

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
THURSDAY, APRIL 26, 2012**

This Town Board Meeting was opened at 7:45 p.m. Supervisor Stewart presided and the Town Clerk called the Roll. Present were:

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

Also present: Charlotte Madigan, Town Clerk  
Teresa Kenny, First Deputy Town Attorney  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Joseph Moran, Commissioner of DEME  
Bert Von Wurmb, Building Department  
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

Announcements:

- National Police Week – May 13-19, 2012
- National Public Works Week -Town of Orangetown - May 20 – May 26, 2012
- Highway Open House, Saturday, May 19<sup>th</sup>, 10:00 am – 12:00 pm.

Summary of Public Comments:

Nancy Antonucci, Blauvelt, spoke about the Memorial Day Banner that they designed and arranged for viewing at the Palisades mall. She hopes, in honor of our Veterans, everyone will take the time to view this banner.

Rose Marie Raccioppi, Poet Laureate, read her poem “We are Orangetown”, a poetic tribute in recognition of Orangetown. This poem is on display in the museum.

Mike Mandel, Pearl River, said that the RFP for the concessions stands at the soccer fields should not include alcohol and the Town should receive revenue from the new vendor.

Giuseppe Colella, Orangeburg, is concerned that the fire department took 20 minutes to show up to a brush fire, this could prove to be fatal if this was a home.

Eileen Larkin, Palisades, would like a RPC site committee to review possible uses of this property for senior care.

Habib Hasan, Nyack, is shocked that the County can not find the money to keep the Narcotics Task Force going.

**RESOLUTION NO. 170**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

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**RESOLUTION NO. 171**

**OPEN PH/AMEND TOWN  
CODE/CHAPTER 43, ARTICLE  
XI, SECTION 11.2/FLOOR AREA**

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

**Resolution No. 171 - Continued**

RESOLVED, that the 8:00 p.m. public hearing to amend the Town Code, Chapter 43, Article XI, Section 11.2, the definition of “Floor Area” as it relates to habitable space is hereby opened.

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

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 04-A-12 and made a part of these minutes.

Bert Von Wurmb, Building Inspector, said this amendment, to change the definition of “Floor Area” (habitable space), is to match a condition of the New York State Building Code.

Public Comments (PH):  
The public portion was opened and there were no public comments.

**RESOLUTION NO. 172**

**CLOSE PUBLIC COMMENTS  
CHAPTER 43, ARTICLE XI,  
SECTION 11.2 – FLOOR AREA**

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, Troy, Morr  
Supervisor Stewart  
Noes: None

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**RESOLUTION NO. 173**

**DESIGNATION OF LEAD  
AGENCY/CHAPTER 43, ARTICLE  
XI, SECTION 11.2 – FLOOR  
AREA/LOCAL LAW NO. 2**

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

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for environmental review with respect to Local Law No. 2, amending the Town Code definition of “Floor Area” in Article 43, Section 11.2.

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

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**RESOLUTION NO. 174**

**SEQRA DETERMINATION  
CHAPTER 43, ARTICLE XI,  
SECTION 11.2 – FLOOR  
AREA/LOCAL LAW NO. 2**

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

**Resolution No. 174 - Continued**

RESOLVED, that the Town Board hereby determines that the adoption of Local Law No. 2, amending the Town Code definition of "Floor Area" in Article 43, Section 11.2, will not have a significant adverse environmental impact, and, therefore, issues a Negative Declaration (Exhibit 04-B-12), with respect thereto under the State Environmental Quality Review Act.

