

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, APRIL 12, 2016**

This Regular Town Board Meeting was opened at 7:30 p.m. Supervisor Stewart presided and Charlotte Madigan, Town Clerk, called the roll. Present were:

Councilman Denis Troy  
Councilman Thomas Diviny  
Councilman Paul Valentine  
Councilman Gerald Bottari

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, Deputy Town Attorney  
Jeff Bencik, Finance Director  
James Dean, Superintendent of Highways  
Joseph Moran, Commissioner of DEME  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.  
Robert Simon, Receiver of Taxes

Pledge of Allegiance to the Flag of the United States of America was led Esta Baitler.

**RESOLUTION NO. 188**

**ENTER EXECUTIVE SESSION  
PERSONNEL MATTER**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, Valentine, Bottari, John Edwards, and Teresa Kenny.

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

RESOLVED, at 7:00 p.m. the Town Board entered Executive Session to discuss a personnel matter.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 189**

**RE-ENTERED RTBM**

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

RESOLVED, at 7:50 p.m. the Town Board re-entered the Regular Town Board Meeting.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

Summary of Public Comments (RTBM):

Seamus Gallagher, Orangetown, read a poem, "Plant A Tree", written by a taxpayer 200 years ago. He is concerned about O & R clear cutting trees that do not grow back. Nancy Antonucci, REASONS, supports the license agreement with Rockland Filming Campus, LLC, for a site on the RPC campus. It will give Orangetown positive financial opportunities. Joseph Hauser, Tappan, spoke about Code violations on his neighbor's property. After 9 months of complaining, he is asking the Town Board to look into these issues.

Allyson Sullivan, Blauvelt, still has health concerns, from Aluf Plastic's emissions and odors. The DEC wants neighbors to report any time they smell odors and she asked the Town Board to enforce the Town Code.

Mike Mandel, Pearl River, is in favor of a license agreement, including parcel numbers, with Rockland Filming Campus, LLC. It is a great idea to bring all Town departments, except for the Police and Justice Court, together in one building. First, a cost benefit analysis should be done.

Eileen Larkin, Palisades, said renovations or a new Town Hall is needed. All of the Town Offices have outgrown their spaces. She spoke with Suez and they are talking to seniors to pay less for water. She is concerned about contamination in pools and drinking water.

Esta Baitler, Sparkill, asked for an update regarding the bus shelter, along Route 340, para-transit service and LED lights.

Tonya Wickatack, Tappan, asked if the Town is monitoring the emissions from Aluf Plastic and how can results be obtain. She said research has proved these emissions are health issues.

Heather Hurley, Pearl River, ask if the new plans for Town Hall include TV technology for the Land Use Boards meetings. The Town Code includes requirements for control of emissions and odors and are not being enforced.

Amy Wertheim, Pearl River, begged for enforcement of the Town Code and scale be addressed in the Prohibited Uses code.

Billy Ochenger, Blauvelt, is concerned about O & R's tree cutting and their expansion of their easement, from 15 ft to 50 ft. His bock alone, 50 trees are going to be cut down. Residents need better communication, from O & R after hours.

**RESOLUTION NO. 190**

**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  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 191**

**OPEN PH/AMENDING CHAPTER 18  
OF THE TOWN CODE/HAWKING  
AND PEDDLING/DO NOT KNOCK**

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

RESOLVED, the 8:00 p.m. public hearing on a proposed local law, amending Chapter 18 of the Town Code, relating to Hawking and Peddling is hereby opened.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari  
Supervisor Stewart  
Noes: None

\*\*\*

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 04-A-16 and made a part of these minutes.

**Summary of Public Comments:**

Mike Mandel, Pearl River, is in favor of these amendments. He asked who is going to enforce this law and will it be done immediately. The license should always be visible.

Tom DePrisco, Pearl River, appreciates these amendments but has concerns about mailings. He suggested adding the word "not" at the beginning of M, N, and O.

Liz Duggan, Pearl River, is in favor of this law. She has had multiple visits in one day and these people use scare tactics, are harassing and aggressive.

Heather Hurley, Pearl River, supports these amendments. She echoed Mike Mandel and Tom DePrisco comments.

Sue Collins, Pearl River, is in favor of this local law. It is important to protect seniors and children. Can non-for-profits be included.

Lisa Sheridan, Pearl River, is in favor and wants to sign-up for the registry.

Eileen Larkin, Palisades, supports this law. She has concerns, if a Peddler is injured on their property.

Katherine Monohan, Pearl River, is in favor.

Legislator Vince Tyler, Pearl River, commended the Town Board. He said residents/occupants need to call the Police at the time of the violation.

Shame Green, Pearl River, supports this local law. He asked who is going to enforce this law; and can you opt-out to have your address on the registry.

Alfredo Castro, Pearl River, is in favor of these amendments.

