinbefore made;

*Be It Resolved*, that the Town Board hereby terminates and cancels the License Agreement.

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

Noes: None

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**RESOLUTION NO. 94****COMBINED AGENDA ITEMS**

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

RESOLVED, that agenda items two (2) thru eleven (11) are hereby combined

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

Noes: None

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**RESOLUTION NO. 95****TAX CERTIORARI SETTLEMENT  
MARKIM, ET.AL.**

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

RESOLVED, that upon the recommendation of the Town Attorney’s Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding Markin et al v. The Assessor of the Town of Orangetown, et al., Tax Map designation 75.56-1-1.8210, .8204, .4307, .4304, .4309, .7303, .4306, .4311, .4310, .4312, .3211, .8207, .4305, .3202, .8208, .7306, and .5509 for the tax assessment years 2005 through

**Resolution No. 95 - Continued**

2009 for a total refund by the County of \$5,638, and for a total refund by the Town of \$5,772, and a total refund by the School District of \$56,813. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 96****TAX CERTIORARI SETTLEMENT  
AHMADI, ET.AL.**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding Raymond H. Ahmadi et al v. Town of Orangetown, et al., Tax Map designation 72.08-1-2 for the tax assessment years 2006 through 2008, which are being discontinued, and 2009 through 2010 for a total refund by the County of \$664, and for a total refund by the Town of \$2,667, and a total refund by the School District of \$21,813. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 97****TAX CERTIORARI SETTLEMENT  
WACHOVIA CORPORATION**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding Wachovia Corporation v. The Assessor of the Town of Orangetown, et al., Tax Map designation 66.37-2-11, 12 &16, for the tax assessment years 2004 through 2010 for a total refund by the County of \$1,034, and for a total refund by the Town of \$4,042, and a total refund by the School District of \$19,904. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 98****TAX CERTIORARI SETTLEMENT  
CNB REALTY CORP.**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari

**Resolution No. 98 - Continued**

proceeding CNB Realty Corp. v. Town of Orangetown, et al., Tax Map designation 60.77-2.56, for the tax assessment years 2006 through 2010 for a total refund by the County of \$3,640, and for a total refund by the Town of \$13,219, and a total refund by the School District of \$76,774. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 99****TAX CERTIORARI SETTLEMENT  
UNITED STATE POSTAL SERVICE**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding United State Postal Service v. The Assessor, et al., Tax Map designation 70.14-2-46, for the tax assessment years 2006 through 2010 for a total refund by the County of \$537, and for a total refund by the Town of \$2,667, and a total refund by the School District of \$7,711. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 100****TAX CERTIORARI SETTLEMENT  
UNITED STATES POSTAL SERVICE**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding United State Postal Service v. The Assessor, et al., Tax Map designation 78.18-2-1, for the tax assessment years 2004 through 2010 for a total refund by the County of \$579, and for a total refund by the Town of \$2,758, and a total refund by the School District of \$9,398. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 101****TAX CERTIORARI SETTLEMENT  
MANUFACTURERS AND TRADERS  
TRUST COMPANY**

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

**Resolution No. 101 - Continued**

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding Manufacturers and Traders Trust Company v. The Assessor of the Town of Orangetown, et al., Tax Map designation 66.38-1-65, for the tax assessment years 2006,2007,2008 and 2010 for a total refund by the County of \$0, and for a total refund by the Town of \$0, and a total refund by the School District of \$13,030. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 102****TAX CERTIORARI SETTLEMENT  
SAMLOR LLC**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Order and Judgment and Stipulation of Settlement regarding the tax certiorari proceeding Samlor LLC v. The Assessor of the Town of Orangetown, et al., Tax Map designation 76.8-1-5, for the tax assessment year 2010 for a total refund by the County of \$0, and for a total refund by the Town of \$0, and a total refund by the School District of \$9,012. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 103****TAX CERTIORARI SETTLEMENT  
USA CONSTRUCTION CORP.**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Stipulation and Order and Judgment Reducing Assessment regarding the tax certiorari proceeding USA Construction Corp. v. Brian Kenney, et ano, Tax Map designation 74.11-1-27, for the tax assessment years 2000 through 2010, for a total refund by the County of \$3,945, a total refund by the Town of \$16,756 and a total refund by the School District of \$60,663. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 104****TAX CERTIORARI SETTLEMENT  
U & A CONSTRUCTION CORP**

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

**Resolution No. 104 - Continued**

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby approved and authorized to sign the Stipulation and Order and Judgment Reducing Assessment regarding the tax certiorari proceeding U&A Construction Corp. v. Brian Kenney, et ano, Tax Map designation 70.19-1-1, for the tax assessment years 2000 through 2010, for a total refund by the County of \$571, a total refund by the Town of \$2,887 and a total refund by the School District of \$16,676. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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**RESOLUTION NO. 105****SET PUBLIC HEARING/CHANGE  
LOCAL LAW/LOMR/FEMA**

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

RESOLVED, that a Public Hearing is scheduled for March 8, 2011 at 8:00 pm for Map Revision in accordance with Letter of Map Revision LOMR, FEMA Case # 10-01-0398P to amend Local Law.