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

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**RESOLUTION NO. 175**

**ADOPT LOCAL LAW NO. 2,  
AMENDING ARTICLE 43, § 11.2  
FLOOR AREA**

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

WHEREAS, the Town Zoning Code currently defines "Floor Area" in Article 43, Section 11.2 thereof, and

WHEREAS, the definition of "Floor Area" in the Town Zoning Code includes basement space; attic space, whether or not a floor has been laid, "over which there is structural headroom of seven and one-half (7 1/2) feet or more and floor space used for mechanical equipment "with structural headroom of seven and one-half (7 1/2) feet or more"; and

WHEREAS, Section R305 of the Residential Code of the State of New York permits "habitable space" to exist with a ceiling height of not less than seven (7) feet thus creating a conflict with the current Town Zoning Code, and

WHEREAS, changing the Town Code definition of "Floor Area" from (seven and one half (7 1/2) feet to seven (7) feet would make the Town Code and the Residential Code of the State of New York compatible with each other thus making compliance and enforcement of these provisions consistent and understandable;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 2 of 2012, amending the Town Code definition of "Floor Area" in Article 43, Section 11.2 is hereby adopted.

**Local Law No 2 of 2012, Amending Article 43, § 11.2 of the  
Town Code, Relating to the Definition of "Floor Area"**

FLOOR AREA -- The sum of the gross horizontal areas of every floor of a building, measured from the exterior faces of exterior walls or from the center line of party or common walls separating two buildings, including: basement space; attic space, whether or not a floor has been laid, over which there is structural headroom of **7 1/2 feet** or more; floor space used for mechanical equipment with structural headroom of **seven and 1/2 feet** or more; elevator shafts and stairwells at each floor; roofed porches, breezeways, interior balconies, mezzanines and penthouses; and any roofed-over space such as a garage or carport for off-street parking accessory to a single-family or two-family dwelling, not located in a cellar. Regardless of the internal arrangement of a building, it shall be deemed to have at least one floor or the first 25 feet of height or fraction thereof, and for floor height over 25 feet, the floor area shall be the result of the actual floor area multiplied by the quantity resulting from the division of the actual height of the story by 25:

$$\text{Actual floor area} \times \frac{\text{height in feet}}{25} = \text{floor area}$$

However, " floor area" does not include: cellar space, except that cellar space for a retail sales use shall be included for the purpose of calculating Article VI requirements of such use for accessory off-street parking spaces and accessory off-street loading berths; elevator and stair bulkheads, accessory water tanks and cooling towers; terraces, unroofed open porches and steps; enclosed off-street parking spaces and loading berths, accessory to any use other than a single-family or two-family dwelling.

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

Noes: None

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**RESOLUTION NO. 176**

**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items one (1) thru five (5) are hereby combined.

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

Noes: None

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**RESOLUTION NO. 177**

**APPROVE SHOWMOBILE  
PLUS POLISH FESTIVAL**

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

RESOLVED, that the request of the PLUS Polish Festival, for the use of the Showmobile, for their event on Sunday, May 27, 2012, at a rental fee of \$350.00, with the user supplying the Town of Orangetown with a certificate of insurance listing such as additionally insured is hereby approved.

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

Noes: None

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**RESOLUTION NO. 178**

**APPROVE SHOWMOBILE  
MARCH OF DIMES**

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

RESOLVED, that the request of the March of Dimes, for the use of the Showmobile for their event on Sunday, May 6, 2012 at a rental fee of \$350.00 with the user supplying the Town of Orangetown with a certificate of insurance listing such as additionally insured is hereby approved.

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

Noes: None

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**RESOLUTION NO. 179**

**APPROVE SHOWMOBILE  
NYACK CHAMBER OF  
COMMERCE**

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

RESOLVED, that the request of the Nyack Chamber of Commerce, for the use of the Showmobile for their event on Sunday, April 15, 2012 at a rental fee of \$350.00 with

**Resolution No. 179 - Continued**

the user supplying the Town of Orangetown with a certificate of insurance listing such as additionally insured is hereby approved.

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

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**RESOLUTION NO. 180**

**APPROVE AID/STS.  
 CONSTANTINE AND HELEN  
 CHURCH**

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

RESOLVED, that the request of Sts. Constantine and Helen Church, by providing the following for their Greek Festival, which will be held June 7 – June 10, 2012, 25 cones, 30 barricades, 40 trash cans, 30 recycling kiosks, and directional signs is hereby approved.

