

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, FEBRUARY 9, 2010**

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
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.

Ed O'Dea led the Pledge of Allegiance to the Flag.

Supervisor Whalen appointed Steve Spiro as his Second Deputy Supervisor, effective January 26, 2010.

Summary of Public Comments (RTBM):

Ed O'Dea, Pearl River, urged the Town Board to negotiate with STEJ regarding the recreation center. On March 13th, the Substance Abuse Committee will hold a drug disposable fair, at the Pearl River CVS and the Orangeburg CVS, from 10 a.m. to 4 p.m.

William Clark, Pearl River, spoke about Hillside Ave wetlands and flood zone. He believes building on this site is a big mistake. Building will effect the flooding in this area.

Gail Raffaele, Tappan, suggested the Town get the Comptroller's opinion on appointing a second Deputy Supervisor. She opposes aid for the John Bellew 5K Run/Walk and an appointment to the Traffic Advisory Board.

Esta Baitler, Consumer Advocate for Cathy Lukens Home, was concerned that her residence was not alerted about the shooting in Sparkill.

Joanne DiLorenzo, Pearl River and a registered landscape architect in NY & NJ, said the residents of Hillside Ave have a diminished faith of the government's ability to watch out for the community. It's her opinion that our Land Use Boards have failed to perform their due diligence, with regard to their preliminary approval of the Hillside project.

Bridget Killen, Pearl River Business Owner, said the Hillside property is located on two flood plains. She asked that all the residents and businesses, in that area, be protected from flooding by making sure the developer does not clear-cut and leave the land vacant.

Eileen Larkin, Palisades, congratulated Ed O'Dea. She requested copies of his fliers, so that she can post them in her Post Office and library.

RESOLUTION NO. 107

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

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RESOLUTION NO. 108**OPEN PH/WAIVE BUILDING PERMIT FEES/RENEWABLE ENERGY IMPROVEMENTS**

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

RESOLVED, that the 8:00 p.m. public hearing to consider a proposed Local Law amending the Town Code entitled "Building Construction Administration", Chapter 6 Section 6-11, "Building Permit Fees" is hereby opened.

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

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 2-A-10 and made a part of these minutes.

Summary of Public portion:

Richard Pakola, Deputy Town Attorney, explained this proposed local law pertains to waiving portion of the Building Permit Fee as it relates to renewable energy improvements. If someone has an environmental improvement done to their house, the permit fee for the improvement would be waived.

John Giardiello, Director of OBZPAE, said there were four renewable energy permits issued, in the past three years. The permit fees ranged from \$150.00 to \$1,000.00. They varied from solar panels to hot water heat. One of reasons for this local law is not only to be proactive but to update the Building Code. Also, people make improvements, but they do not get a building permit, which could be unsafe and not inspected properly. This would encourage people to get the permits and do the inspections.

Peggy Kurz, Member of Environmental Committee, is in favor of this law and urges the Town Board to pass this legislation. This proposal represents a continuation of the committee's ongoing efforts to encourage energy conservation. Renewable energy can result in substantial savings and tax credits.

Eileen Larkin, Palisades, is against passing this local law. She believes the Town should seek to bring in as much revenue as possible. Ms. Larkin opposes government mandating what people do with their homes.

Sheila Schneider, Pearl River, is in favor of this law. This is an important step to take.

Philip Raymundo, Orangeburg, thinks solar energy would be good for the Town.

Larry Vail, Member of Environmental Committee, is in favor of this law. This is the kind of thing that would add to our quality of life and increase the value of our homes by making this a high end community and a more affordable desirable community.

RESOLUTION NO. 109**CLOSE PUBLIC COMMENTS/WAIVE BUILDING PERMIT FEES/RENEWABLE ENERGY IMPROVEMENTS**

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

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

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

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RESOLUTION NO. 110**LEAD AGENCY/WAIVE BUILDING PERMIT FEES/RENEWABLE ENERGY IMPROVEMENTS**

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

Resolution No. 110 - Continued

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

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

RESOLUTION NO. 111**SEQRA DECLARATION/WAIVE
BUILDING PERMIT FEES/RENEWABLE
ENERGY IMPROVEMENTS**

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

RESOLVED, that a non-significant SEQRA Declaration is hereby adopted; a copy is labeled Exhibit 2-B-10 and made a part of these minutes.