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

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**RESOLUTION NO. 106****STIPEND/EMPLOYEE #2152**

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

RESOLVED, that a Stipend in the amount of \$5,000 is hereby awarded to Employee # 2152 to commence on February 8, 2011 and to end on December 31, 2011.

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

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**RESOLUTION NO. 107****APPROVE SHOWMOBILE REQUEST  
MARCH OF DIMES**

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

RESOLVED, that the request from the March of Dimes for the use of the Showmobile, Saturday, April 30, 2011 from 7:00 a.m. to 1:00 p.m., at a cost of \$350.00 rental fee is hereby approved.

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

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**RESOLUTION NO. 108****APPROVE SHOWMOBILE REQUEST  
PENGUIN'S PLUNGE**

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

**Resolution No. 108 - Continued**

RESOLVED, that the request of The Penguin's Plunge for the use of the Town Showmobile, Sunday, March 6, 2011 from 10:00 am – 5:00 pm, for a rental fee of \$350.00, is hereby approved.

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

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**RESOLUTION NO. 109****APPOINT CHAIRMAN/PLANNING BOARD/KEVIN GARVEY**

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

RESOLVED, that Kevin Garvey is hereby appointed Chairman to the Orangetown Planning Board for 2011.

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

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**RESOLUTION NO. 110****REAPPOINT/PLANNING BOARD BRUCE BOND**

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

RESOLVED, that Bruce Bond is hereby reappointed to the Orangetown Planning Board, effective February 9, 2011 through December 31, 2016.

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

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**RESOLUTION NO. 111****REAPPOINT/ZONING BOARD (ZBA)/DANIEL SULLIVAN**

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

RESOLVED, that Daniel Sullivan is hereby reappointed to the Zoning Board of Appeals, effective February 9, 2011 through December 31, 2018.

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

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**RESOLUTION NO. 112****APPOINT ALTERNATE ZONING BOARD (ZBA)/THOMAS WARREN**

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

RESOLVED, that Thomas Warren is hereby appointed an alternate to the Zoning Board of Appeals, for 2011.

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

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**RESOLUTION NO. 113****REAPPOINT/ACABOR/PAUL PAPAY**

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

RESOLVED, that Paul Papay is hereby reappointed as member of Architecture and Community Appearance Board of Review (ACABOR), for a three-year term, effective February 9, 2011 through December 31, 2013.

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

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**RESOLUTION NO. 114****REAPPOINT/ACABOR/JACK MESSINA**

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

RESOLVED, that Jack Messina is hereby reappointed as member of Architecture and Community Appearance Board of Review (ACABOR), for a three-year term, effective February 9, 2011 through December 31, 2013.

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

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**RESOLUTION NO. 115****REAPPOINT/ACABOR CHAIRMAN  
JACK MESSINA**

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

RESOLVED, that Jack Messina is hereby reappointed Chairman of Architecture and Community Appearance Board of Review (ACABOR) for 2011.

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

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**RESOLUTION NO. 116****APPOINT/SUBSTANCE ABUSE  
COMMITTEE/CAROLINE RUSSO  
AND DEVONA PAUL**

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

RESOLVED, that Caroline Russo and Devona Paul (TZHS) as Student Representatives are hereby appointed to the Substance Abuse Committee for 2011.

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

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**RESOLUTION NO. 117****APPOINT LIAISONS/LAND USE BOARDS  
AND COMMITTEES 2011**

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



**Resolution No. 117 - Continued**

RESOLVED that the Town Board designates the following Liaisons for the 2011 Committees and Land Use Boards:

ACABOR – Nancy Low-Hogan  
 Blue Hill Golf Committee – Mike Maturo  
 Board of Assessment Review – Paul Whalen  
 Board of Ethics – Paul Whalen  
 Bureau of Fire Prevention – Tom Diviny  
 Cable TV Committee – Nancy Low-Hogan  
 Citizens Advisory Committee (CDBG) – Paul Whalen  
 Grievance Committee – Dept. Supervisor Steve Spiro  
 Historic Areas Board of Review – Nancy Low-Hogan  
 Housing Authority – Denis Troy  
 Orangetown Parks Development Advisory – Mike Maturo  
 Planning Board – Tom Diviny  
 Sanitation Commission – Paul Whalen  
 Senior Citizens Advisory – Denis Troy  
 Shade Tree Commission – Nancy Low-Hogan  
 Substance Abuse Committee – Denis Troy  
 Traffic Advisory Board – Denis Troy  
 Volunteer Health Services – Tom Diviny  
 Youth Recreation Assessment Advisory Committee – Tom Diviny  
 Zoning Board of Appeals – Denis Troy  
 Downtown/Hamlet Revitalization – Nancy Low-Hogan  
 Environmental Committee – Mike Maturo  
 Commuter Task Force – Mike Maturo  
 Project Review Committee – Paul Whalen

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

Noes: None

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**RESOLUTION NO. 118****APPROVE/CAPITAL IMPROVEMENT  
STUDY/PARKS/RECREATIONAL FIELDS**

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

RESOLVED, that the Department of Parks and Recreation is hereby authorized advertise and distribute the Request for Proposal for a Parks and Recreation Capital Improvement Study. Said Capital Improvement Study should include an inventory of all parks and recreational fields and create a five (5) year facility plan, reviewing the fee structure currently in place and recommending capital improvements necessary for the maintenance and the preservation of all parks and recreational fields in the Town of Orangetown for the next five (5) years.

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

Noes: None

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**RESOLUTION NO. 119****APPROVE/ORANGETOWN  
RECREATION ADVISORY COMMITTEE  
(ORAC) MISSION STATEMENT**

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

RESOLVED, that the Orangetown Recreation Advisory Committee (ORAC) is to promote recreation and sound guidance to the Parks and Recreation Department. The committee's main function is to promote athletic programs that offer rich and varied activities to the residents of Orangetown and to allow our residents to develop physically, emotionally, and

**Resolution No. 119 - Continued**

socially. The committee, comprised of representatives from organizations in the Town of Orangetown, will make recommendations as it pertains to recreation fields, facilities, fees, and development of future recreational facilities.

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

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**RESOLUTION NO. 120**

**APPROVE FEE SCHEDULE/BLUE HILL AND BROADACRES GOLF COURSES**

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

RESOLVED, that upon the recommendation of the Golf Advisory Committee and the Superintendent of Recreation, the following fee schedule is hereby approved for Blue Hill Golf Course and Broadacres Golf Club.

**Town of Orangetown Department of Recreation and Parks  
 2011 Blue Hill/Broadacres Fee Schedule**

Permit Rates			
Type:	2009 Fee:	2010 Fee	2011 Fee:
Adult Resident	\$60.00	\$60.00	\$65.00
Senior Resident	\$50.00	\$50.00	\$50.00
Youth Resident	\$30.00	\$30.00	\$30.00
Broadacres Grandfather	\$85.00	\$85.00	\$90.00
Associate	\$75.00	\$85.00	\$95.00
Corporate	\$100.00	\$150.00	\$200.00

Weekday Resident Greens Fees			
Service:	2009 Fee	2010 Fee	2011 Fee:
Weekday Resident	\$26.00	\$27.00	\$29.00
<b>Weekday Resident 9 Hole</b>	\$19.00	\$20.00	\$22.00
Weekday Resident-After 3:30pm	\$19.00	\$20.00	\$22.00
Weekday Senior	\$21.00	\$22.00	BH \$24.00 BA \$22.00
<b>Weekday Senior 9 Hole</b>	\$15.00	\$16.00	BH \$18.00 BA \$16.00
Weekday Senior-After 3:30pm	\$15.00	\$16.00	BH \$18.00 BA \$16.00
Weekday Youth	\$15.00	\$16.00	BH \$18.00 BA \$16.00
<b>Weekday Youth 9 Hole</b>	\$12.00	\$13.00	BA \$13.00
Weekday Youth-After 3:30pm	\$12.00	\$13.00	BH \$15.00 BA \$13.00
Weekday-After 6:00pm (June, July, August)	-----	\$14.00	\$16.00