**RESOLUTION NO. 192**

**CLOSE PH/AMENDING CHAPTER 18  
OF THE TOWN CODE/HAWKING  
AND PEDDLING/DO NOT KNOCK**

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

RESOLVED, the public hearing on a proposed local law, amending Chapter 18 of the Town Code, relating to Hawking and Peddling is hereby closed.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari

Noes: None

Charlotte Madigan, Town Clerk, explained, in anticipation of passing this local law, she had a decal made up and they are available in her office. If you go to your door and feel uncomfortable or nervous for even a moment, the Police number is right on the decal. Mrs. Madigan suggested a brief recess, so that anyone, in attendance, who wants to sign up may do so and leave with a decal.

**RESOLUTION NO. 193**

**LEAD AGENCY AND  
DETERMINATION UNDER  
SEQRA/AMENDING CHAPTER 18 OF  
THE TOWN CODE/ HAWKING AND  
PEDDLING/DO NOT KNOCK**

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

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to amending Chapter 18 of the Town Code entitled "Hawking and Peddling", to create a "Do Not Knock Registry", and miscellaneous, related amendments thereto, and further determines that such action will not have a significant adverse environmental impact, and, therefore, issues a Negative Declaration with respect thereto under the State Environmental Quality Review Act.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 194**

**ADOPT LOCAL LAW NO. 3 OF 2016,  
AMENDING CHAPTER 18 OF THE  
TOWN CODE/HAWKING AND  
PEDDLING/DO NOT KNOCK**

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

**RESOLUTION NO. 194 - Continued**

RESOLVED, that the Town Board hereby adopts proposed Local Law No. 3 of 2016, amending Chapter 18 of the Town Code, relating to Hawking and Peddling, creating a Do Not Knock Registry, and making miscellaneous addition changes to said Chapter, as herein below shown.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Valentine, Bottari  
Noes: None

The meeting was in recess for 10 minutes.

**LOCAL LAW NO. 3 OF 2016, AMENDING CHAPTER 18  
OF THE TOWN CODE, RELATING TO HAWKING AND PEDDLING**

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

*Section 1:* Chapter 18, § 18-3, entitled “Definitions”, shall be amended such that the definitions of “HAWKER AND PEDDLER” and “MERCHANDISING”, as amended, shall read as follows:

**HAWKER AND PEDDLER**

As used ~~herein this ordinance~~ shall be deemed to include, unless otherwise herein provided, any person who engages in merchandising any goods, wares, commodities, food and/or beverage products, property (real or personal) or services by going from house to house, place of business to place of business, or in any public street or public place, or by temporarily occupying a room, building or other premises therefor.”

**MERCHANDISING**

As used in this ordinance refers to the selling, bartering or trading, or offering to sell, purchase, barter or trade any goods, wares, commodities (including food and/or beverage products), property (real or personal) or services.

**“ESTABLISHED PLACE OF BUSINESS**

As used in this ordinance means a permanent building, store or depository in which or where the person transacts business and deals in the goods, wares, food and/or beverage products, property (real or personal), services or commodities he hawks or peddles in the ordinary and regular course of business.”

*Section 2:* Chapter 18, § 18-4, entitled “Unlawful to hawk or peddle without a license” shall be amended and, as amended, shall read as follows:

The merchandising of any goods, wares, commodities, food and/or beverage products, property (real or personal) or services within the Town of Orangetown without first having obtained a license therefor from the Clerk of the Town is hereby prohibited unless such merchandising is at the personal request of the person solicited.

*Section 3:* Chapter 18, § 18-5, entitled “Exemptions from license” shall be amended and, as amended, shall read as follows:

B. The holder of a license granted pursuant to Article 4 of the General Business Law of the State of New York;

**LOCAL LAW NO. 3 – Continued**

- I. Any person who is operating a food and/or beverage concession on Town-owned lands, or within a Town-owned park, playground or parklands, under a subsisting license agreement or contract with the Town.

*Section 4:* Chapter 18, § 18-6, entitled “Application for license”, subsection 5 shall be amended, and new subsections “A(8)” and “A(9)” shall be added, which, as amended and added, shall read as follows:

- (5) A description of the goods, wares, food and/or beverage products, services or commodities to be offered for sale, ~~together with a true invoice of their amount, quality and value.~~

. . . . .

- (8) All locations within the Town where the applicant intends to conduct his hawking and/or peddling, with enough particularity so as to enable the Town Clerk to render her determination as to the issuance of a license.

- (9) Such other information as may reasonably be requested by the Town Clerk and/or the Town police Department.

