

**TOWN OF ORANGETOWN1  
REGULAR TOWN BOARD MEETING  
TUESDAY, APRIL 23, 2013**

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

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

Also present: Charlotte Madigan, Town 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.

The Town Clerk advised the Board that Denis Troy was absent due to the death of his Mom. We will adjourn in her memory at the end of the meeting.

The Pledge of Allegiance to the Flag was led by Dominican College Students.

The Town Board declared May 2, 2013 Blauvelt Lions Day. The Blauvelt Lions was presented with a proclamation thanking them for 60 years of dedication and service to the community and for their work for the visually impaired.

The Town Board declared May 12-18, 2013 National Police Week, in Orangetown, publicly saluting the service of law enforcement officers.

**Summary of Public Comments:**

Jo Anne Pedersen, Palisades, asked if the \$10.00 Drop-Off Center fee will be starting June 1<sup>st</sup>. She is against any fee for use of the Drop-Off Center.

RoseMarie Raccioppi, Orangetown's Poet Laureate, read her poem "Earth Day...Mother Earth's Pulsing Passion" as an acknowledgement of National Poetry Month and Earth Day.

Mike Mandel, Pearl River, is in favor of the Adopt-A-Spot program. The Drop-Off Center fee should not have been discussed in Executive Session. He asked when the Broadacres RFP will be released.

Eileen Larkin, Palisades, is against paying Cablevision for channels she does not use. Cablevision needs to give better packages. She suggested adjourning in memory of the Boston Marathon Bombing and the Texas Explosion victims.

**RESOLUTION NO. 197**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilmen Diviny, Valentine, Morr  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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Representatives from NYS Department of Transportation presented an early design plan for the Rail Trail Expansion project. Further discussions will take place and more information will be available in the future.

**RESOLUTION NO. 198****AID - SHOMOBILE/MARCH OF DIMES/MARCH FOR BABIES**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks-Rec & Building Maint., the use of the Showmobile, by the March of Dimes for their March for Babies on Sunday, May 5, 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: Councilmen Valentine, Diviny, Morr  
Supervisor Stewart  
Noes: None  
Absent: Councilman Troy

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**RESOLUTION NO. 199****AID/ORANGEBURG FIRE DEPT CARNIVAL**

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, aid to the Orangeburg Fire Department, by providing 25 Garbage Cans (large barrels), 20 Barriers (Horses) for traffic and pedestrian control, and one dumpster, for their carnival, which will be held June 5-9, at the Dominican College parking lot located on Western Highway and Mountainview Avenue is hereby approved.

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

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**RESOLUTION NO. 200****AID/NJ/NY VOLUNTEER FIREMAN'S ASSOC/100<sup>TH</sup> ANNIVERSARY PARADE**

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

RESOLVED, that aid to the NJ/NY Volunteer Fireman's Association, by providing 25 Barrels for garbage, and 20 traffic barriers and cones for traffic, for their Parade, to be held on June 8, 2013 is hereby approved.

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

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**RESOLUTION NO. 201****BOARD OF ASSESSMENT REVIEW RESIGNATIONS/ANN KOCH AND MATT REID**

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

**Resolution No. 201 - Continued**

RESOLVED, that the resignations of Matt Reid and Ann Koch from the Board of Assessment Review are hereby accepted with regret.

Ayes: Councilmen Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 202****APPOINT/BOARD OF ASSESSMENT  
REVIEW/SUSAN HAYES-PERZIGIAN**

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

RESOLVED, that the Town Board hereby appoints Susan Hayes-Perzigian to serve as a member of the Board of Assessment Review, through September 30, 2017, filling the remainder of the term of Elizabeth Mattison (deceased).

Ayes: Councilmen Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 203****RE-APPOINT/BOARD OF  
ASSESSMENT REVIEW/FRANK  
FORNARIO**

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

RESOLVED, that the Town Board hereby re-appoints Frank Fornario to serve as a member of the Board of Assessment Review, through September 30, 2015, filling the remainder of the term of Matt Reid, who has resigned his office.

Ayes: Councilmen Valentine, Diviny, Morr  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 204****APPOINT/BOARD OF ASSESSMENT  
REVIEW/ANN MARIE HAHR**

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

RESOLVED, that the Town Board hereby appoints Ann Marie Hahr to serve as a member of the Board of Assessment Review, through September 30, 2013, filling the remainder of the term of Ann Koch, who has resigned her office.

