

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
THURSDAY, MARCH 29, 2012**

This Town Board Meeting was opened at 7:30 p.m. Supervisor Stewart presided and the Deputy Town Clerk called the Roll. Present were:

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

Also present: Teresa Accetta-Pugh, Deputy Town Clerk
John Edwards, Town Attorney
Teresa Kenny, First Deputy Town Attorney
Barbara Gionta, Deputy Town Attorney
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
John Giardiello, Director of OBZPAE,
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

The Deputy Town Clerk led the Pledge of Allegiance to the Flag.

RESOLUTION NO. 130

ENTER EXECUTIVE SESSION

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

RESOLVED, that the Town Board entered Executive Session at 7:33 p.m.

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

Resolution Nos. 131 and 132 see Executive Session.

RESOLUTION NO. 133

**OPEN PH/AMEND TOWN CODE
CHAPTER 6, BUILDING
CONSTRUCTION & ADMINISTRATION
ENERGY EFFICIENCY/REPEAL
PROVISIONS**

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

RESOLVED, that the 8:00 p.m. public hearing to amend the Town Code, Chapter 6, entitled "Building Construction and Administration," to repeal the provisions that established Energy Star as the energy efficiency standard applicable to new residential construction, with the effect being that the energy efficiency provisions and requirements of the N.Y.S. Fire Prevention and Building Code shall be the applicable provisions and requirements of such construction, is hereby opened.

Aye: Councilmen Valentine, Diviny, Troy, Morr
Supervisor Stewart
Noes: None

The Deputy Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 03-C-12 and made a part of these minutes.

Supervisor Stewart explained that this amendment will eliminate Energy Efficiency from the Town Code and default to New York State Building Code, which has Energy Efficiency requirements.

Summary of Public Comments:

Martin Ryan, Environmental Committee, is against eliminating the current standards. HERS 70 provides better enforcement of energy efficiency.

Larry Vail, Tappan, is opposed to the Town following the New York State Building Code. He believes stricter requirements will distinguish Orangetown from other areas and increase property values.

Tony Lisondi, a home energy rater, is against the State code because there is no enforcement or safety inspections. He implored the Town Board to vote for HERS 70 index.

Mike Mandel, Pearl River, is in favor of the New York State Code. He believes the State Code is more than sufficient.

RESOLUTION NO. 134

**CLOSE PH/AMEND TOWN CODE/
CHAPTER 6, BUILDING
CONSTRUCTION &
ADMINISTRATION/ENERGY
EFFICIENCY/REPEAL PROVISIONS**

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

RESOLVED, that the public portion is hereby closed.

Aye: Councilmen Troy, Diviny, Morr, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 135

**LEAD AGENCY/AMEND TOWN
CODE/CHAPTER 6, BUILDING
CONSTRUCTION & ADMINISTRATION
ENERGY EFFICIENCY/REPEAL
PROVISIONS**

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

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

Aye: Councilmen Troy, Valentine, Diviny, Morr
Supervisor Stewart

Noes: None

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RESOLUTION NO. 136

**SEQRA DECLARATION/AMEND TOWN
CODE/CHAPTER 6, BUILDING
CONSTRUCTION & ADMINISTRATION
ENERGY EFFICIENCY/REPEAL
PROVISIONS**

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

RESOLVED, that a SEQRA Declaration of non-significance, indicating that the action the Town Board is contemplating will not have a significant negative impact on the environment, is hereby adopted.

Aye: Councilmen Troy, Diviny, Morr, Valentine
Supervisor Stewart

Noes: None

LOCAL LAW AMENDING CHAPTER 6 OF THE TOWN CODE**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

DATE: March 29, 2012

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Local Law No. 1 of 2012, Amending Chapter 6 of the Town Code Relating to the Building Construction Administration (and, in particular, the energy conservation efficiency standards applicable to new residential construction in the Town of Orangetown).

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of the amendment of Chapter 6 of the Town Code, entitled Building Construction Administration, to change the energy conservation efficiency standard applicable to new residential construction in the Town of Orangetown from ENERGY STAR to the provisions of the N.Y.S. State Fire and Building Construction Code.