*Section 5:* Chapter 18, § 18-7(B), entitled “Granting of license”, shall be amended, and, as amended, shall read as follows:

- (B) Nothing contained in this law, ~~or as amended,~~ as same may be amended from time to time, shall permit hawking and peddling where otherwise prohibited by any Federal, State, County or Town law, ordinance, regulation or statute; and the Town Clerk’s issuance of a license under this Hawking and Peddling Ordinance shall be subject to all other applicable Federal, State, County and Town laws, ordinances, regulations and statutes that govern the hawking and/or peddling activities, operations or conduct, and the compliance with such other laws, ordinances, regulations and statutes shall be the responsibility, duty and obligation of the Hawker and Peddler.”

*Section 6:* Chapter 18, § 18-10, entitled “Restrictions”, shall be amended, and, as amended, which shall read as follows:

**§ 18-10. Restrictions.**

A licensed hawker or peddler shall comply with the following restrictions, or be subject to the revocation of his or her license, pursuant to the provisions of § 18-11:

- A. Not willfully misstate the quantity or quality of any article offered for sale.
- B. Not willfully offer for sale any article of an unwholesome or defective nature.
- C. Not call attention to his goods, wares, commodities, food and/or beverage products or services by blowing a horn, by ringing a bell other than a house doorbell, by shouting or crying or by any loud or unusual noise.
- D. Not frequent any street, road or highway in an exclusive nature so as to cause a private or public nuisance.
- E. Keep the vehicle and/or receptacles used by him in the furtherance of his licensed business in a sound, clean and sanitary condition.
- F. Keep his edible articles offered for sale well protected from dirt, dust and insects.

**LOCAL LAW NO. 3 – Continued**

- G. Not remain, stand nor permit any vehicle used by him to remain or stand in one place in any public road, highway, public place or street for more than 10 minutes, nor in front of any premises for any time if the owner or any lessee of the premises objects, nor resume operations during the same business day from a new location within 1/4 of a mile of said former place or site. This subsection shall not apply to the sale of prepared foods and/or the sale of beverages by vendors licensed by the County of Rockland pursuant to Article 4 of the General Business Law of the State of New York, and otherwise licensed, as may be required, by the Rockland County Department of Health. ~~This subsection shall not apply to the sale of prepared foods and/or the sale of beverages by vendors licensed by the government agencies, bureaus or departments having jurisdiction, including but not limited to the Rockland County Department of Health~~
- H. Not create or maintain any booth or stand or place any barrels, boxes or other obstructions upon any road, public place or street for the purpose of selling or exposing for sale any goods, wares, commodities, food and/or beverage products, or services or merchandise.
- I. Not sell "silly string," or similar-type goods, or snap caps and stink bomb devices, or similar projective devices during a parade or public event in the Town of Orangetown.
- J. Not knock on, ring the doorbell of, enter the yard or driveway of, or otherwise contact any home, homeowner or the occupant or occupants of any home listed on the Town of Orangetown "Do Not Knock Registry" maintained by the Town Clerk's office, and/or which displays the Orangetown "Do Not Knock" decal, for the purpose of hawking or peddling or merchandising.
- K. Not hawk, peddle or otherwise solicit between the hours of 8 pm and 9 am.
- L. Not conduct himself or herself in such a manner likely to unreasonably annoy, alarm or harass an occupant of any house.
- M. Not fail to show his or her hawk and peddle license, when requested by any person solicited or any police officer.
- N. Not make any material misrepresentation regarding himself or herself, or the entity he or she represents, or the product or service involved on the license application, or while doing business in Town, including but not limited to, whether he or she has been convicted of a crime of dishonesty or moral turpitude.
- O. Not otherwise conduct himself or herself in a manner likely to endanger the health, safety or general welfare of the public.

*Section 7:* Chapter 18, §§ 18-14 (Repeal of prior ordinances), 18-15 (Date of effect) and 18-17 (When effective) shall be repealed.

*Section 8:* Chapter 18, shall be amended to add a new § 18-13 and the present § 18-13 (Violations and Penalties) shall be re-numbered § 18-14. The new § 18-13, entitled "No-Knock Registry", shall read as follows:

**§ 18-13 Do Not Knock Registry.**

- A. The Town Clerk shall prepare and maintain a list of addresses where the owner and/or occupant has notified the Clerk that hawking and peddling is not desired (hereinafter referred to as the "Do Not Knock" Registry). Notification shall be by completion of a form available at the Town Clerk's office during normal business hours. The list shall be updated as needed by the Town Clerk.

**LOCAL LAW NO. 3 – Continued**

- B. Any owner and/or occupant requesting to be enrolled on the Do Not Knock Registry, pursuant to subsection A hereof, may also obtain from the Town Clerk a decal for display at his/her/its premises, reflecting the premises enrollment on the Do Not Knock Registry.
- C. The Town Clerk shall make available the then current Do Not Knock Registry to all licensees at the time the license to hawk and peddle is issued or renewed pursuant to the provisions of this article. It shall be a violation of this Chapter for any licensee to hawk or peddle or merchandise at any premises identified on the then current Do Not Knock Registry.

