

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, FEBRUARY 26, 2013**

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

Councilman Thomas Diviny
Councilman Thomas Morr
Councilman Paul Valentine
Absent: Councilman Denis Troy

Also present: Senator David Carlucci
Teresa Accetta-Pugh, Deputy Clerk
Rose Maiorano, Deputy Clerk
John Edwards, Town Attorney
Teresa Kenny, First Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
Robert Simon, Receiver of Taxes
John Giardiello, Director of OBZPAE
Aric Gorton, Superintendent of Parks-Rec.
Kevin Nulty, Chief of Police

The Pledge of Allegiance to the Flag was led by Mary O'Sullivan.

The Town Board presented An Irish Cultural Heritage Month Proclamation to Neil Cosgrove, AOH National Irish Heritage Month, Chair; Joan Moore, Rockland County Ladies AOH President; and Vince Taylor, Rockland County AOH President. Vince Taylor and John McGowan played the bagpipes as part of this celebration.

Senator David Carlucci said, he will read a similar proclamation in Albany and request Gov. Andrew Cuomo to declare March as Irish American Month.

RESOLUTION NO. 102

**IRISH CULTURAL HERITAGE
MONTH / MARCH 2013**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED that the Town of Orangetown proclaimed March 2013 as Irish Cultural Heritage Month in the Town of Orangetown.

Ayes: Supervisor Stewart
Councilmen Valentine, Diviny, Morr
Noes: None
Absent: Councilman Troy

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Summary of Public Comments:

Maria Gagliardi, Palisades Library Director, supports the sidewalks on Oak Tree Road. The sidewalks will safely connect the Community Center, the Library and the Post Office.
Carol Baxter, Palisades, is in favor of Belgium Block Curbing and Concrete sidewalks on Oak Tree Road. She reminded the Town Board about the suggested DOT improvements.
Thomas DePrisco, Pearl River Board of Education, asked if the Town Board meetings could be moved to another night, so they do not conflict with school board meetings.
Mike Mandel, Pearl River, asked if any progress has been made in removing FIT from the college charge backs. He supports appointing a Police Officer to the DEA Task Force.

RESOLUTION NO. 103

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Ayes: Supervisor Stewart
 Councilmen Diviny, Morr, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 104

COMBINE AGENDA ITEMS

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that agenda items 2 threw 14 are hereby combined.

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 105

**REAPPOINT/APPOINT/BLUE HILL
 GOLF COURSE ADVISORY
 COMMITTEE**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following members are hereby reappointed to the Blue Hill Golf Advisory Committee for a one-year term:

Michael Hogan	John Hickey	Nicola Frustaci
Lawrence Costello	John Clifford	Denis Leote
Evelyn Beckerle	Joseph Green	Tom Swift
Dan Salmon	Julia Regan	Christopher Brauer
	Bill Baldes	

and appoint: Sean Burke

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 106

**REAPPOINT/ BROADACRES GOLF
 TASKFORCE**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following members are hereby appointed to the Broadacres Taskforce for a one-year term:

Sean Walsh	Hugh O'Brien	Karl Dornbush
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Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

RESOLUTION NO. 107

REAPPOINT/VOLUNTEER HEALTH ADVISORY BOARD

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following are reappointed as members to the Volunteer Health Advisory Board for a one-year term:

Maryanne Portoro	Donna Marquis	Donna Alise
Louis Irazarry	Paul Morer	Glenn Albin
Steve Harris	PO H. Johnson, Liasion	

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 108

REAPPOINT/CITIZENS ADVISORY COMMITTEE FOR CDBG FUNDING

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following members are hereby reappointed to the Citizens Advisory Committee for CDBG Funding Applications for a one-year term:

Sister Peggy Scarano	Sister Jude DePalma
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Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 109

REAPPOINT ORANGETOWN PARKS DEVELOPMENT ADVISORY COMMITTEE

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following members are hereby reappointed to the Orangetown Parks Development Advisory Committee for a one-year term:

Steven Sweeney	Anne Byrne	Watson Morgan
Mary McCloskey	James Castagna	Kimball Parker
Micki Leader	Brian Terry	

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 110

REAPPOINT/ SUBSTANCE ABUSE COMMITTEE

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following are hereby reappointed as members to the Substance Abuse Committee for a one-year term:

Resolution No. 110 - Continued

Ed O’Dea	William Carroll	Bill Lee
Ann Marie Hahr	Bill Furdon	Scott Salmon
Vicki Shaw	Gail McMorrow	Chief Kevin Nulty
Joanne Goodman	Patrick Sweeney	Captain Donald Butterworth
Maureen Heller	Denise Zumpano	Det. Joe Sullivan
Jennifer Amos	Sue Maher	Christine Haggerty
Rev. Susan Fortunato		

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine

Noes: None

Absent: Councilman Troy

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RESOLUTION NO. 111 **REAPPOINT / TRAFFIC ADVISORY BOARD**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following are hereby reappointed as members to the Traffic Advisory Board for a one-year term:

Guy DeVincenzo	Paul Raso	Mike Yannazzone
Edith Loeb	Robert Schelin	Margaret Warren
Thomas Edattel	Robert Simon	Robert Morrison
Sgt. James Sullivan		PO Hugh Johnson
Rosemarie Fornario as clerk		

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine

Noes: None

Absent: Councilman Troy

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RESOLUTION NO. 112 **REAPPOINT/BUREAU OF FIRE PREVENTION**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following are hereby reappointed as members to the Bureau of Fire Prevention for a one-year term:

Michael Bettmann	John Ahlf, Jr.	Doug Sampath
Thomas Lorentz	Robert Morrison	Paul Raso

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine

Noes: None

Absent: Councilman Troy

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RESOLUTION NO. 113 **REAPPOINT/SHADE TREE COMMISSION**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

Resolution No. 116 - Continued

Chris O'Brien	Kerry Beckmann	Frank Payne
Alex Tencic	Gina Parisi	

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 117

REAPPOINT/APPOINT ORANGETOWN ENVIRONMENTAL COMMITTEE

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following are hereby reappointed as members to the Environmental Committee for a one-year term:

Alexis Starke	Fran Oldenburger	June Starke
Peggy Kurtz	Larry Soehnel	Martyn Ryan
Eve Millard	Watson Morgan	Anne Putko
Don Steinmetz		

and appoint: Eliot Tozer	Carolyn Doyle Winter	Tom O'Reilly	Deby Turner
Lawrence Vail	Anthony Gazzara	Beth Riso	Rosemary Raccioppi

Ayes: Supervisor Stewart
 Councilmen Morr, Diviny, Valentine
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 118

REAPPOINT/ OFFICE OF EMERGENCY MANAGEMENT

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the following are hereby reappointed as members of the Office of Emergency Management for a one-year term:

PO Harold Johnson	Maryanne Portoro	Captain Donald Butterworth
James Dean	Peter Byrne	Mike Yannazzone
Robert Daly	Steve Harris	Paul Witte
Karen Jahnes	Mark Albert	Paul Scala
Guy DeVincenzo	John Giardiello	

Ayes: Supervisor Stewart
 Councilmen Valentine, Diviny, Morr
 Noes: None
 Absent: Councilman Troy

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RESOLUTION NO. 119

APPROVE SHOWMOBILE/ST THOMAS AQUINAS COLLEGE SPRINGFEST

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

Resolution No. 119 - Continued

RESOLVED, that use of the Showmobile by St. Thomas Aquinas College, for their Springfest on Tuesday, April 16, 2013, at a rental fee of \$350.00 with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured is hereby approved.

Ayes: Supervisor Stewart
Councilmen Morr, Diviny, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 120**GRANT PERMISSION / 2013
GRASSROOTS ADVOCACY
CAMPAIGN / HIGHWAY**

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

RESOLVED, that permission is hereby granted for the Superintendent of Highways to attend the 2012 Grassroots Advocacy Campaign, Local Roads and Bridges, Albany, NY, March 5-6, 2013, for a total cost of \$237.00 (\$187.00 to be charged to Account No. A5010.441 and \$50.00 to be charged to Account No. A5010.480).

Ayes: Supervisor Stewart
Councilmen Diviny, Morr, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 121**APPROVE CURBING / SIDEWALKS
OAK TREE RD / PALISADES**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the Town Board authorizes the Highway Dept. to proceed with Belgium Block Curbing/Concrete sidewalks at a cost of \$75,000 (Option C - memo dated 1/18/2013) for the Sidewalks on Oak Tree Road in Palisades.