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

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**RESOLUTION NO. 181**

**APPROVE AID/PEARL RIVER  
 PARK & ACTIVITY  
 COMMITTEE, INC.**

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

RESOLVED, that the request of the Pearl River Park & Activity Committee, Inc., by providing the following for the 4<sup>th</sup> of July Fireworks Display and Celebration on Wednesday, July 4, 2012 (rain date Thursday, July 5, 2012): Police detail, three yards of sand, trash receptacles and field clean up, large dumpster, barricades, six portable toilets (two handicapped accessible) is hereby approved.

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

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**RESOLUTION NO. 182**

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

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

RESOLVED, that the following member are hereby reappointed to the Blue Hill Golf Course Advisory Committee for 2012:

- |                  |                    |                   |
|------------------|--------------------|-------------------|
| Bill Baldes      | Dennis Leote       | Evelyn Beckerle   |
| Joseph Green     | Christopher Brauer | Julia Regan       |
| John Hickey      | Dan Salmon         | Lawrence Costello |
| Michael Hogan    | Lisa Grosbeck      | John Clifford     |
| Ann Marie Pettus | Nicola Frustaci    |                   |

**Resolution No. 182 - Continued**

And Tom Swift is hereby appointed to the Blue Hill Golf Course Advisory Committee for 2012.

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

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**RESOLUTION NO. 183**

**REAPPOINT/BUREAU OF FIRE PREVENTION**

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

RESOLVED, that the following members are hereby reappointed to the Bureau of Fire Prevention for 2012:

Mike Bettmann                      Christopher Flatley                      Robert Morrison  
John Ahlf, Jr.                      Doug Sampath                      Paul Raso  
   Thomas Lorentz

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

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**RESOLUTION NO. 184**

**REAPPOINT/COMMUNITY DEVELOPMENT BLOCK (CDBG) COMMITTEE**

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

RESOLVED, that the following members are hereby reappointed to the Community Development Block Grant Committee (CDBG) for 2012:

Sister Jude DePalma                      Sister Peggy Scarano                      Charlotte Madigan

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

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**RESOLUTION NO. 185**

**REAPPOINT/APPOINT ORANGETOWN ENVIRONMENTAL COMMITTEE**

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

RESOLVED, that the following members are hereby reappointed to the Orangetown Environmental Committee for 2012:

Peggy Kurtz                                      Martyn Ryan  
Watson Morgan                                      Charlotte Madigan  
Alexis Starke                                      Fran Oldenburger

And Eve Millard, June Starke, Don Steinmetz, Larry Soehnel, and Anne Putko are hereby appointed to the Orangetown Environmental Committee for 2012.

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

**RESOLUTION NO. 186**

**REAPPOINT/APPOINT  
ORANGETOWN PARKS  
DEVELOPMENT ADVISORY  
COMMITTEE**

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

RESOLVED, that the following members are hereby appointed to the Orangetown Parks Development Advisory Committee (OPDAC) for 2012:

- |                |                |                |
|----------------|----------------|----------------|
| Anne Byrne     | Micki Leader   | James Castagna |
| Mary McCloskey | Watson Morgan  | Brian Terry    |
|                | Kimball Parker |                |

And Steve Sweeney is hereby appointed to the Orangetown Parks Development Advisory Committee.

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

Noes: None

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**RESOLUTION NO. 187**

**REAPPOINT/APPOINT SHADE  
TREE COMMISSION**

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

RESOLVED, that the following members are hereby reappointed to the Shade Tree Commission for 2012:

- |               |                  |          |
|---------------|------------------|----------|
| Rebecca Gmucs | Stephen Schiller | Joy Macy |
| Mary Vail     | Mary Root        |          |

and Laurie Peek is hereby appointed to the Shade Tree Commission for 2012.