*Section 9:* Chapter 18, § 18-13 (Violations and Penalties), to be re-numbered § 18-14 hereunder, shall be amended, and, as amended shall read as follows:

Any person who shall act as a hawker or peddler as herein defined without a license or who shall violate any of the provisions of this ordinance or who shall continue to act as a hawker or peddler subsequent to the revocation of his license shall be subject to a penalty as follows: guilty of an offense against the Hawking and Peddling Ordinance of the Town of Orangetown and shall be subject to a fine of not less than \$400 and not more than \$1,000

- (1) For a first offense, a fine of not less than \$500.00 and not more than \$1,500.00;
- (2) For a second offense within twenty-four months, as measured from occurrence to occurrence, a fine of not less than \$1,500.00 and not more than \$3,500.00; and
- (3) For a third, or more, offense within twenty-four months, a fine of not less than \$3,500.00 and not more than \$10,000.00, or imprisonment not to exceed 30 days, or both.

*Section 10:* Chapter 18, § 18-16 (Invalidity) shall be renumbered as § 18-15.

*Section 11:* Effective date. This local law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION NO. 195**

**RE-OPEN/CONTINUE PH/AMENDING  
THE TOWN ZONING LAW/ PROHIBITED  
USES AND CHANGES TO THE TABLE OF  
GENERAL USE REGULATIONS FOR  
THE “LI” ZONING DISTRICT**

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

RESOLVED, that the 8:05 P.M. public hearing on a proposed Local Law that would amend the §§ 4.41, 4.42 and 4.45 of the Town Code of the Town of Orangetown, relating to “Prohibited Uses” and processes, and, further, make changes to the Table of General Use Regulations 43, Attachment 7, Column 2, Permitted Use 9, applicable to the “LI” Zoning District is hereby re-opened and continued.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

Summary of Public Comments:

Heather Hurley, Pearl River, agrees this local law is not complete and not ready for a vote. The current draft will still allow R & D and manufacturing. Scale and quantity must be defined. Adopting amendments to the Code is important and needs to be done immediately.

Michael Smith, Blauvelt, said terms for recycling and disposal of chemicals needs to be added to the Town Code. **Seven** years ago, the DEC said Aluf Plastics is allowed to disburse emissions and odors into the air.

Liz Dudley, Orangeburg, explained that buyers should not have to research as to what is being manufactured in the Town. The Town Board should take responsibility to protect the community. Dr. Bahary, Pearl River, wants to know who is responsible to make sure the Land Use Boards comply with the Town laws and codes.

**RESOLUTION NO. 196**

**APPROVE/ELECTED & APPOINTED OFFICIALS HOURS/NYS RETIREMENT SYSTEM**

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

BE IT RESOLVED, that upon the recommendation of the Town Attorney, the Town of Orangetown hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Elected/Appointed Official Title	Name	Registration Number	Standard Work Day Hrs/day	Term Begins/Ends	Participates Employer's Time Keeping System	Days/Month (based on record of activities)	Record Not Submitted
ACABOR member	Brian Terry	6090584-1	7	11/5/14-12/31/2016	no	0.72	
Zoning Board Member	Patricia Castelli	4332551-3	7	01/1/13-12/31/17	no	1.5	
HABOR member	Walter Scott Wheatley	3683288-9	7	03/25/14-12/31/17	no	2.0	

BE IT FURTHER RESOLVED, this Resolution shall be posted for at least 30 days and a certified copy of the resolution shall be filed by the Clerk with the Office of the State Comptroller

Ayes: Supervisor Stewart  
 Councilpersons Diviny, Troy, Valentine, Bottari  
 Noes: None

\*\*\*

**RESOLUTION NO. 197**

**AUTHORIZE AGREEMENT WITH SUEZ (UNITED WATER, SPRING VALLEY WATER)/RATE CASE MUNICIPAL CONSORTIUM**

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

WHEREAS, SUEZ has applied to the New York State Public Service Commission for major rate increases that would harm town resident taxpayers and the town budget, and a strong advocacy effort on behalf of ratepayers is essential to making sure the New York State Public Service Commission makes a balanced and well-informed decision, therefore,

RESOLVED, authorize the Supervisor to execute an agreement for Orangetown to join the SUEZ Rate Case Municipal Consortium, coordinated by attorney, Daniel Duthie, at a cost not to exceed \$7,894.00.