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

**LOCAL LAW NO. 1, 2010 OF THE TOWN OF ORANGETOWN,
AMENDING SECTION 6-11 OF THE TOWN CODE,
RELATING TO BUILDING PERMIT FEES**

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. § 6-11 shall be amended by adding the following:

E. Waiver of permit fees for renewable energy improvements. If any of the work for which a building permit is to be issued relates to renewable energy improvements, the building permit fee otherwise payable for the total valuation of the work shall be waived for that portion of the fee attributable to the value of the renewable energy improvements. In order to receive benefit of this waiver, the applicant shall provide to the Building Department an affidavit from either a certified architect or certified engineer detailing the total costs for all improvements and the specific costs attributable to renewable energy improvements. Based upon this information, the Building Department will determine the amount of fee waived. For purposes of this provision, the term “renewable energy improvements” shall mean the installation of solar energy systems, including solar electric (photovoltaic) and solar thermal systems, as well as geothermal and wind energy systems. This provision relating to the waiver of permit fees for renewable energy improvements shall expire on January 1, 2013, unless the Town Board by affirmative action extends the time period for this provision.

Section 2. The provisions of this local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 112**TB DECISION/LOCAL LAW 1, 2010
WAIVE BUILDING PERMIT FEES
RENEWABLE ENERGY
IMPROVEMENTS/ADOPTED**

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

RESOLVED, that the Town Board adopted Local Law 1, 2010, amending the Town Code entitled “Building Construction Administration”, Chapter 6, Section 6-11, “Building Permit Fees”. This proposed local law pertains to waiving portion of the Building Permit Fee as it relates to renewable energy improvements.

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

RESOLUTION NO. 113**OPEN CONTINUANCE 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:

RESOLVED, that the 8:05 p.m. continuance of the 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, Maturo
Supervisor Whalen
Noes: None

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 2-C-10 and made a part of these minutes.

John Edwards, Town Attorney, reiterated the action that is proposed tonight is to authorize the increase in cost of the establishment of the Sewer District and the related improvements. The Bond resolution will be voted on after the period of Permissive Referendum has expired.

Summary of Public Portion:

Eileen Larkin, Palisades, made it very clear she is very pro-energy efficiency. She asked Councilman Maturo if items going into the sewer project are energy efficient and if his committee has analyzed this project.

Esta Baitler, Consumer Advocate for Cathy Lukens Home, spoke about the sewer odors. She urged the Town Board to Table this increase.

RESOLUTION NO. 114**CLOSE PUBLIC PORTION/INCREASE
SEWER INFRASTRUCTURE
PROJECT/\$49,922,000**

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

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

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

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RESOLUTION NO. 115**LEAD AGENCY/INCREASE SEWER
INFRASTRUCTURE PROJECT
\$49,922,000**

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

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

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

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RESOLUTION NO. 116**SEQRA DECLARATION/INCREASE
SEWER INFRASTRUCTURE
PROJECT/\$49,922,000**

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

RESOLVED, that a non-significant SEQRA Declaration is hereby adopted.

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

Noes: None

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RESOLUTION NO. 117**TOWN BOARD DECISION/INCREASE
SEWER INFRASTRUCTURE
PROJECT/\$49,922,000/ADOPTED**

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

**A RESOLUTION APPROVING THE INCREASED COST OF THE
ESTABLISHMENT OF THE ORANGETOWN SEWER DISTRICT.**

WHEREAS, the Town Board of the Town of Orangetown, Rockland County, New York, has duly established Orangetown Sewer District at a maximum estimated cost of \$22,100,000; and

WHEREAS, it was necessary to increase the maximum estimated cost of the improvements to cover scope modifications by \$12,800,000 to a new maximum estimated cost of \$34,900,000; and