Ayes: Supervisor Stewart
Councilmen Valentine, Diviny, Morr
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 122**CERTIFICATE OF REGISTRATION
2013 SEWER WORK**

Supervisor Stewart 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 2013 Sewer Work is approved to the following:

1. American Minuteman Sewer & Drain Service, Inc., 307 S. Main St., New City, NY
2. Cal Mart Enterprises, Inc., 4 Burts Rd., Congers, NY
3. Dutra Excavating & Sewer, 10 Stone Hollow Rd., Montvale, NJ

Resolution No. 122 - Continued

4. MRJ Excavating, Inc., 7 Beaver Ct., New City, NY
5. Victor P. Zugibe, Inc., 66 W. Railroad Ave., Garnerville, NY

Ayes: Supervisor Stewart
Councilmen Diviny, Morr, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 123**ACCEPT/RECEIVE/FILE/TOWN
BOARD MINUTES**

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

RESOLVED, that the January 29, 2013 Regular Town Board Meeting/Audit/Meeting and Executive Session minutes; and the February 5, 2013 Workshop/Executive Session minutes are hereby accepted, received, and filed in the Town Clerk's Office.

Ayes: Supervisor Stewart
Councilmen Diviny, Morr, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 124**RECEIVE/FILE/DOCUMENTS TOWN
CLERK'S OFFICE**

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

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

1. SPDES NY – 0026051; January 2013 Monthly Report.
2. Memorandum of Understanding, with the Regional Investigative Resource Center, dated 2/14/2013.
3. Public Improvement Refunding (Serial) Bonds, 2013 Series B (Refunded Bonds \$1,550,000 – 2004 & Refunding Bonds \$1,605,000) documents.
4. Blauvelt Volunteer Fire Company 2013 Agreement.

Ayes: Supervisor Stewart
Councilmen Diviny, Morr, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 125**AUTHORIZE / APPOINTMENT
POLICE OFFICER / DEA TASKS
FORCE (FULL-TIME)**

Under new business, Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the Town Board authorizes the Chief of Police to appoint a Police Officer to the DEA Task Force (full-time), within the next 60 days.

Ayes: Supervisor Stewart
Councilmen Valentine, Diviny, Morr
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 126**AUTHORIZE / AMENDMENTS
2012 BUDGET**

Under new business, Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following amendments to the 2012 Budget are hereby authorized.

2012 Budget Amendments

A.1450.457 Elections - Contracts with Outside Vendors \$ 187,000

A.2490.457 Community College Chargeback \$ 134,000

Note: These items were not budgeted for in 2012. These were pushdowns of expenses from the county. We and the other towns are fighting these pushdowns. By accruing for the potential expenses, we are not admitting that we will pay for them, but we are taking a conservative approach to our budgeting. This is required as part of the auditors' findings and this is also the same procedure being done by the other towns in Rockland County. If we are successful in our contest of these charges, then we will reverse them at a later time.

Ayes: Supervisor Stewart
Councilmen Morr, Diviny, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 127**HOMELAND SECURITY
REIMBURSEMENT /AUTHORIZE
AGREEMENT**

Under new business, Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that the Supervisor is hereby authorized to sign the agreement from the County regarding Homeland Security reimbursement for 2009-2010 overtime in the amount of \$21,626.69.

Ayes: Supervisor Stewart
Councilmen Diviny, Morr, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 128**PAY VOUCHERS**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Diviny 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 \$1,202,180.35.

Ayes: Supervisor Stewart
Councilmen Diviny, Morr, Valentine
Noes: None
Absent: Councilman Troy

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RESOLUTION NO. 129**ADJOURNED / ENTER EXECUTIVE
SESSION / SENSITIVE LEGAL MATTER**

In attendance, at this Executive Session, were Supervisor Stewart, Councilmen Diviny, Morr and Valentine, John Edwards, Teresa Kenny, First Deputy Town Attorney, and Jeff Bencik.

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

Resolution No. 129 - Continued

RESOLVED, that the Town Board adjourned the Regular Town Board meeting in the memory of Thomas Argenti (age 18), Pearl River; Barbara and Yvonne Calise, New City; Jordan Serafin, Sr., Pearl River; Hugh F. Gaynor, Jr., Piermont; and Patricia D'Auria, Sparkill and entered Executive Session to discuss a sensitive legal matter, at 8:25 p.m. Supervisor Stewart said no further votes will be taken after the Executive Session.

Ayes: Supervisor Stewart
Councilmen Morr, Diviny, Valentine
Noes: None
Absent: Councilman Troy

Teresa Accetta-Pugh, Deputy Clerk