Ayes: Supervisor Stewart  
 Councilpersons Diviny, Troy, Valentine, Bottari  
 Noes: None



**RESOLUTION NO. 198**

**APPROVE RETENTION/O'CONNOR  
DAVIES LLP/AUDIT OF 2014-15 AND  
2015-16 SCHOOL TAX COLLECTION**

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

RESOLVED, that the Town Board hereby approves the retention of O'Connor Davies, LLP to conduct an audit of the 2014-15 and 2015-16 school tax collection cycles, at a cost not to exceed \$10,000, subject to the execution by the Supervisor of a professional services agreement in a form suitable to the Town Attorney.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 199**

**APPROVE TOWN BUDGET  
ADJUSTMENTS FOR 2015**

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

RESOLVED, that the Town Board approves the following Budget Adjustments for 2015 as recommended by our auditors:

**Town of Orangetown  
General Fund Amended Budget Lines  
2015**

	Final Budget Positive (Negative)
<b>GENERAL GOVERNMENT SUPPORT</b>	
Shared services	(46,956)
Receiver of Taxes	(36,147)
Buildings	(29,710)
Bond issuance costs	(28,850)
Engineer	(15,913)
Town Clerk	(11,374)
Assessor	(10,950)
Election chargebacks - County	(10,047)
Supervisor	(10,013)
Independent audit	(7,400)
Board of Assessment Review	(2,400)
	<u>(209,760)</u>
<b>PUBLIC SAFETY</b>	
Control of animals	(1,007)
Substance abuse education	(63,669)
	<u>(64,676)</u>
<b>HEALTH</b>	
Substance Abuse Council	(1,683)
	<u>(1,683)</u>
<b>TRANSPORTATION</b>	
Highway garage	(9,585)
	<u>(9,585)</u>
<b>ECONOMIC OPPORTUNITY AND DEVELOPMENT</b>	
Veterans' services	(1,000)
	<u>(1,000)</u>

<b>CULTURE AND RECREATION</b>	
Recreation administration	(2,299)
Special recreation facilities	(50,954)
Celebrations	(28,509)
	<hr/>
	(81,762)
<b>HOME AND COMMUNITY SERVICES</b>	
Sanitation	(10,664)
Housing Authority	(17,085)
	<hr/>
	(27,749)
Total increase to above budget lines	396,215
<b>EMPLOYEE BENEFITS</b>	
Hospitalization and dental insurance	(396,215)
	<hr/>
	(396,215)
Total decrease to Hospitalization and dental insurance budget line	(396,215)

**Town of Orangetown**  
**TOV Fund Amended Budget Lines -**  
**Police**  
**2015**

	Final Budget Positive (Negative) <hr/>
<b>GENERAL GOVERNMENT SUPPORT</b>	
Mobility tax	(1,302)
<b>PUBLIC SAFETY</b>	
Police	(835,025)
Auxiliary police	2,122
<b>EMPLOYEE BENEFITS</b>	
State retirement	71,317
Social security	70,779
Life insurance	30,815
Hospitalization and dental insurance	483,108
Unemployment benefits	(2,327)
	<hr/>
Increase in Fund Balance usage	(180,513)

**Town of Orangetown**  
**TOV Fund Amended Budget Lines -Other**  
**2015**

	Final Budget Positive (Negative) <hr/>
<b>REVENUES</b>	
Departmental income	54,606
	<hr/>

<b>GENERAL GOVERNMENT SUPPORT</b>	
Mobility tax	(645)
<b>PUBLIC SAFETY</b>	
Safety inspection	36,602
<b>TRANSPORTATION</b>	
Street lighting	(158,586)
<b>HOME AND COMMUNITY SERVICES</b>	
Zoning board of appeals	(7,648)
Planning board	(3,070)
Architectural and community board of review	1,332
Refuse and garbage	(3,249)
Shade trees	2,981
<b>EMPLOYEE BENEFITS</b>	
State retirement	6,739
Social security	12,788
Hospitalization and dental insurance	55,150
Unemployment benefits	3,000
Increase in Departmental Income Budget	<u>(54,606)</u>

**Town of Orangetown**  
**Highway Fund Amended Budget Lines**  
**2015**

	<u>Final Budget Positive (Negative)</u>
<b>EXPENDITURES</b>	
Transportation	
General Repairs	<u>(\$154,907.00)</u>
Total over budget lines	<u>(\$154,907.00)</u>
<b>EMPLOYEE BENEFITS</b>	
Hospitalization and dental insurance	\$154,907.00
To increase over budget lines by Employee Benefits underbudget lines	<u>\$154,907.00</u>

**Deme Fund Amended Budget Lines**

**2015**

	Final Budget Positive (Negative)
<b>REVENUES</b>	
Departmental income	91,367
<hr/> <hr/>	
<b>EXPENDITURES</b>	
<b>General government support</b>	
General Fund for services	2,412
<b>Home and community services</b>	
Sewer administration	19,166
Sewage collection and industrial pre-treatment	(262,773)
Sewage treatment and disposal	(72,588)
Employee benefits	
State retirement	33,255
Social security	42,006
Hospitalization and dental insurance	147,155
<hr/>	
Increase in Departmental Income Budget	(91,367)
<hr/> <hr/>	