WHEREAS, as a result of cost increases, it was further necessary to increase the maximum estimated cost of the improvements for such District by \$12,022,000 to a new maximum estimated cost of \$46,922,000; and

WHEREAS, as a result of additional cost increases, it was further necessary to increase the maximum estimated cost of the improvements for such District by \$3,000,000 to a new maximum estimated cost of \$49,922,000; and

WHEREAS, an order was duly adopted by said Town Board on December 14, 2009, reciting the need to so increase such maximum estimated cost and specifying the 26th day of January, 2010, at 8:30 o'clock P.M., local time, at the Town Hall, in Orangetown, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the proposed increase in cost and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of publications and postings have been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place at which all persons desiring to be heard were duly heard and at which time the said hearing was continued to February 9, 2010 and

WHEREAS, on February 9, 2010 the said hearing was continued and following public comments the hearing was closed. NOW, THEREFORE, BE IT

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

Resolution No. 117 - Continued

Section 1. The establishment of Orangetown Sewer District in the Town of Orangetown, Rockland County, New York, and the improvements therefor consisting of the various improvements to the wastewater treatment plant, pumping stations, sewer mains and buildings, including, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a new maximum estimated cost of \$49,922,000, is hereby approved.

Section 2. This resolution is adopted subject to permissive referendum.

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

Supervisor Whalen and Councilman Diviny met with Mr. Delo. Councilman Diviny said he didn't want to vote for this increase. Due to the Consent Order, we are going to have to pay for this whether we like it or not.

Supervisor Whalen said, as the Chief Fiscal Officer of the Town, the additional \$3 million, along with the total \$49 million, is something that would have not happened if he was in this office. He would have told everyone from day one what the costs would have been and if we got into the job and found more items that were a problem, what the full price would be at the end. What concerned him running for office, four years ago, was a pool bond being floated for \$14 million, with the understanding there was a \$22 million problem with the sewer system, which now has become a \$50 million problem. He doesn't have the luxury of voting against this, because he knows the window of opportunity is closing at the State level for 2% financing. So he has to do his due diligence, as Chief Fiscal Officer for the Town. If we do not get a positive resolution on this bond, then of window of opportunity closes. The \$3 million will be paid out of our general budget, which will increase taxes 6%, before we go out and even look at any other items or costs that come up.

Councilman Troy asked Supervisor Whalen, if he has confidence in the Director of the Sewer Department's numbers and that this project will stay within budget of \$50 million and that the 7-year plan will be another \$4 million.

Supervisor Whalen said the meeting with Mr. Delo revealed there could possibly be another \$2-3 million in capital needs for the Sewer District, which would have to be bonded over the next 7 years. The funds for additional items, including the additional four pumping stations, can be taken out of the general operating fund of the Sewer budget. Supervisor Whalen requested and has a detailed plan with firm strong numbers and worse case scenarios from Mr. Delo. Mr. Delo reassured the Supervisor at most it would be between \$2 and \$3 million, through 2017. Even after all these capital improvements, the Town charges are 28% less than the Town of Clarkstown and the Town of Ramapo.

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RESOLUTION NO. 118**OPEN PH/ORANGE & ROCKLAND
UTILITIES/TRANSITION TOWER
SPECIAL PERMIT**

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

RESOLVED, that the 8:30 p.m. public hearing to consider the application of Orange & Rockland Utilities, pursuant to the provisions of Chapter 43 of the Town Zoning Law, Table of General Use Regulations for the R-80 zoning district at Col. 3, Town Board No. 5 (expressly made applicable to the R-22 zoning district), for a special permit permitting the installation and construction of "H-frame" structures to transition overhead lines to the underground lines at the Corporate Drive substation with fence enclosure is hereby opened. The proposed project will be located in an existing Orange & Rockland right-of-way south of Orangeburg Road (a/k/a Veterans Memorial Drive), approximately 300 ft± west of the intersection of Lester Drive on

Resolution No. 118 - Continued

property bearing Tax Map designation Section 74.09, Bl. 2, Lot 2 on the Tax Map of the Town of Orangetown.

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

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 2-D-10 and made a part of these minutes.