REASONS SUPPORTING THIS DETERMINATION:

In 2009, the Town Board adopted Local Law No. 3-2009, amending Chapter 6 of the Town Code to implement the ENERGY STAR Labeled Homes Program requirements as the standard for energy efficiency in the construction of new homes in the Town of Orangetown. As the ENERGY STAR Program continues to advance, imposing even greater energy efficiency requirements on new home builders and, ultimately, on homeowners, it has become evident that the financial and other economic impacts of the Town's mandatory adherence to the ENERGY STAR Program impose far too great a burden on the Town's housing industry (construction, purchase and sales) as to justify continued mandatory compliance.

The proposed Local Law repeals the provisions of Chapter 6 of the Town Code that imposed ENERGY STAR as the energy conservation standard applicable to new residential home construction within the Town, and restores the provisions of the N.Y.S. Fire and Building Construction Code as the applicable standard. The Board has determined that a return to the energy conservation requirements of the N.Y.S. Code, applicable throughout the state, and in the Town of Orangetown prior to the adoption of Local Law 3 of 2009, will adequately protect the environment and, at the same time, allow those who choose to build a new home the flexibility to exceed the State law requirements if they choose, recognizing the added costs associated with that decision, without imposing those added costs.

There will be no significant adverse environmental impact as a result of the proposed action.

For Further Information, Contact:

Town Supervisor Andrew Stewart
 Town Hall, Town of Orangetown
 26 Orangeburg Road
 Orangeburg, New York 10962
 (845) 359-5100

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RESOLUTION NO. 137

**ADOPT LOCAL LAW 1, 2012 AMEND
 CHAPTER 6, BUILDING CONSTRUCTION
 & ADMINISTRATION ENERGY
 EFFICIENCY/REPEAL PROVISIONS**

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

RESOLVED, that the Town Board hereby adopts to amend the Town Code, Chapter 6, entitled "Building Construction and Administration," to repeal the provisions that established Energy Star as the energy efficiency standard applicable to new residential construction, with the effect being that the energy efficiency provisions and requirements of the N.Y.S. Fire Prevention and Building Code shall be the applicable provisions and requirements of such construction.

Aye: Councilmen Troy, Morr, Diviny, Valentine
 Noes: Supervisor Stewart

**LOCAL LAW NO. 1, 2012 OF THE TOWN OF ORANGETOWN,
 AMENDING CHAPTER 6 OF THE TOWN CODE RELATING
 TO BUILDING CONSTRUCTION ADMINISTRATION**

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

Section 1. § 6-8.B shall be amended by deleting the following:

(9) For new subject dwellings as defined below in section 6-8.1.B, a Town of Orangetown New York ENERGY STAR Building Permit Affidavit.

(10) Such other information as may reasonably be required by the Building Inspector to establish compliance of the proposed work with the requirements of the applicable building laws, ordinances and regulations.

Section 2. § 6-14 shall be amended by deleting the following:

E. For new subject dwellings as defined below in section 6-8.1.B, the owner or agent shall file with the Building Inspector the required New York ENERGY STAR certification documents, as required below by section 6-8.1.F. No certificate of occupancy shall be granted prior to the filing of these documents with the Building Inspector.

Section 3. Chapter 6 shall be amended by deleting the following:

§ 6-8.1. ENERGY STAR Construction.

A. Legislative intent. The purpose of this law is to protect the public health, safety and welfare of the residents of Orangetown by reducing energy use and greenhouse gas emissions, thus also protecting the integrity of our environment. The Town recognizes that energy conservation provides not only important environmental benefits, but also reduces the cost of owning a home. New York ENERGY STAR Labeled Homes offer

homeowners a more comfortable and healthier environment, while providing significant savings on monthly energy bills, thereby reducing the costs associated with home ownership, preventing unnecessary economic hardship and strengthening our community.