Weekday Associate/Corporate Greens Fees			
Service:	2009 Fee	2010 Fee	2011 Fee:
Associate Weekday	\$36.00	\$38.00	\$40.00
<b>Associate 9 Hole</b>	\$23.00	\$25.00	BA \$27.00
Associate Weekday – After 3:30pm	\$23.00	\$25.00	\$27.00
Associate-After 6pm (June, July, August)	-----	\$20.00	\$22.00
Corporate Weekday	\$36.00	\$42.00	\$44.00
<b>Corporate 9 Hole</b>	\$23.00	\$27.00	BA \$29.00
Corporate Weekday – After 3:30pm	\$23.00	\$27.00	\$29.00
Corporate-After 6pm (June, July, August)	-----	\$23.00	\$25.00

Weekend Resident Greens Fees			
Service:	2009 Fee	2010 Fee	2011 Fee:
Weekend Resident	\$31.00	\$32.00	\$34.00
<b>Weekend Resident 9 Hole</b>	\$21.00	\$22.00	BA \$24.00
Weekend Resident-After 3:30pm	\$21.00	\$22.00	\$24.00
<b>Weekend Senior 9 Hole</b>	\$19.00	\$20.00	BA \$22.00
Weekend Senior-After 3:30pm	\$19.00	\$20.00	\$22.00
<b>Weekend Youth 9 Hole</b>	\$16.00	\$17.00	BA \$19.00
Weekend Youth-After 3:30pm	\$16.00	\$17.00	\$19.00

<b>Weekend Associate/Corporate Greens Fees</b>			
<b>Service:</b>	<b>2009 Fee</b>	<b>2010 Fee</b>	<b>2011 Fee:</b>
Associate Weekend	\$42.00	\$44.00	\$46.00
<b>Associate Weekend 9 Hole</b>	\$27.00	\$29.00	<b>BA \$31.00</b>
Associate Weekend – After 3:30pm	\$27.00	\$29.00	\$31.00
Corporate Weekend	\$42.00	\$50.00	\$52.00
<b>Corporate Weekend 9 Hole</b>	\$27.00	\$32.00	<b>BA \$34.00</b>
Corporate Weekend – After 3:30pm	\$27.00	\$32.00	\$34.00
Seasonal Assoc./Corp. Alternate	\$25.00	-----	-----
Seasonal Associate Alternate	\$25.00	\$27.00	\$29.00
Seasonal Corporate Alternate	\$25.00	\$30.00	\$32.00

<b>Non-Resident Greens Fees</b>			
<b>Service:</b>	<b>2009 Fee</b>	<b>2010 Fee</b>	<b>2011 Fee:</b>
Weekday Non-Resident	\$44.00	\$46.00	\$48.00
<b>Weekday Non-Resident 9 Hole</b>	\$27.00	\$29.00	<b>BA \$31.00</b>
Weekday Non-Resident – After 3:30pm	\$27.00	\$29.00	\$31.00
Non-Resident – After 6pm (June, July, August)	-----	\$24.00	\$26.00
Weekend Non-Resident	\$53.00	\$55.00	\$57.00
<b>Weekend Non-Resident 9 Hole</b>	\$32.00	\$34.00	<b>BA \$36.00</b>
Weekend Non-Resident – After 3:30pm	\$32.00	\$34.00	\$36.00
Seasonal Non-Resident	\$30.00	\$32.00	\$34.00

<b>Outing/Tournament Fees</b>			
<b>Service:</b>	<b>2009 Fee</b>	<b>2010 Fee</b>	<b>2011 Fee:</b>
Green Fee & Cart	--	\$60.00	\$60.00

<b>Golf Cart Rental Rates</b>			
<b>Service:</b>	<b>2009 Fee</b>	<b>2010 Fee</b>	<b>2011 Fee:</b>
18 Hole Cart	\$33.22	\$33.22	\$35.89
9 Hole Cart	\$16.61	\$16.61	\$17.40
Single 9 Hole Cart Rate	\$8.30	\$8.30	\$9.78
Senior Cart	\$27.68	\$27.68	\$29.36
Senior 9 Hole Cart	\$13.84	\$13.84	\$14.14
Senior Single 9-Hole Cart	\$7.38	\$7.38	\$8.70

<b>Winter Rates</b>			
<b>No Earlier Than 10/23 – No Later Than 4/1</b>			
<b>Service:</b>	<b>2009 Fee</b>	<b>2010 Fee</b>	<b>2011 Fee:</b>
Residents	\$21.00	\$22.00	\$23.00
Senior Residents	\$15.00	\$16.00	\$17.00
Associates	\$31.00	\$34.00	\$35.00
Corporate	\$31.00	\$37.00	\$38.00
Non-Residents	\$37.00	\$39.00	\$40.00

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

Noes: None

\* \* \*

**RESOLUTION NO. 121**

**AMEND PARKS & RECREATION FEE SCHEDULE/COLLEGE FIELD USE**

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

RESOLVED, that the proposed fee for College Field Use without lights be amended from \$125.00 to \$300.00 and the proposed fee for College Field Use with lights be amended from \$150.00 to \$350.00.