The Town received comments from Rockland County Highway Department, Rockland County Department of Planning and the Orangetown Planning Board; copies are labeled Exhibit 2-D-10 and made a part of these minutes.

Brian Quinn, Attorney; Jim Koza, Orange & Rockland Engineer and Diego Morales, CMX Engineering; explained that Orange & Rockland is applying for a special use permit to allow construction of two "H" transition structures in the existing right-of-way. The structures will transition the overhead power-lines underground in order to feed the Corporate Drive Substation. Verizon is expected to double their electric load demand and the existing distribution system cannot handle the additional load. The presentation consisted of the actual construction layout, Electric Field Radiation levels, fencing, buffer, landscaping, drainage, and environment assessment.

Summary of Public Portion:

The following people spoke against this project.

Jonathan Lefcourt, Orangeburg, said these towers will negatively affect his property value and this area has been clear-cut over the years. He asked if this power is really needed and why Verizon can not generate this extra power themselves. He wonders if the original intent of the easement was for underground facilities.

Sarah Kukla, Orangeburg, never received a letter about this proposal or public hearing. She would never have purchased her house if she knew about these towers. She begged the Town Board for further input from the residents and to find another solution. She believes Orange & Rockland wants to circumvent the time and cost of this issue and shoulder it to the taxpayers for convenience sake.

Robyn Leftcourt, Orangeburg, said this is not in the spirit of the community. She feels the residents are being sacrificed for Verizon and they should not have to foot the bill for their problem. She urged the Town Board not to rush this project.

Joseph DeCicco, Orangeburg, asked for clarification of the location of the towers. He hopes the Town Board listens to the residents.

Jan Frohmann, Orangeburg, also said this should not be rushed and there has to be other ways to get power to Verizon. Only big trees can live in this right-of-way. After a rainfall there is literally a stream. He hopes the Town Board makes the right decision.

Tom Shine, Orangeburg, asked why does the structure have to be changed, are the magnetic fields better up in the air or in the ground and will they effect anyone, how will they get access to these towers and will this be lit up at night.

A long discussion took place between Orange & Rockland, the Town Board and the residents addressing questions and a different location.

RESOLUTION NO. 119

**CONTINUE PH/ORANGE &
ROCKLAND UTILITIES/TRANSITION
TOWER/SPECIAL PERMIT**

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

Resolution No. 119 - Continued

RESOLVED, that the public portion of this public hearing will continue on March 9, 2010 at 8:00 p.m.

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

RESOLUTION NO. 120

**TOWN BOARD DECISION/CONTINUE
PH/ORANGE & ROCKLAND
UTILITIES/TRANSITION TOWER
SPECIAL PERMIT**

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

RESOLVED, that this public hearing will continue on March 9, 2010 at 8:00 p.m.

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

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RESOLUTION NO. 121

**APPROVE AID/PEARL RIVER PARK
& ACTIVITY COMMITTEE, INC.**

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

RESOLVED, that request from the Pearl River Park & Activity Committee to provide \$500.00 for the concert band, four yards of sand, barricades, trash receptacles, four portable toilets (two handicapped accessible), required personnel, clean up personnel and waive all permit fees for the 4th of July Fireworks Display and Celebration on Monday, July 4th (rain date – July 5th), to be charged to Acct. #A7550/50011/50457, is hereby approved.

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

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RESOLUTION NO. 122

APPROVE AID/JOHN BELLEW 5K

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

RESOLVED, that aid to the John Bellew 5K Run/Walk in Pearl River on April 17, 2010 by providing trash receptacles, barricades and two portable toilets, to be charged to Account No. A7550/50011/50020, is hereby approved.

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

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RESOLUTION NO. 123

**APPOINT/TRAFFIC ADVISORY
DR. ROBERT SCHELIN/DOUGLAS
SAMPATH**

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

Resolution No. 123 - Continued

RESOLVED, that Dr. Robert Schelin and Douglas Sampath are hereby appointed to the Orangetown Traffic Advisory Board.