B. Definitions.

As used in this local law, the following terms shall have the meanings indicated:

CERTIFIED HOME ENERGY RATER - A Residential Energy Services Network (RESNET) Certified Home Energy Rater listed as being active in the New York State Energy Research and Development Authority (NYSERDA) New York ENERGY STAR Labeled Homes Program.

ENERGY STAR CERTIFICATION DOCUMENTS – Documents required to be filed with the Building Inspector prior to the issuance of a certificate of occupancy. Said documents shall include:

1. A certification by a Certified Home Energy Rater that the new subject dwelling satisfies applicable New York ENERGY STAR Labeled Homes requirements.
2. An ENERGY STAR Home Report.
3. Qualification Forms clearly stating the results of performance testing and Combustion Appliance Zone Safety testing of the entire home.

NEW SUBJECT DWELLING – All new single-family dwellings and multi-family dwellings not more than three stories in height, including but not limited to townhouses, provided that said dwellings contain: (i) a separate means of egress for each unit, (ii) a minimum of one heating facility for each unit, and (iii) a separate primary electric meter for each unit.

NEW YORK ENERGY STAR LABELED HOMES REQUIREMENTS – The current minimum requirements necessary for a new subject dwelling to be certified as a New York ENERGY STAR Labeled Home under the New York ENERGY STAR Labeled Homes Program. The New York ENERGY STAR Labeled Homes Program is operated as part of the state's Energy Smart program, which is sponsored by the New York State Public Service Commission (PSC) and the New York State Energy Research and Development Authority (NYSERDA).

C. The Building Inspector shall maintain the following:

1. A document that contains a complete and current description of the New York ENERGY STAR Labeled Homes requirements.
2. Town of Orangetown New York ENERGY STAR Building Permit Affidavit forms.
3. A list of certified home energy raters active in the New York ENERGY STAR Labeled Homes Program.

D. All new subject dwellings shall be built to comply with the current New York ENERGY STAR Labeled Homes requirements.

E. All applicants seeking a building permit for a new subject dwelling shall submit a Town of Orangetown New York ENERGY STAR Building Permit Affidavit. This affidavit shall be signed by the applicant and a certified home energy rater. The affidavit must also be notarized prior to submission.

F. Prior to any issuance of a certificate of occupancy, the applicant or owner must file with the Building Inspector the required ENERGY STAR certification documents as defined above in section 6-8.1.B.

Section 4. The provisions of this local law shall take effect immediately upon filing with the Secretary of State.

Summary of Public Comments (RTBM):

Mike Mandel, Pearl River, said in order to reduce costs at Broadacres, the employees should be working Tuesdays thru Saturdays and Sundays thru Thursdays. He also asked, what are the savings to date from the Siemens' project.

Thomas Fennell, Pearl River, is against closing Broadacres. He believes the Town Board's view is distorted and the golf course is a value to the community. He has served on many boards in the community and know how people feel about this property. It serves an important service to the people in the community.

Keith Geasey, Clarkstown, said Broadacres is a great course. He said it's the concessions that make the money and not the course itself. He's in favor of leaving it open, if it breaks even.

Martin Fogarty, Pearl River, suggested better marketing, clearing the exterior brush for a better view and changing the entrance to Convent Road. He also said, the economy and weather should be taken into account.

Joe Wrafter, Broadacres Golf Pro, is disheartened by the talk of closing Broadacres. He pointed out that leagues, high school teams and adults who use this course have no other place in Town to go. He said in 2010, there were 22,000 rounds played at Broadacres and the average in the United States is less than 12,000. He believes, if Broadacres closes, Blue Hill will not be able to accommodate the rounds played at Broadacres and business will go elsewhere. So, it doesn't make sense to close Broadacres.

Eileen Larkin, Palisades, said we can not afford to keep Broadacres open. She spoke in favor of Hi-Tor and she asked that appointments be made to the Town committees.

Carmel Reilly, Pearl River, would like a true accounting of Broadacres losses. She suggested 1/2 price rounds after 4 p.m. and the overflow at Blue Hill should be encouraged to go to Broadacres. She rather her tax dollars support Broadacres then workforce housing.

