

**TOWN OF ORANGETOWN
SPECIAL TOWN BOARD MEETING
TUESDAY, FEBRUARY 15, 2011**

The Town Board entered this Special Town Board Meeting. Supervisor Whalen presided and the Town Clerk called the Roll. Present were:

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

Also present: Charlotte Madigan, Town Clerk
Teresa Kenny, First Deputy Town Attorney
Barbara Gionta, Deputy Town Attorney
Charles Richardson, Director of Finance
Kevin Nulty, Police Chief
Robert Zimmerman, Police Captain

Charlotte Madigan led the Pledge of Allegiance to the Flag.

RESOLUTION NO. 147

**ENTER SPECIAL TOWN BOARD
MEETING**

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

RESOLVED, that the Town Board entered this Special Town Board Meeting at 5:45 p.m.

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

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RESOLUTION NO. 148

**AUTHORIZE LICENSE AGREEMENT
BLUE HILL PRO SHOP/CHRIS
CONNELLY/BRET WATZKA**

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

RESOLVED, that the Supervisor is hereby authorized to sign the License Agreement with Chris Connelly and Bret Watzka to operate the Pro Shop at the Blue Hill Golf Course, effective March 1, 2011, for an initial term of three years, with a two year option to renew upon mutual consent of the parties.

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

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RESOLUTION NO. 149

**WALSH SUBDIVISION/LABOZZ-2
BUILDERS/PERFORMANCE BOND**

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

WHEREAS, the Town Board, pursuant to Town Board Resolution 2010-334 the Town Board accepted a Performance Bond from LaBozz-2 Builders Corp and Gerald and Bonnie Walsh, related to the Walsh Subdivision for property located at 253 Townline Road, West Nyack, New York, (Tax Lot 64.20 Block 1 Lot 3) and

Resolution No. 149 - Continued

WHEREAS, pursuant to the aforesaid Resolution, the Town received and accepted the sum of \$46,380.00 to ensure the construction and completion of certain public improvements within the subdivision, which funds were posted by LaBozz-2 Builders Corp. and

WHEREAS, the applicant has submitted an updated, fully executed Performance Bond date February 14, 2011 wherein Gerald and Bonnie Walsh have agreed to be solely responsible for the completion of public improvements pursuant to the Performance Bond,

NOW THEREFORE IT IS HEREBY RESOLVED THAT, the Town hereby formally accepts, receives and files a Replacement Performance Bond from Gerald and Bonnie Walsh with respect to the Walsh Subdivision, 253 Townline Road West Nyack, NY (Tax Lot 64.20 Block 1 Lot 3), which Performance Bond requires completion of certain public improvements no later than May 11, 2012, and

BE IT FURTHER RESOLVED THAT, the previously posted sum of \$46,380.00 shall remain in the appropriate Town account to be held in escrow as collateral for said newly posted Performance Bond, to be returned to Gerald and Bonnie Walsh only upon satisfactory completion of said public improvements according to Town departments having jurisdiction thereof, and formal resolution of the Town Board and,

BE IT FURTHER RESOLVED THAT, the previously posted performance bond posted pursuant to Town Board Resolution 2010- 334 is hereby released as replaced by the Performance Bond posted by Gerald and Bonnie Walsh, all other terms and conditions of Resolution 2010-334 to remain in effect with the exception that LaBozz-2 Builders Corp is no longer obligated pursuant to the Performance Bond.

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

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RESOLUTION NO. 150**ENTERED EXECUTIVE SESSION**

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

RESOLVED, that the Town Board entered Executive Session at 6:00 p.m.

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

Resolution Nos. 151 and 152 see Executive Session.

RESOLUTION NO. 153**AUTHORIZE/LEASE AGREEMENT
ORANGETOWN VOLUNTEER
EMERGENCY SERVICES
COALITION (OVESC)**

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

RESOLVED, that the Supervisor is hereby authorized to enter into a Lease Agreement with the Orangetown Volunteer Emergency Services Coalition ("OVESC") for certain Town owned lands, not currently needed by the Town for Town purposes. The said lands, as improved, are located on Blaisdell Road, in the hamlet of Orangeburg, Town of Orangetown. The Lease authorized hereby shall be for an additional 5-year term, commencing on the effective date of this resolution, and shall be on the same terms and conditions as set forth in the initial

Resolution No. 153 - Continued

lease agreement between the parties, dated October 12, 2004, except as otherwise modified in a Modification Agreement approved hereby and expressly incorporated by reference herein. The said premises are to be used and occupied solely as housing units for volunteer emergency service personnel who are certified members of a volunteer fire or ambulance department/association located in, and providing emergency services to, the Town of Orangetown.

This resolution is subject to permissive referendum.

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

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RESOLUTION NO. 154**ADJOURNMENT**

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

RESOLVED, that the Town Board adjourned at 8:40 p.m.

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

Charlotte Madigan, Town Clerk