Ayes: Councilmen Morr, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 205****PERMISSION GRANTED/NYS  
ASSOCIATION OF TAX RECEIVERS**

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

**Resolution No. 205 - Continued**

RESOLVED, that upon the recommendation of the Receiver of Taxes, permission is hereby granted to Robert R. Simon, to attend the New York State Association of Tax Receivers & Collectors Annual Training Seminar, which will be held June 9-12, 2013 at the Albany Marriot at a cost of \$653.42.

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

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**RESOLUTION NO. 206****CARETAKER AGREEMENT  
NIKE PARK/2% INCREASE**

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

RESOLVED, that upon the recommendation of the Town Attorney, the caretaker agreement for the property located at 2 Nike Lane, Orangeburg, New York (Nike Park), with a two (2%) percent increase, for a term from May 1, 2013 through December 31, 2013, between the Town and THOMAS IACOBELLIS is hereby approved and the Supervisor is hereby authorized to sign same.

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

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**RESOLUTION NO. 207****CARETAKER AGREEMENT / HENRY  
V. BORST PARK/2% INCREASE**

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

RESOLVED, that upon the recommendation of the Town Attorney, the caretaker agreement for the property located at 212 North Main Street, Pearl River, New York (Henry V. Borst Park), with a two (2%) percent increase, for a term from May 1, 2013 through December 31, 2013, between the Town and ANTHONY LIMANDRI is hereby approved and the Supervisor is hereby authorized to sign same.

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

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**RESOLUTION NO. 208****AGREEMENT/REIMBURSEMENT  
2011 CHEVROLET TAHOE**

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

RESOLVED, that upon the recommendation of the Chief of Police and the approval of the Town Attorney's Office, the Town Supervisor is hereby authorized to sign the Agreement with the County of Rockland for the reimbursement of \$38,620.07 for the purchase of a 2011 Chevrolet Tahoe, as outlined in the Secure the Cities Homeland Security Program.

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

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**RESOLUTION NO. 209****GRANT PERMISSION/ASSOCIATION  
OF TOWN'S ANNUAL HIGHWAY  
SCHOOL**

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, permission is hereby granted for James J. Dean, Stephen Munno, Mike Yannazzone, and Anthony Limandri to attend the Association of Town Annual Highway School, Ithaca, NY, June 3-5, 2013 at a cost of \$1,295.00 to be charged to Acct. No. 0441.

Ayes: Councilmen Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 210****ADOPT-A-SPOT DODGE/HERNANDEZ  
ORANGEBURG RD/LESTER DR  
DUTCH HILL RD**

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which Town has a place of business at 26 Orangeburg Road, Orangeburg, New York 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization with James L. Dodge, Phyllis J. Dodge and Neftali Hernandez as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at the landscaped traffic island on Orangeburg Road between Lester Drive and Dutch Hill Road, otherwise known as the "SPOT", by performing necessary and/or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and the "James and Phyllis Dodge" Adopt-A-Spot Committee, dated April 23, 2013.

Ayes: Councilmen Morr, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 211****ACCEPT/RECEIVE/FILE/TOWN  
BOARD MINUTES**

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

RESOLVED, that the February 26, 2013 and March 12, 2013 Regular Town Board Audit/Meeting and Executive Session minutes; and the March 5, 2013 Executive Session minutes are hereby accepted, received and filed in the Town Clerk's Office.

Ayes: Councilmen Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 212****RECEIVE/FILE DOCUMENTS TOWN  
CLERK'S OFFICE**

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

**Resolution No. 212 - Continued**

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

1. DEME-SPDES NY-March 2013 Monthly Report
2. Cablevision Advertising Agreement

Ayes: Councilmen Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 213****PERMISSION GRANTED/NYS TOWN CLERK'S ASSOCIATION**

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

RESOLVED, that upon the recommendation of the Town Clerk, permission is granted to Charlotte Madigan, to attend Chris Sampson, Town Clerk of Ramapo, installation as President of the New York State Town Clerk's Association, Buffalo, New York, April 30, 2013 – May 1, 2013, at a cost of \$520.00.

Ayes: Councilmen Morr, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 214****PAY VOUCHERS**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Morr 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 \$1,597,531.39.

Ayes: Councilmen Morr, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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**RESOLUTION NO. 215****ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned, in memory of Margaret (Peggy) Morahan, Sparkill; Catherine Troy, Sparkill; and the Boston Marathon Bombing and the Texas Explosion victims, at 8:52 p.m.

Ayes: Councilmen Morr, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Troy

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Charlotte Madigan, Town Clerk