Melanie Powell, VP of Broadacres Womens League, believes the course could be profitable with better advertising and encouragement. She lives in Clarkstown and until she became the VP of Broadacres Womens League she did not know of its existence. So advertising is very important for this to go forward.

Robert Tompkins, Pearl River, thinks it is great that we have Broadacres but the Town Board has difficult budget decisions to make. He asked everyone if they would support the Board keeping Broadacres, if other major services were cut.

Pete O'Brian, Pearl River, asked if the Golf Advisory Committee has had any discussions and did the Town Board solicit information regarding Broadacres from them.

Sean Walsh, Pearl River, said Broadacres is a gem of a course. He stated it lacks marketing and there is no exposure to the course. He gladly offered his services to help enhance it.

John Coyle, Orangetown, alleged that the revenue from Blue Hill built the athletic fields. This revenue should have been left for golf expenses. He suggested discounts to Clarkstown residents and more affordable rates.

Shelly Morgan, Tappan, reiterated he is against hiring a DEME Deputy Commissioner.

Alex DiMenna, Blauvelt, in an email stated he believes the functional Broadacres inclusion in the RPC redevelopment will revolutionize future planning for this site, and bring about new and innovative development ideas. Also, by continuing to maintain it and making it usable for the community it is a win-win situation as open space.

RESOLUTION NO. 138

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 139

APPROVE AID/ST. THOMAS AQUINAS COLLEGE

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

Resolution No. 139 - Continued

RESOLVED, the use of the Showmobile by St. Thomas Aquinas College, for the Carnival Against Cancer, on April 20, 2012, at a rental cost of \$350.00, with the user supplying a certificate of insurance listing the Town of Orangetown as additionally insured is hereby approved.

Aye: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart
Noes: None

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RESOLUTION NO. 140**APPROVE AID/PEARL RIVER LIONS CLUB**

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

RESOLVED, that aid to the Pearl River Lions Club by providing 4 port-o-johns and 8 large garbage barrels for the Annual Flea Market and Craft Fair to be held on Saturday, September 8, 2012 (rain date September 9th) at the Central Avenue Field in Pearl River is hereby approved.

Aye: Councilmen Morr, Valentine, Troy, Diviny
Supervisor Stewart
Noes: None

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RESOLUTION NO. 141**APPROVE AID/PIERMONT POLICE ATHLETIC LEAGUE**

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

RESOLVED, that use of the showmobile by Piermont Police Athletic League, for the Grassroots Music Festival on Monday, Sept 3, 2012 at a rental cost of \$350.00, with the user providing a certificate of insurance listing the Town of Orangetown as additionally insured is hereby approved.

Aye: Councilmen Troy, Valentine, Diviny, Morr
Supervisor Stewart
Noes: None

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RESOLUTION NO. 142**APPROVE AID/AUTISM AWARENESS**

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

RESOLVED, that in recognition of Autism Awareness Month (April) and community efforts to combat this illness, the request of Light It Up Blue Rockland, by authorizing the Highway Department to paint a blue line on Central Avenue, Pearl River is hereby approved.

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart
Noes: None

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RESOLUTION NO. 143**APPROVE AID/SOAP BOX DERBY**

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

Resolution No. 143 - Continued

RESOLVED, that the request of the Pearl River Rotary by providing five port-o-sans, trash barrels, including removal, and barricades, cones and hay bales for the Soap Box Derby trial run to be held on Sunday, May 20 and for the Derby Race Day, to be held Sunday, June 3rd (rain date June 17) is hereby approved.