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

Noes: Councilman Troy

\* \* \*

**RESOLUTION NO. 122**

**ADD/PARKS & RECREATION FEE  
SCHEDULE/TURF FIELD USE FEE**

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

RESOLVED, that the following Turf Field Use Fees are hereby added to the Department of Recreation and Parks 2011 Fee Schedule:

- \$140.00 resident without lights
- \$155.00 resident with lights
- \$280.00 non-resident without lights
- \$310.00 non-resident with lights

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

Noes: None

\* \* \*

**RESOLUTION NO. 123**

**APPROVE PARKS & RECREATION  
FEE SCHEDULE**

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

RESOLVED, that upon the recommendation of the Orangetown Park Development Committee and the Superintendent of Parks and Recreation the following Parks and Recreation Fee Schedule is hereby approved.

**Town of Orangetown Department of Recreation and Parks  
2011 Fee Schedule**

<b>Orangetown Youth Groups 2.5 hrs. (softball 2 hrs.)</b>		
<b>Location</b>	<b>2010 Fee</b>	<b>2011 Fee</b>
Field/Courts/Rink w/o Light Use	No Charge	No Charge
Softball Fields/Courts w/Lights	\$20.00	\$20.00
Baseball Fields w/Lights	\$30.00	\$30.00
In-Line Rink w/Lights	\$20.00	\$20.00

<b>Orangetown Adult Groups and Leagues 2.5 hrs. (softball 2 hrs.)</b>		
<b>Location</b>	<b>2010 Fee</b>	<b>2011 Fee</b>
Softball Fields w/o Lights	\$40.00	\$40.00
Softball Fields w/Lights	\$60.00	\$65.00
Baseball Fields w/Lights	\$50.00	\$50.00
Baseball Fields w/Lights	\$75.00	\$75.00
Athletic Fields/Courts w/o Lights	\$40.00	\$40.00
Athletic Fields/Courts w/Lights	\$60.00	\$65.00
College Field Use w/o Lights	\$110.00	\$300.00 3 hrs. Fall
College Field Use w/Lights	\$135.00	\$350.00 3 hrs. Fall
In-Line Rink Use w/o Lights	\$40.00	\$40.00
In-Line Rink Use w/Lights	\$60.00	\$65.00

<b>Artificial Turf Field</b>		
<b>Location</b>	<b>Resident</b>	<b>Non-Resident</b>
Soccer Complex w/o lights	\$140.00	\$280.00
Soccer Complex w/ lights	\$155.00	\$310.00

<b>General Fees</b>		
<b>Location</b>	<b>2010 Fee</b>	<b>2011 Fee</b>
Park Permit for General Use	\$35.00 Plus Labor	\$35.00 Plus Labor
Showmobile Use Fee	\$350.00 per event/day plus Labor	\$350.00 per event/day plus Labor
Greenbush Auditorium (outside groups)	\$45.00	\$45.00
Court Room (outside groups)	\$45.00	\$45.00

<b>Non-Resident Groups/Organizations/Leagues 2.5 hrs. (softball 2 hrs.)</b>		
<b>Location</b>	<b>2010 Fee</b>	<b>2011 Fee</b>
Softball Fields w/o Lights	\$80.00	\$80.00
Softball Fields w/Lights	\$120.00	\$130.00
Baseball Fields w/o Lights	\$100.00	\$100.00

Baseball Fields w/Lights	\$150.00	\$150.00
Athletic Fields/Courts w/o Lights	\$80.00	\$80.00
Athletic Fields/Courts w/Lights	\$120.00	\$130.00
Park Permit for General Use	\$70.00 plus Labor	\$70.00 plus Labor
In-Line Rink Use w/o Lights	\$80.00	\$80.00
In-Line Rink Use w/Lights	\$120.00	\$130.00

<b>Non-Profits/Civic Groups/Fundraisers 2.5 hrs. (softball 2 hrs.)</b>		
<b>Location</b>	<b>Resident</b>	<b>Non-Resident</b>
Softball Fields w/o Lights	\$20.00	\$40.00
Softball Fields w/Lights	\$30.00	\$60.00
Baseball Fields w/Lights	\$25.00	\$50.00
Baseball Fields w/Lights	\$37.50	\$75.00
Athletic Fields/Courts w/o Lights	\$20.00	\$40.00
Athletic Fields/Courts w/Lights	\$30.00	\$60.00
Park Permit for General Use	\$15.00 plus Labor	\$30.00 plus Labor
In-Line Rink Use w/o Lights	\$20.00	\$40.00
In-Line Rink Use w/Lights	\$30.00	\$60.00