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

Noes: None

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**RESOLUTION NO. 188**

**REAPPOINT/APPOINT SENIOR  
CITIZEN ADVISORY  
COMMITTEE**

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

RESOLVED, that the following members are hereby reappointed to the Senior Citizen Advisory Committee for 2012:

- |                                |                 |                           |
|--------------------------------|-----------------|---------------------------|
| Kay Ferrara                    | Martha Mian     | Mary Martini              |
| Shirley Mc Gowan               | Veronica Blaine |                           |
| Josephine Urban, Senior Leader |                 | Rosemarie Fornario, Clerk |

And Judy Peakes is hereby appointed to the Senior Citizen Advisory Committee for 2012.

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

Noes: None

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**RESOLUTION NO. 189**

**REAPPOINT/APPOINT  
SUBSTANCE ABUSE COMMITTEE**

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

RESOLVED, that the following members are hereby reappointed to the Substance Abuse Committee for 2012:

Ed O’Dea	Ann Marie Hahr	Patrick Sweeney
Jennifer Amos	Bill Lee	Debbie Whalen
William Carroll	Sue Maher	Denise Zumpano
Gail McMorrow	Joanne Goodman	Devona Paul
Lt. Don Butterworth	Vicki Shaw	Caroline Russo
Bill Furdon	Sheila Silverman	Christopher Stuhlweissenburg

And Scott Salmon, Christine DiDomenico, Maureen Heller, Caitlin Kenny, Chief Kevin Nulty, and Det. Joe Sullivan are hereby appointed to the Substance Abuse Committee.

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

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**RESOLUTION NO. 190**

**REAPPOINT/APPOINT TRAFFIC  
ADVISORY BOARD**

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

RESOLVED, that the following members are hereby reappointed to the Traffic Advisory Board for 2012:

Guy DeVincenzo	Robert Simon	Thomas Edattel
Sgt. James Sullivan	Edith Loeb	Margaret Warren
Paul Raso	Mike Yannazzone	Robert Schelin
Rosemarie Fornario, Clerk		

and Robert Morrison is hereby appointed to the Traffic Advisory Board for 2012.

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

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**RESOLUTION NO. 191**

**REAPPOINT/APPOINT/YOUTH  
RECREATION ASSESSMENT  
ADVISORY COMMITTEE**

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

RESOLVED, that the following members are hereby reappointed to the Youth Recreation Assessment Advisory Committee for 2012:

Mark Alexander	Kevin Powers	Bill Lee
Bob Iorio	Anne Marie Uhl	Cornelius Lynady
Stephen Unger	Bob De Rosa	Conrad Fitzpatrick

And Kerry Beckmann, John Farley, Jim Walsh, Tom Morales, Chris O’Brien, Frank Payne, and Alex Tencic are hereby appointed to the Youth Recreation Assessment Advisory Committee for 2012.

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



**RESOLUTION NO. 192**

**REAPPOINT/PROJECT  
REVIEW COMMITTEE**

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

RESOLVED, that the following members are hereby reappointed to the Project Review Committee for 2012:

- John Giardiello, OBZPAE
- Bruce Peters, DEME
- Michael Bettmann, Bur. Of Fire Prev.
- Jim Dean, Highway
- Guy DeVincenzo, DEME

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

Noes: None

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**RESOLUTION NO. 193**

**APPOINT/BROADACRES GOLF  
TASKFORCE**

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

RESOLVED, that the following members are hereby appointed to the Broadacres Taskforce:

- Sean Walsh
- Hugh O'Brien

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

Noes: None

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**RESOLUTION NO. 194**

**APPOINT/MICHAEL TERSIGNI  
ROCKLAND RIVERFRONT  
COMMUNITIES COUNCIL**

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

RESOLVED, that Michael Tersigni is hereby appointed to the Rockland Riverfront Communities Council as the Orangetown representative.

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

Noes: None

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**RESOLUTION NO. 195**

**APPOINT/BOARD OF  
ASSESSMENT REVIEW  
DEBORAH  
STUHLWEISSENBURG**

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

RESOLVED, that Deborah Stuhlweissenburg is hereby appointed to the Board of Assessment Review for a 5-year term, expiring on 12/31/2016.