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 200**

**AID/32<sup>ND</sup> ANNUAL JAKE AMANN  
FISHING CONTEST/MESSAGE**

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

RESOLVED, that upon the recommendation of Superintendent of Highways, the Town Board hereby authorizes the Town of Orangetown Highway Department to lend assistance, which includes the use of the Message Board, for the 32nd annual Jake Amann Fishing Contest, on Sunday, April 17, 2016 (rain date: April 24, 2016), from 10 am to 3 pm.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 201**

**PERMISSION GRANTED/JAMES J. DEAN/STEPHEN F. MUNNO/MICHAEL YANNAZZONE/KARL BOHN/2016 ASSOCIATION OF TOWNS HIGHWAY SCHOOL/ITHACA, NY**

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

RESOLVED, that permission is hereby granted to James J. Dean, Stephen F. Munno, Michael Yannazzone and Karl Bohn to attend the "Association of Towns Highway School" in Ithaca, NY, on June 6-8, 2016 at a cost of \$1,687.00, with \$300.00 charged to Account No. A.5010.441 and \$1,387.00 charged to Account D.5110.457.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 202**

**PERMISSION GRANTED/JAMES J. DEAN/STEPHEN F. MUNNO/ANTHONY LIMANDRI /THOMAS IACOBELLIS APWA NORTH AMERICAN SNOW CONFERENCE/HARTFORD, CT**

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

RESOLVED, that permission is hereby granted to James J. Dean, Stephen F. Munno, Anthony Limandri, Thomas Iacobellis to attend the American Public Works Association's "North American Snow Conference", Hartford, CT on May 22-25, 2016, at a cost of \$3,570.00, charged to Account No. D.5142.457.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 203**

**APPROVE ADOPT-A-ROAD PROGRAM/ROCKLAND CEMETARY/KINGS HIGHWAY FROM ROUTE 303 TO HICKEY STREET IN SPARKILL, NY**

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

RESOLVED, that upon the recommendation of the Superintendent of Highways the Town Board hereby approved the Adopt-A-Road Program Application submitted by Rockland Cemetary for the section of Kings Highway from Route 303 to Hickey Street in Sparkill, NY.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari

Noes: None

\*\*\*

**RESOLUTION NO. 204**

**AUTHORIZE THE LOCAL-MATCH/HOMES FOR HEROES GREEN INNOVATION GRANT PROGRAM (GIGP)/NYSEFC**

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

**RESOLUTION NO. 204 - Continued**

WHEREAS, the Town of Orangetown has applied to the Environmental Facilities Corporation (“EFC”) for eligibility for funding from the Green Innovation Grant Program to finance the cost of the Homes For heroes Green Innovation Project; and

WHEREAS, the Town of Orangetown received confirmation from the EFC that the Homes For heroes Green Innovation Project is eligible for 90% reimbursement of the total cost of the Project, up to \$994,445.00, with a 10% local fund match; and

NOW, THEREFORE BE IT:

RESOLVED, that the Supervisor of the Town of Orangetown is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Green Innovation Grant Program (GIGP) Funding, on behalf of the Town of Orangetown with the New York State Environmental Facilities Corporation (EFC), and is further

RESOLVED, that in addition to the Town Supervisor the following municipal titles: Superintendent of Highways, Director of Department of Environmental Management and Engineering and Director of Finance, are also hereby authorized to execute any necessary agreements or certifications on behalf of the Town of Orangetown, with NYSEFC, and is further

RESOLVED, that the Town of Orangetown authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program (GIGP) for the Town of Orangetown Homes For Heroes Green Innovation Project. Under the GIGP Program, this local match must be at least 10% of the total actual project costs. The source of the local match, and any amount in excess of the match, shall be funded through “In Kind” services provided by the Town of Orangetown using its Legal, Technical, Administrative and Labor Force Accounts. The maximum local share shall not exceed \$99,444.50 based upon a total estimated maximum project cost of \$994,445.00. The Town of Orangetown Supervisor may increase this local match through the use of “In Kind” services without further approval from the Town of Orangetown.

Ayes: Supervisor Stewart  
Councilpersons Bottari, Troy, Diviny, Valentine  
Noes: None

\*\*\*

**RESOLUTION NO. 205**

**REQUEST FOR PROPOSALS  
ARCHITECTURAL AND PLANNING  
SERVICES/NEW TOWN HALL**

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

RESOLVED, that the Town Board hereby approves the release of a Request For Proposals for planning and architectural services for the location and design of anew Town Hall building/complex.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO.206**

**APPROVE 2016 PARK USE FEE  
SCHEDULE**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, the following 2016 Park Use Fee Schedule is hereby adopted:

Town of Orangetown Department of Recreation and Parks  
2016 Fee Schedule

<b>Orangetown Youth Groups 2.5 hrs. (softball 2 hrs.)</b>		
<b>Location</b>	<b>2015 Fee</b>	<b>2016 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
<i>Athletic Sports Camps (for profit)</i>	--	<i>\$50.00 hr.</i>

<b>Orangetown Adult Groups and Leagues 2.5 hrs. (softball 2 hrs.)</b>		
<b>Location</b>	<b>2015 Fee</b>	<b>2016 Fee</b>
Softball Fields w/o Lights	\$40.00	\$40.00
Softball Fields w/Lights	\$65.00	\$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	\$65.00	\$65.00
College Field Use w/o Lights	\$300.00 3 hrs.	\$300.00 3 hrs.
College Field Use w/Lights	\$350.00 3 hrs.	\$350.00 3 hrs.
In-Line Rink Use w/o Lights	\$40.00	\$40.00
In-Line Rink Use w/Lights	\$65.00	\$65.00

<b>Artificial Turf Field</b>				
<b>Location</b>	<b>Resident 2015</b>	<b>Resident 2016</b>	<b>Non-Resident 2015</b>	<b>Non-Resident 2016</b>
Soccer Complex w/o lights	\$140.00 per hr.	\$140.00 per hr.	\$280.00 per hr.	\$280.00 per hr.
Soccer Complex w/ lights	\$155.00 per hr.	\$155.00 per hr.	\$310.00 per hr.	\$310.00 per hr.

<b>General Fees</b>		
<b>Location</b>	<b>2015 Fee</b>	<b>2016 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	\$400.00 per event/day plus Labor
Greenbush Auditorium (outside groups)	\$45.00	\$45.00
Court Room (outside groups)	\$45.00	\$45.00
<i>Commercial Filming/Photography on Parkland</i>	---	<i>\$100.00 per. hr.</i>

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari  
 Supervisor Stewart  
 Noes: None

\*\*\*

**RESOLUTION NO. 207**

**ACCEPT/RESIGNATION/RETIREMENT  
 DET ROBERT GOLDRICK/POLICE DEPT**

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

RESOLVED, that the Town Board accepts with regret, the resignation/retirement of Det. Robert Goldrick from the Orangetown Police Department effective March 31, 2016.

Ayes: Councilpersons Bottari, Troy, Diviny, Valentine  
 Supervisor Stewart  
 Noes: None

\*\*\*

**RESOLUTION NO. 208**

**GRANT PERMISSION/DIRECTOR OF  
 OBZPAE/ATTEND THE NYS FLOODPLAIN  
 MANAGERS ASSOCIATION/15TH  
 ANNUAL MEETING/SARATOGA SPRINGS,  
 NY/MAY 16-18, 2016**

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

RESOLVED, that permission is hereby granted for the Director of the Office of Building, Zoning, Planning Administration and Enforcement, to attend the New York State Floodplain Managers Association, being held at Saratoga Springs, NY, from May 16-18, 2016, at a total cost of \$720, which \$270 is to be charged to account number B.3620.441.17 and \$450.00 to B.3620.480.17.

Ayes: Supervisor Stewart  
 Councilpersons Valentine, Troy, Diviny, Bottari  
 Noes: None

\*\*\*

**RESOLUTION NO. 209**

**APPROVE/SEWER WORK 2016  
 CERTIFICATE OF REGISTRATION**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2016 Sewer Work is approved to:

W. Harris & Son, Inc., 37 West Washington Avenue, Pearl River, NY 10965  
 Environmental Construction, Inc., 21 Holt Drive, Stony Point, NY 10980



**RESOLUTION NO. 209 - Continued**

First Rate Landscaping & Construction, P.O. Box 1212, New City, NY 10956

Ayes: Councilpersons Diviny, Valentine, Troy, Bottari  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 210**

**ACCEPT RETIREMENT/JOSEPH GRASSO/PARKS AND RECREATION**

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

RESOLVED, that the Town Board accept with regret the retirement of Joseph Grasso, Groundswoker, Parks & Recreation, effective January 2, 2016.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Valentine, Bottari

Noes: None

\*\*\*

**RESOLUTION NO. 211**

**APPOINT/PATRICIA QUINN  
PRINCIPAL CLERK TYPIST  
PERMANENT/POLICE DEPARTMENT**

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

RESOLVED, that upon the recommendation of Rockland County Personnel, Patricia Quinn is hereby appointed to the position of Principal Clerk Typist, permanent, from EL #12010 (PROM), effective April 13, 2016, no change in salary.

Ayes: Councilpersons Troy, Bottari, Diviny, Valentine  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 212**

**APPOINT/ANTHONY BEVELACQUA  
DIRECTOR OF AUTOMATED  
SYSTEMS/IT DEPARTMENT**

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

RESOLVED, that upon the recommendation of Rockland County Personnel, appoint Anthony Bevelacqua to the position of Director of Automated Systems, Grade 21, Step 2, permanent, from EL#15089 (PROM), effective April 13, 2016, no change in salary.