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

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**RESOLUTION NO. 124**

**GRANT PERMISSON/2011 GRASSROOTS  
 ADVOCACY CAMPAIGN/HIGHWAY**

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

RESOLVED, that permission is hereby granted for the Superintendent of Highways to attend the 2011 Grassroots Advocacy Campaign, Local Roads and Bridges, Albany, NY, March 8-9, 2011 at a cost of \$167.00 to be charged to Acct. No.A5010.441 and 50.00 to be charged to Acct. No. A5010.480, for a total amount of \$217.00.

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

\* \* \*

**RESOLUTION NO. 125**

**GRANT PERMISSON/AMERICAN  
 PUBLIC WORKSHOP LEADERSHIP  
 SEMINAR/HIGHWAY**

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

RESOLVED, that permission is hereby granted for Stephen Munno, Sr. Administrative Assistant, to attend the American Public Workshop Leadership Seminar, to be held in Kansas City, Missouri, from February 24-26, 2011 at no cost to the Town.

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

\* \* \*

**RESOLUTION NO. 126**

**HIGHWAY/AUTHORIZE OPEN HOUSE**

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

RESOLVED, that the Highway Department is hereby authorized to host their 15<sup>th</sup> Annual Open House on Saturday, May 21, 2011 from 10:00 a.m. to 12:00 p.m. at the Highway Department Facility.

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

**RESOLUTION NO. 127****ESTABLISH POSITIONS/COURT  
CONSTABLES/JUSTICE**

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

RESOLVED, that upon the recommendation of the Justices of the Orangetown Justice Court, it is hereby approved to establish four Court Constable (part-time) positions for the purpose of providing for the safety and security of all persons present at the Court sessions of the aforesaid Court and to pay said part-time Court Constables an hourly wage of \$20.00 per hour for hours worked.

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

Noes: None

\* \* \*

**RESOLUTION NO. 128****APPOINT/ASST. COURT CLERK  
LISA HASTING/JUSTICE**

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

RESOLVED, that upon the recommendation of the Justices of the Orangetown Justice Court, the Board approves the appointment of Lisa Hastings, provisionally, to the position of Assistant Court Clerk (Grade 12) in the Justice Department, at a salary of \$52,249, effective February 9, 2011.

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

Noes: None

\* \* \*

**RESOLUTION NO. 129****APPOINT/SR. CLERK STENOGRAPHER  
NADIA SHAPIRO/JUSTICE**

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

RESOLVED, that upon the recommendation of the Justices of the Orangetown Justice Court, the Board approves the appointment of Nadia Shapiro, provisionally, to the position of Senior Clerk/Stenographer (Grade 8) in the Justice Department, at a salary of \$43,570, effective February 9, 2011.

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

Noes: None

\* \* \*

**RESOLUTION NO. 130****CERTIFICATE OF REGISTRATION  
2011 SEWER WORK**

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

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

- Sasso Plumbing Corporation, 468 Haverstraw Road, Suffern, NY 10901
- SHF Corporation, 23 Briarwood Drive, New City, NY 10956
- Ronald Tarigo, 5 Crosscreek Lane, Stony Point, NY 10980

**Resolution No. 130 – Continued**

- Kevin Stokes Excavating, Inc., 52 Grotke Rd., Chestnut Ridge, NY 10977
- American Minuteman Sewer and Drain, 307 S. Main St., New City, NY 10956

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

\* \* \*

**RESOLUTION NO. 131 ACCEPT MINUTES**

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

RESOLVED, that the January 11, 2011 Regular Town Board Meeting, Audit Meeting and Executive Session and the January 18, 2011 Police Commission Meeting minutes are hereby accepted.

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

\* \* \*

**RESOLUTION NO. 132 EFC FINANCING SEWER BOND DOCUMENTS/RECEIVED/FILED**

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

RESOLVED that the EFC Financing (\$2,999,000 Short-Term Market Rate/Interest Free Financing) Documents for the Sewer Bond are received and filed in the Town Clerk’s Office.

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

\* \* \*

**RESOLUTION NO. 133 APPROVE/ELECTRICAL CONTRACT**

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

RESOLVED, that the Supervisor is hereby authorized to sign a contract with the low bidder for electricity supply for up to 24 months for a price not to exceed \$0.07 per kWh.