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

Noes: None

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**RESOLUTION NO. 196**

**REAPPOINT/HISTORIC AREAS  
BOARD OF REVIEW (HABOR)  
THOMAS QUINN**

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

RESOLVED, that Thomas Quinn is hereby reappointed to the Historic Areas Board of Review for a 5-year term, expiring on 12/31/2016.

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

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**RESOLUTION NO. 197**

**AUTHORIZE SUPERVISOR  
HOLD HARMLESS  
AGREEMENT/CRESTRON  
ELECTRONICS**

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

WHEREAS, 38 Ramland Road, LLC is the owner of a certain property located at 88 Ramland Road, Orangeburg, NY, which property has Site Plan Approval from the Town Planning Board for construction of a light industrial/office building at that location pursuant to PB #2009-10, PB#2009-11 and PB#2010-32 , for a project known as “Crestron Electronics” and

WHEREAS, as part of the Site Plan Approval, 38 Ramland Road, LLC agreed to extend Ramland Road South to provide for a turn-a-round to be dedicated to the Town which will enable the Town to accept Ramland Road South as a dedicated public road upon completion of the road to the Town’s satisfaction, and

WHEREAS, 38 Ramland Road, LLC has requested permission to place a site identification sign for “Crestron Electronics” in an area which would be located within the Town right of way upon completion of the project and acceptance of the road for dedication to the Town, which area has been approved by the Superintendent of Highways subject to the owner agreeing to hold the Town harmless by way of a Covenant, Hold Harmless, and Indemnification Agreement, and

WHEREAS, 38 Ramland Road, LLC has provided the Town with a proposed Covenant, Hold Harmless, and Indemnification Agreement dated February 2, 2012, which has been reviewed and approved by the Town Attorney’s Office and the Superintendent of Highways, which proposes the Town grant to 38 Ramland Road, LLC a revocable license for the placing of a site identification sign within a Town right of way as described therein, subject to the terms and conditions of the Covenant, including but not limited to the right of the Town to order the sign to be removed at the owner’s expense, and the owner agreeing to defend, indemnify and hold harmless the Town from any claims or causes of action related thereto,

NOW THEREFORE, be it hereby RESOLVED, that the Town hereby grants to 38 Ramland Road, LLC a revocable license, in the form of a Covenant, Hold Harmless and Indemnification Agreement, dated February 2, 2012, which provides in sum and substance that 38 Ramland Road, LLC may place a site identification sign within a Town right of way as described therein, and that 38 Ramland Road, LLC must defend, indemnify and hold harmless the Town for any damage related thereto, and that said sign must be removed upon notice as set forth therein, otherwise to be removed by the Town at the expense of the property owner and,

**Resolution No. 197 - Continued**

BE IT FURTHER RESOLVED, that the Supervisor or his designee is hereby authorized to execute the Covenant, Hold Harmless and Indemnification Agreement and any and all other documents necessary in order for same to be recorded in the Rockland County Clerk’s Office, at the expense of 38 Ramland Road, LLC. Upon filing with the Rockland County Clerk’s Office, the original be filed and maintained in the Town Clerk’s Office.

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

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**RESOLUTION NO. 198**

**AUTHORIZE SUPERVISOR  
NOBLE NINTH, INC.  
AGREEMENT**

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

RESOLVED, that upon the recommendation of the Town Attorney, the Town Supervisor is authorized to sign The Letter of Extension Agreement with the Noble Ninth, Inc., dated March 27, 2012, for use of the Noble Ninth’s picnic grounds for the Town of Orangetown’s 2012 Summer Day Camp Program from July 2, 2012 through August 10, 2012 under the same terms and conditions as set forth in a certain agreement entered into between the Town of Orangetown and the German Masonic Home Corporation dated May 18, 1991 is received and filed in the Town Clerk’s Office.