Ayes: Supervisor Stewart  
Councilpersons Valentine, Troy, Diviny, Bottari

Noes: None

\*\*\*

**RESOLUTION NO. 213**

**APPOINT STEPHANIE TASSELLO  
ASSISTANT ACCOUNT KEEPING  
SUPERVISOR/FINANCE  
DEPARTMENT**

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

**RESOLUTION NO. 213 – Continued**

RESOLVED, that upon the recommendation of the Human Resources Coordinator, appoint Stephanie Tassello to the position of Assistant Account Keeping Supervisor, provisional, Grade 15, Step 2, at a salary of \$69,135.00, effective April 13, 2016.

Ayes: Councilpersons Diviny, Troy, Valentine, Bottari  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 214**

**SET PUBLIC HEARING/LOCAL LAW  
AMENDING CHAPTER 30A/TOWN  
CODE/INDUSTRIAL WASTES**

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

RESOLVED, a public hearing on a proposed local law, amending Chapter 30A of the Town Code, relating to Industrial Wastes, is scheduled for May 3, 2016 at 8:00 p.m.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Valentine, Bottari

Noes: None

\*\*\*

**RESOLUTION NO. 215**

**AID/PEARL RIVER HOOK AND  
LADDER LADIES AUXILIARY/CRAFT  
FAIR/MAY 1, 2016**

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

RESOLVED, upon the recommendation of the Superintendent of Parks, Recreation & Building Maint., the Parks Department is to lend assistance, which includes the use of one (1) ADA compliant port-o-john and two (2) regular port-o-johns to the Pearl River Hook and Ladder Ladies Auxiliary's Craft Fair, Sunday, May 1, 2016, from 10 a.m. to 4 p.m.

Ayes: Councilpersons Diviny, Bottari, Troy, Valentine  
Supervisor Stewart

Noes: None

\*\*\*

**RESOLUTION NO. 216**

**AID/PEARL RIVER HOOK AND  
LADDER LADIES AUXILIARY/CRAFT  
FAIR/MAY 1, 2016**

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

RESOLVED, upon the recommendation of the Superintendent of Highway, the Highway Department is to lend assistance, which includes the use of a Message Board and trash barrels to the Pearl River Hook and Ladder Ladies Auxiliary's Craft Fair, Sunday, May 1, 2016, from 10 a.m. to 4 p.m.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Valentine, Bottari

Noes: None

\*\*\*

**RESOLUTION NO. 217**

**ACCEPT/RECEIVE/FILE/TOWN  
CLERK'S OFFICE**

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

**RESOLUTION NO. 217 - Continued**

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

1. February 2, 2016, February 23, 2016, and March 8, 2016 Workshop minutes; February 9, 2016, March 1, 2016, and March 15, 2016 Regular Town Board Meeting minutes; and March 10, 2016, and March 18, 2016 Special Town Board Meeting minutes.
2. Orangeburg Library, Tappan Library, Palisades Library and Blauvelt Library 2016 Agreements, Bylaws and Insurances.
3. Applied Golf-Blue Hill, LLC / 2016-2018 Agreement for the restaurant at the Blue Hill Golf Course.
4. Tappan Fire District – Annual Financial Report for Year Ended 12/31/15.
5. Ramland Road South/BNM Properties - Drainage easement and Hold Harmless agreement for 37 Ramland Road South.
6. 2016 Memorandum of Understanding between the NY Sharks Aquatics and the Town.
7. 2016 Agreement between CANDLE and the Town.
8. 2016 Agreement between Symprocity and the Town.
9. Illegal Sewer Connections-Quarterly Progress Report (3/29/16)/Consent Order # R3-2009030337.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 218**

**PAY VOUCHERS**

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

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, 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 for a total amount of \$1,719,881.84.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 219**

**ENTER EXECUTIVE SESSION  
LEGAL MATTER**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, Valentine, Bottari, John Edwards, Teresa Kenny, and Jeff Bencik.

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

RESOLVED, at 10:10 p.m. the Town Board entered Executive Session to discuss a legal matter.

Ayes: Supervisor Stewart  
Councilpersons Valentine, Troy, Diviny, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 220**

**RE-ENTERED RTBM**

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

**RESOLUTION NO. 220 - Continued**

RESOLVED, at 10:23 p.m. the Town Board reentered the Regular Town Board Meeting.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

\*\*\*

**RESOLUTION NO. 221**

**ADJOURNED/MEMORY**

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

RESOLVED, at 10:24 p.m. the Town Board adjourned, in memory of Lincoln Colwell, Rockland Arborist; Martha Mian, Orangeburg; and Joan Aiello, Pearl River.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Valentine, Bottari  
Noes: None

---

**Charlotte Madigan, Town Clerk**