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

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RESOLUTION NO. 124**RELEASE/PERFORMANCE BOND
VALLEY ESTATES/HEGARTY HOMES**

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

RESOLVED, that upon the recommendation of the Planning Board (PB# 2010-01), the Town Highway Department, DEME and the Town Attorney's Office, the Board hereby authorizes the release of the Valley Estates Subdivision (Hegarty Homes, Inc.) Performance Bond, issued by the Universal Bonding Insurance Company, which was originally posted pursuant to Town Board Resolution #1999-207.

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

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RESOLUTION NO. 125**CERTIFICATE OF REGISTRATION
2010 SEWER WORK**

Councilman Troy 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:

Scaffidi Paving & Drainage, 26 Dickens Street, Stony Point, NY 10980
J.D. Backhoe Service, 3 Route 340, Orangeburg, NY 10962

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

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RESOLUTION NO. 126**AUTHORIZE/AMERICAN PUBLIC
WORKS ASSOCIATION/SHOW**

Councilman Maturo offered the following resolution, which was seconded by Councilman Diviny 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 19, 2010, from 10:00 a.m. to 3:00 p.m. at the Highway Department Facility.

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

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RESOLUTION NO. 127**AMEND/PURCHASING POLICY
INCREASE THRESHOLD**

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

Resolution No. 127 - Continued

RESOLVED, that the Town's purchasing policy is amended to reflect 2009 State action to increase the threshold for advertised competitive bidding for public works from the previous \$20,000 to the current \$35,000. (Public Works projects from \$5,000 to \$35,000 would require these written quotes).

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

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RESOLUTION NO. 128**AMEND/PURCHASING POLICY
NEW JERSEY STATE BID PRICES**

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

RESOLVED, that the Town's purchasing policy is hereby amended to allow the use of New Jersey State bid prices, in addition to New York State bid prices and in lieu of other quotes for purchases below \$10,000.

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

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RESOLUTION NO. 129**APPROVE OUTING & TOURNAMENT
RATE/GOLF COURSES**

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

RESOLVED, that the following outing/tournament rate to be included in the 2010 Blue Hill Golf Course and Boradacres Golf Club fee schedule as prepared by the Superintendent of Parks and Recreation and the Orangetown Golf Advisory Committee is hereby approved:

\$60.00 which will include green fee and cart

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

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RESOLUTION NO. 130**ACCEPT MINUTES**

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

RESOLVED, that the January 26, 2010 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

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

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RESOLUTION NO. 131**RECEIVE AND FILE DOCUMENTS
TOWN CLERK'S OFFICE**

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

Resolution No. 131 - Continued

RESOLVED, that the following documents are received and filed in the Town Clerk's Office:

1. Ash Subdivision Sanitary Sewer Easement (Rockland Cty Clerk Inst No. 2009-41335)
2. Jett Industries, Inc. Change Order No. 3 for Contract No. WWTP-6-1G, Wastewater Treatment Improvements (General).
3. DEME SPDES DEC FAC #0026051 documents:
 - Results of Wastewater Sampling at Treatment Plant Operational Data January 2009 – and including December 2009. Action Level Requirements and Report
 - Pretreatment Program Implementation Requirements
 Status of Program Implementation
 Significant Industrial Users with Wastewater Discharge Permits
 Industrial Users inspected and monitored
 SIUs to be Inspected and monitored in the next reporting period.
 Status of Enforcement Activities.

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

Noes: None

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RESOLUTION NO. 132

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 10:35 p.m.

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

Noes: None

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RESOLUTION NO. 133

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 \$1,065,442.49.

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

Noes: None

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RESOLUTION NO. 134

**AUTHORIZE/DISTRIBUTION
 PROPERTY TAXES/SPECIAL DISTRICTS**

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

RESOLVED, that the Finance Office to distribute property taxes to Special Districts in the amount of \$10,200,808.80.

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

Noes: None

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RESOLUTION NO. 135

ADJOURNMENT/MEMORY

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

RESOLVED, that the Town Board adjourned, in memory of Austin (Buddy) Muldoon, Pearl River at 10:47 p.m.

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

Charlotte Madigan, Town Clerk