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

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**RESOLUTION NO. 199**

**APPROVE REQUEST/ROCKLAND  
COUNTY MUTUAL AID  
PLAN/BLAUVELT VOLUNTEER  
FIRE COMPANY**

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

RESOLVED, that upon the recommendation of the Town Attorney, the Town Board of the Town of Orangetown, encourages the participation of the Blauvelt Volunteer Fire Company, Inc. in the Rockland County Fire Mutual Aid Plan as now in force, and as amended from time to time; and certifies to the Legislature of Rockland County through the Rockland County Fire Coordinator that no restriction exists against “outside service” by the Blauvelt Volunteer Fire Company, Inc. within the meaning of Section 209 of the General Municipal Law which would affect the power of the fire company to participate in such plan; and be it further

RESOLVED THAT a certified copy of this resolution shall be filed with the Rockland County Fire Coordinator, Office of Fire and Emergency Services, Rockland County Fire Training Center at 35 Firemen’s Memorial Drive, Pomona, New York 10970.

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

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**RESOLUTION NO. 200****CERTIFICATE OF  
REGISTRATION 2012 SEWER  
WORK**

Councilman Diviny offered the following resolution, which was seconded by Councilman Troy 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 2012 Sewer Work is approved to the following:

- Cal Mart Enterprises, Inc., 4 Burt Road, Congers NY 10920
- Rooter Plumbing Hudson Valley, Inc., d/b/a Rooter Plumbing, PO Box 1740, Pleasant Valley, NY 12569
- W. Harris & Son, Inc., 37 West Washington Avenue, Pearl River, NY 10965
- Rino Paving & Construction, Inc., 20 Viola Road, Suffern, NY

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

Noes: None

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**RESOLUTION NO. 201****APPROVE INCREASE  
HEARING OFFICER  
EMPLOYEE #2599**

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

RESOLVED, that upon the recommendation of the Town Attorney, the Town Board hereby approves an additional \$5,000 for services rendered by Hearing Officer Joseph Wooley in the matter of the continuing Disciplinary Hearing of Employee #2599.

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

Noes: None

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**RESOLUTION NO. 202****AUTHORIZE SUPERVISOR  
NARCOTICS TASK FORCE**

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

RESOLVED, that upon the recommendation of the Town Attorney, the Supervisor is authorized to sign a contract with the County of Rockland, providing for payment to the Town by the County in the sum of ONE HUNDRED SIXTY NINE THOUSAND SIX HUNDRED SEVENTY-FOUR DOLLARS (\$169,674.00), as partial reimbursement for the costs associated with the assignment of one Orangetown police officer to the Rockland County Narcotics Task Force for the period January 1, 2012 through December 31, 2012; and

BE IT FURTHER RESOLVED, that the Finance Director is directed to immediately invoice the County of Rockland for first quarter of the Town's 2012 participation in the Narcotics Task Force.

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

Noes: None

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**RESOLUTION NO. 203****ACCEPT/\$4,500.00/BLAUVELT  
LIONS CLUB/TREES/BLUE  
HILL GOLF**

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

RESOLVED, that upon the recommendation of the Superintendent of Park & Recreation, accept check in the amount of \$4500.00 from the Blauvelt Lions Club, to be used to plant trees at Blue Hill Golf Course and put into Acct. # E.7250.460. There will be 21 trees planted at Blue Hill Golf Course due to this donation. This is part of an initiative by Lions Club International to plant 3 million trees annually.

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

Noes: None

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**RESOLUTION NO. 204****PERMISSION GRANTED/NYS  
ASSOCIATION OF TAX  
RECEIVERS**

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

RESOLVED, that permission is granted to Robert Simon, Receiver of Taxes to attend the New York State Association of Tax Receivers & Collectors Annual Training Seminar, which will be held June 17-June 20, 2012 at the Albany Marriot at a cost of \$939.42.

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

Noes: None

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**RESOLUTION NO. 205****PERMISSION GRANTED  
ANNUAL HIGHWAY SCHOOL**

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

RESOLVED, that permission is hereby granted for James Dean, Stephen Munno, Mike Yannazzone, and Anthony Limandri to attend the Association of Town Annual Highway School, Ithaca, NY, June 11-13, 2012 at a cost of \$ 1,440.00 to be charged to Acct. No. 0441, and \$100.00 to be charged to Acct. No. 0480, for a total of \$1,540.00.