Aye: Councilmen Diviny, Morr, Troy, Valentine
Supervisor Stewart
Noes: None

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RESOLUTION NO. 144**APPROVE QUARTERLY PAYMENT
HI-TOR ANIMAL SHELTER**

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

WHEREAS, § 114 of the Agriculture and Markets Law requires each Town and Village which issues licenses to establish and maintain a pound or shelter for dogs, or to contract for such service with another municipality or with an incorporated humane society or similar incorporated dog protective service; and

WHEREAS, in years past, the five Towns and the County of Rockland have contracted with the Hi-Tor Animal Care Center, Inc. ("Hi-Tor") to provide the shelter/pound services required by law; and

WHEREAS, communications between and among the Towns and Hi-Tor regarding the nature, extent and increasing cost of the services provided by Hi-Tor, as well as the apparent decision by the County of Rockland not to participate in Hi-Tor's funding in fiscal year 2012, have raised concerns over the continued viability of Hi-Tor as a contract vendor for the statutory services required to be provided by the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes and approves a contract with Hi-Tor for the statutory shelter/pound services required to be provided by the Town in the amount of \$26,520.00 for fiscal year 2012, *provided, however*, that such amount shall be paid to Hi-Tor in quarterly installments with the express understanding that the Town may terminate such contract and funding upon thirty (30) days written notice delivered to Hi-Tor prior to the start of any quarterly period.

Aye: Councilmen Valentine, Diviny, Troy, Morr
Supervisor Stewart
Noes: None

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RESOLUTION NO. 145**ADOPT SICK LEAVE POLICY**

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

RESOLVED, that a sick leave policy that results in fair and consistent use of sick leave by Town employees is hereby adopted.

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart
Noes: None

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RESOLUTION NO. 146**CERTIFICATE OF REGISTRATION
2012 SEWER WORK**

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

Resolution No. 146 - Continued

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 2012 Sewer Work is approved to the following:

- A. Sasso Plumbing Corp, 23 Vista Drive, Nanuet, NY
- Phoenix Excavating Corporation, 4 Ruhe Lane, West Nyack, NY
- Pearl River Plumbing, Heating & Electric, Inc., 60-70 Dexter Plaza, Pearl River, NY
- American Minutemen Sewer & Drain Service, 307 South Main Street, New City, NY
- Kevin Stokes Excavating, Inc., 52 Grotke Road, Chestnut Ridge, NY
- MRJ Excavating, Inc., 7 Beaver Court, New City, NY
- Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ
- Carmelo Scaffidi & Sons, Inc. 26 Dickens Street, Stony Point, NY
- Environmental Construction, Inc., 21 Holt Drive, Stony Point, NY

Aye: Councilmen Morr, Troy, Diviny, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 147**SET PUBLIC HEARING/CHANGE
LOCAL LAW/FLOOR AREA RATIO**

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

RESOLVED, that upon the recommendation of John Giardiello, Director of OBZPAE, a public hearing is scheduled April 26, 2012 at 8:00 p.m. for a proposed change to the local law entitled "Floor Area Ratio".

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 148**HIGHWAY BOND/EQUIPMENT
MACHINERY/APPARATUS**

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

RESOLVED, that the Purchase of Heavy Duty Equipment, Machinery and Apparatus for The Town of Orangetown, Rockland County, New York, to be used for Highway Department and Green Waste purposes, at A Maximum Estimated Cost of \$890,000.00 and the Issuance of \$890,000.00 Bonds of said Town to pay the cost thereof is hereby authorized, a copy of the Extract of Minutes is labeled Exhibit 03 -12 and made a part of these minutes.

Aye: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 149**APPOINT/DEME ASSISTANT
OPERATOR I/JOHN WINTERSTEIGER**

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

RESOLVED, that upon the recommendation of the Commissioner of DEME, John Wintersteiger is hereby appointed to the position of Assistant Operator I, to a Grade 11 (8/13) with a salary of \$66,437.00, effective February 29, 2012.

Aye: Councilmen Troy, Diviny, Morr, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 150**PERMISSION GRANTED/GFOA**

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

RESOLVED, that permission is hereby granted for Ann Maestri and Natalie Schutter to attend the NY GFOA conference on April 4th and 5th at a cost of \$810.00, to be charged to account numbers A1310.441 & 480.