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

\* \* \*

**RESOLUTION NO. 134 APPROVE BUDGET TRANSFERS**

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

RESOLVED, that the following budget transfers requested by the Town auditors are hereby approved.

Fund / Dept.		Current Budget	Change	Revised Budget
<b>TOV - Police</b>				
Retirement	B.9015.800.16	\$ 2,246,000	\$ 218,000	\$ 2,464,000
Salaries	B.3120.011.16	\$ 10,062,852	\$ (143,000)	\$ 9,919,852

Social Security	B.9030.800.16	\$	863,000	\$	(40,000)	\$	823,000
Unemployment	B.9050.800.16	\$	18,000	\$	(16,000)	\$	2,000
Hospitalization	B.9060.800.16	\$	2,468,000	\$	(13,000)	\$	2,455,000
MCT Tax	B.1980.457.16	\$	45,000	\$	(6,000)	\$	39,000
				\$	-		
<b>General</b>							
BAN Principal	A.9730.600	\$	171,500	\$	335,030	\$	506,530
Retirement	A.9010.800	\$	501,200	\$	(25,030)	\$	476,170
Social Scurity	A.9030.800	\$	420,000	\$	(17,000)	\$	403,000
Hospitalization	A.9060.800	\$	1,215,000	\$	(26,000)	\$	1,189,000
Town Justice	A.1110.011	\$	230,173	\$	(32,000)	\$	198,173
	A.1110.013	\$	29,000	\$	(19,000)	\$	10,000
Assessor	A.1355.485	\$	20,500	\$	(20,000)	\$	500
Attorney	A.1420.457	\$	40,850	\$	(16,000)	\$	24,850
Building	A.1620.453	\$	41,000	\$	(24,000)	\$	17,000
	A.1620.455	\$	29,000	\$	(12,000)	\$	17,000
	A.1620.457	\$	45,000	\$	(22,000)	\$	23,000
	A.1620.012	\$	17,000	\$	(1,000)	\$	16,000
	A.1620.013	\$	10,300	\$	(9,000)	\$	1,300
	A.1620.020	\$	9,000	\$	(2,000)	\$	7,000
Traffic	A.3310.200	\$	135,000	\$	(50,000)	\$	85,000
Refuse	A.8160.457	\$	145,510	\$	(19,000)	\$	126,510
Parks	A.7110.462	\$	28,600	\$	(8,000)	\$	20,600
Comm Prog	A.7320.457	\$	50,000	\$	(6,000)	\$	44,000
Celebrations	A.7550.011	\$	27,000	\$	(5,000)	\$	22,000
	A.7550.020	\$	23,500	\$	(2,000)	\$	21,500
	A.7550.457	\$	15,000	\$	(3,000)	\$	12,000
Garage	A.5132.453	\$	24,000	\$	(10,000)	\$	14,000
	A.5132.455	\$	67,200	\$	(7,000)	\$	60,200
				\$	-		
Shared Services	A.1622.457	\$	48,000	\$	4,428	\$	52,428
Central Data	A.1682.200	\$	48,000	\$	(4,428)	\$	43,572
Transfers	A.9950.900	\$	179,586	\$	27,438	\$	207,024
Supervisor	A.1220.013	\$	14,410	\$	(5,600)	\$	8,810
	A.1220.015	\$	68,936	\$	(2,500)	\$	66,436
	A.1220.100	\$	104,503	\$	(3,800)	\$	100,703
Assessor	A.1355.012	\$	9,000	\$	(4,800)	\$	4,200
	A.1355.200	\$	6,000	\$	(3,400)	\$	2,600
	A.1355.411	\$	5,000	\$	(4,300)	\$	700
	A.1355.457	\$	15,500	\$	(3,038)	\$	12,462
				\$	-		
<b>TOV - Other</b>							
Worker's Comp	B.9040.800.17	\$	16,600	\$	1,000	\$	17,600
Unemployment	B.9050.800.17	\$	7,500	\$	(1,000)	\$	6,500
Safety Insp	B.3620.011.17	\$	708,333	\$	3,783	\$	712,116
Zoning Board	B.8010.012.17	\$	4,599	\$	(3,783)	\$	816
<b>Highway -TW</b>							
MTA Tax	D.1980.457.05	\$	8,000	\$	475	\$	8,475
Transfers Out	D.9950.900.05	\$	-	\$	19,109	\$	19,109
Bridge Reapirs	D.5120.400.05	\$	33,400	\$	(15,000)	\$	18,400
Machinery	D.5130.400.05	\$	343,476	\$	(4,584)	\$	338,892
<b>Highway - PT</b>							
Repairs	D.5110.457.04	\$	566,000	\$	16,929	\$	582,929
Social security	D.9030.800.04	\$	189,000	\$	12,877	\$	201,877
Hospitalization	D.9060.800.04	\$	561,000	\$	413	\$	561,413
Federal Grants	D.4089.000.04	\$	-	\$	29,360	\$	29,360
Gasoline Sale	D.1462.000.04	\$	10,000	\$	859	\$	10,859
<b>Sewer</b>							
Sewer Admin	G.8110.457	\$	19,000	\$	11,628	\$	30,628