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

Noes: None

\* \* \*

**RESOLUTION NO. 206****APPROVE AID/ORANGEBURG  
FIRE DEPARTMENT**

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

RESOLVED, that aid to the Orangeburg Fire Department for their annual Carnival, which will be held June 13-17, 2012 at the Dominican College parking lot, by providing 25 garbage cans (large barrels), 20 barricades for traffic & pedestrian control, and one dumpster is hereby approved.

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

Noes: None

\* \* \*

**RESOLUTION NO. 207****AWARD BID/CAST IRON CURB  
INLETS/CAMPBELL FOUNDRY**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Cast Iron Curb Inlets, which were received and publicly opened on April 3, 2012. (A copy of the publication and bid summary are labeled Exhibit 04-C-12 and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Highway, the bid for the bid for Cast Iron Curb Inlets is hereby awarded to Campbell Foundry Co., Harrison, New Jersey, the lowest qualified bidder.

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

Noes: None

\* \* \*

**RESOLUTION NO. 208****APPOINT/DEME MAINTENANCE  
SUPERVISOR (AUTOMOTIVE)  
FRANK PENENO**

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

RESOLVED, that Frank Peneno is hereby appointed to the position of Maintenance Supervisor (Automotive) in the Department of Environmental Management and Engineering, provisional, grade 17, step 6/7, annual salary \$83,387.00, effective March 12, 2012.

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

Noes: None

\* \* \*

**RESOLUTION NO. 209****AUTHORIZE SOLE SOURCE  
PROCUREMENT/DEME/SEWER  
TV TRUCK/J&J EQUIPMENT**

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

RESOLVED, that a sole-source procurement with J&J Equipment for DEME/Sewer TV truck equipment for \$57,074.00 is hereby authorized.

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

Noes: None

\* \* \*

**RESOLUTION NO. 210****APPROVE/POLICE TRAINING  
REQUEST/FBI SWAT SCHOOL**

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

RESOLVED, that the request of the Orangetown Police Department for mandatory training for PO Baisley, member of Rockland County REACT Team, to attend FBI Swat School, April 23 – May 4, 2012, in Fort Dix, New Jersey at a cost of \$1315.32,

**Resolution No. 210 - Continued**

to be charged to Acct. No. B.3120.441.16 and \$16.50 to be charged to Acct. No. B.3120.480.16, for a total cost of \$1,331.82.

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

\* \* \*

**RESOLUTION NO. 211****ACCEPT RESIGNATION  
RETIREMENT/SGT. HENRY  
REYNOLDS**

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

RESOLVED, that the resignation/retirement of Sergeant Henry Reynolds from the Orangetown Police Department, effective March 31, 2012, is hereby accepted with regret.

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

\* \* \*

**RESOLUTION NO. 212****ACCEPT RESIGNATION  
RETIREMENT/P O CLIFTON  
BULLOCK**

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

RESOLVED, that the resignation/retirement of Police Officer Clifton Bullock from the Orangetown Police Department effective April 30, 2012, is hereby accepted with regret.

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

\* \* \*

**RESOLUTION NO. 213****ACCEPT RESIGNATION  
RETIREMENT/P O SUSAN  
LANOCE**

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

RESOLVED, that the resignation/retirement of Police Officer Susan Lanoce from the Orangetown Police Department, effective April 19, 2012, is hereby accepted with regret.

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

\* \* \*

**RESOLUTION NO. 214****APPROVE BUDGET TRANSFER  
MUSEUM**

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

RESOLVED, that 2012 budget transfer within the Museum budget for the purpose of hiring a student part time for six months is hereby approved.