Aye: Councilmen Morr, Valentine, Troy, Diviny
Supervisor Stewart
Noes: None

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RESOLUTION NO. 151**APPROVE EXCESS INSURANCE**

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

RESOLVED, that the following insurance policies, for the period of April 1, 2012 through April 1, 2013 are hereby approved:

- General liability – Lloyd's of London - \$310,000 with a \$75,000 self-insured retention,
- Property & licensed vehicles – Federal Insurance (Chubb) - \$69,654 with a \$100,000 self-insured retention,
- Contractor's equipment – Federal Insurance - \$5,411 with a \$5,000 deductible,
- Workers compensation – Safety National - \$237,078 with a 225,000 self-insured retention,
- Third party administration – Gallagher Bassett Services - \$61,164,

And an estimated surplus lines tax of \$11,160.

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart
Noes: None

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RESOLUTION NO. 152**ACCEPT MINUTES**

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

RESOLVED, that the February 9, 2012 Police Commission and Executive Session minutes; and the February 16, 2012 Regular Town Board Meeting and Audit Meeting minutes are hereby accepted.

Aye: Councilmen Diviny, Morr, Troy, Valentine
Supervisor Stewart
Noes: None

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RESOLUTION NO. 153**RECEIVE/FILE/DOCUMENTS/TOWN CLERK'S OFFICE**

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

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

- 1) Declaration of Covenant for the Annual Inspection & Maintenance of Storm Water Control Facilities, dated 12/1/2011 with Highland Mews Realty, LLC for property know as Highland Mews at Sparkill Subdivision (77.08-5-49); recorded in the Rockland County Clerk's Office as Instr. No. 2012-00002059.

Resolution No. 153 - Continued

2) Agreement between CANDLE, Inc. and the Town of Orangetown dated March 13, 2012.

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 154**APPROVE BUDGET
TRANSFER/BROADACRES GOLF**

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

RESOLVED, that to keep Broadacres open in 2012, the transfer of \$117,936 from the General Fund to the Broadacres budget, to cover the cost of the head greenskeeper position, is hereby approved.

Aye: Councilmen Troy, Diviny, Morr, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 155**POLICE UNIFORM CLEANING
LAUNDRY SERVICE/THE WASHING
BOARD/WAIVE PERFORMANCE
BOND**

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

WHEREAS, for the last four years The Washing Board Laundromat has faithfully performed the dry cleaning, laundry and minor repair services required for police uniforms pursuant to multiple contracts duly awarded; and

WHEREAS, by Resolution No. 38 of 2012, The Washing Board Laundromat was again awarded the Contract for the same services for the period January 1, 2012 to December 31, 2013; and

WHEREAS, by letter dated March 27, 2012, The Washing Board has requested that the Town waive the \$1,000.00 performance guarantee required as a condition of the award;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 38 of 2012, awarding the contract for washing, dry cleaning and minor repair services for police uniforms to The Washing Board Laundromat, of Pearl River, the only bidder, is hereby amended to waive the contract requirement that the vendor shall post with the Town a \$1,000.00 performance guarantee.

Aye: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart

Noes: None

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RESOLUTION NO. 156**ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 10:30 p.m.

Aye: Councilmen Troy, Valentine, Diviny, Morr
Supervisor Stewart

Noes: None

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RESOLUTION NO. 157**PAY VOUCHERS**

Councilman Troy offered the following resolution, which was seconded by Councilman Valentine 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 \$427,654.85.

Ayes: Councilmen Troy, Valentine, Diviny, Morr
Supervisor Stewart

Noes: None

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RESOLUTION NO. 158**RE-ENTER EXECUTIVE SESSION**

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

RESOLVED, that the Town Board re-entered Executive Session at 10:35 p.m.

Ayes: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart

Noes: None

Resolution Nos. 159 and 160 see Executive Session.

RESOLUTION NO. 161**ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned, in memory of Anna Fitzpatrick, Sparkill; Theodore Weber, Jr., Upper Grandview; and Mary Brennan, Sparkill at 11:05 p.m.

Ayes: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart

Noes: None

Teresa Accetta-Pugh, Deputy Town Clerk