Sewer Collection	G.8120.457	\$	72,000	\$	40,477	\$	112,477
Sewer Capital	G.8197.443	\$	421,095	\$	(52,105)	\$	368,990
<b>Sp Dist Water</b>							
Hydrants	SW.8320.457	\$	566,844	\$	15,702	\$	582,546
Fundbalance	SW.5999	\$	-	\$	15,702	\$	15,702

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

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**RESOLUTION NO. 135**

**RESCIND RESOLUTION 61/2011  
 SCHEDULE PUBLIC HEARING  
 PARKING INFRACTIONS/METERS  
 ENFORCEMENT**

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

RESOLVED, that Resolution 61/2011, which scheduled a Public Hearing, March 8, 2011 regarding a proposed local law relating to enforcement of parking, infractions and meters is hereby rescinded.

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

\* \* \*

**RESOLUTION NO. 136**

**ENTER EXECUTIVE SESSION**

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

RESOLVED, that the Town Board entered Executive Session at 9:10 p.m.

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

**Resolution Nos. 137 and 138 see Executive Session.**

**RESOLUTION NO. 139**

**NYACK SEWER IMPROVEMENTS-  
 2010/RESCIND RESOLUTION NO.  
 65/2011/AWARD PRECISE  
 ENTERPRISES, INC**

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

WHEREAS, the Director of the Department of Environmental Management & Engineering duly advertised for sealed bids for NYACK SEWER IMPROVEMENTS - 2010, which were received and publicly opened on December 29, 2010.

WHEREAS, this bid was awarded to Mastrantoni Construction Corp., Mahopac, NY, the lowest qualified bidder, for \$140,400 as per Resolution #65 at the Town Board Meeting on January 25, 2011.

WHEREAS, Mastrantoni Construction Corp. has not provided the necessary bonds and signed contract within the required ten (10) days since the Notice of Award.

**Resolution No. 139 - Continued**

WHEREAS, the Director of the Department of Environmental Management & Engineering recommends that Mastrantoni Construction Corp.'s bid to be withdrawn.

Now, Therefore, Be It

RESOLVED, that this award is hereby amended and given to Precise Enterprises Inc., Wallkill, NY, the second lowest qualified bidder, in the amount of \$176,000 to be charged to Account G 8197.452.

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

Noes: None

\* \* \*

**RESOLUTION NO. 140**

**APPROVE/REQUEST/POLICE CHIEF EXAM**

Under new business, Councilman Maturo offered the following resolution, which was seconded by Supervisor Whalen and on a roll call was adopted:

RESOLVED, that the Town Board hereby approves a request to the Rockland County Department of Personnel that a competitive test for the position of Chief of Police be conducted, and authorizes the Supervisor to take all steps as may be required to effectuate said result.

Aye: Councilpersons Maturo, Troy, Diviny  
Supervisor Whalen

Noes: Councilwoman Low-Hogan

Kevin Nulty, Police Chief, spoke about the resolution regarding the exam for the Police Chief.

\* \* \*

**RESOLUTION NO. 141**

**ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:21 p.m.

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

Noes: None

\* \* \*

**RESOLUTION NO. 142**

**PAY VOUCHERS**

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds in the amount of \$591,616.52 and \$10,494,024.00 for payment of property taxes to Special Districts, for a total amount of \$11,085,640.52.

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

Noes: None

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**RESOLUTION NO. 143**

**ENTER EXECUTIVE SESSION**

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

**Resolution No. 143 - Continued**

RESOLVED, that the Town Board entered Executive Session at 9:29 p.m.

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

**Resolution Nos. 144 and 145 see Executive Session.**

**RESOLUTION NO. 146**

**ADJOURNMENT**

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

RESOLVED, that the Town Board adjourned, in memory of George H. Duarte, Chestnut Ridge; Noel Coughlan, Pearl River; Bernard F. Kelly, Pearl River; and Ellen M. Skelly, Nanuet at 9:53 p.m.

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

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**Charlotte Madigan, Town Clerk**