**Resolution No. 214 - Continued**

Account	Approved Budget	Change	Adjusted Budget
A.7520.457 Contracts with Outside vendors	\$21,520	-\$4,800	\$16,720
A.7520.013 Seasonal and Part time Staff	8,000	\$4,800	\$12,800

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

Noes: None

\* \* \*

**RESOLUTION NO. 215**

**RECEIVE/FILE DOCUMENTS  
TOWN CLERK’S OFFICE**

Councilman Troy 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) Federal Communications Commission, Radio Station Authorization, for the Orangetown Police Dept., March 30, 2012 – March 30, 2022.
- 2) March 7, 2012 Police Commission and Regular Town Board Meeting minutes; March 15, 2012 Regular Town Board Meeting minutes; and March 29, 2012 Regular Town Board Meeting and Executive Session minutes.

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

Noes: None

\* \* \*

**RESOLUTION NO. 216**

**APPOINT LIAISONS/LAND USE  
BOARDS/COMMITTEES**

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

RESOLVED, that the following Town Board liaisons are hereby appointed to the following land use boards and committees:

ACABOR	Troy
Blue Hill Golf Course Advisory Committee	Valentine
Board of Assessment Review	Diviny
Board of Ethics	Ryff
Bureau of Fire Prevention	Diviny & Morr
Environmental Committee	Stewart
HABOR	Morr
Orangetown Housing Authority	Troy
Orangetown Emergency Management Comm.	Diviny
OPDAC	Stewart
Planning Board	Morr
Project Review Committee	Valentine
Shade Tree Commission	Stewart
Senior Citizen Advisory Committee	Troy
Substance Abuse Committee	Troy
Traffic Advisory Board	Valentine
Volunteer Health Advisory Committee	Morr
Youth Recreation Assessment Advisory Comm.	Diviny
Zoning Board of Appeals	Diviny

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

Noes: None



**RESOLUTION NO. 217****AUTHORIZE/GOLF COMMITTEE  
PARKS AND RECREATION  
ADVERTISING**

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

RESOLVED, that the Town Board authorizes the Golf Committee and Parks and Recreation to spend up to \$26,000 for advertising via the internet and television, contingent upon the approval of the contracts by the Town Attorney's Office.

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

\* \* \*

**RESOLUTION NO. 218****AMEND TOWN BOARD MEETING  
CALENDAR**

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

RESOLVED, that the May 10, 2012 Workshop is rescheduled to May 8, 2012 and the May 17, 2012 Regular Town Board Meeting is rescheduled to May 15, 2012.

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

\* \* \*

**RESOLUTION NO. 219****MEMORIALIZING RESOLUTION  
PUBLIC HEALTH LAW  
CONTROLLED SUBSTANCE  
REPORTING SYSTEM**

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

BE IT RESOLVED, that the Town Board hereby supports the passage of Assembly Bill No. A08320, an Act to amend the Public Health law in relation to creating an on-line real time controlled substance reporting system to monitor the prescribing and dispensing of certain controlled substances and known as the "Internet System for Tracking Over-Prescribing (I-STOP) Act."

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

\* \* \*

**RESOLUTION NO. 220****POLICE/SEIZURE MONIES  
MESSAGE BOARD TRAILER**

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

RESOLVED, that upon the Director of Finance, the use of \$17,717, in seizure monies by the Police Department, is hereby approved, to purchase a message board trailer and equipment.

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

\* \* \*

**RESOLUTION NO. 221**

**APPROVE/CONTRACT INCREASE  
LAMB AND BARNOSKY/PBA AND  
CSEA LABOR NEGOTIATIONS**

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

RESOLVED, that upon the Director of Finance, an increase in the contract amount for Lamb and Barnosky for PBA and CSEA labor negotiations from the current \$35,000 to \$70,000, to be charged to account number A.1420.457 is hereby approved.

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

\* \* \*

**RESOLUTION NO. 222**

**ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:05 p.m.

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

\* \* \*

**RESOLUTION NO. 223**

**PAY VOUCHERS**

Councilman Troy 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 \$1,826,623.01.

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

\* \* \*

**RESOLUTION NO. 224**

**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 Jacqueline (Jackie) Baron , Pearl River; and John McGuinness, Nanuet, at 9:12 p.m.

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

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**Charlotte Madigan, Town Clerk**