

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, MAY 11, 2009**

This Town Board Meeting was opened at 7:47 p.m. Supervisor Kleiner presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy  
Councilwoman Marie Manning  
Councilwoman Nancy Low-Hogan  
Absent: Councilman Michael Maturo

Also present: Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
John Edwards, Town Attorney  
Suzanne Barclay, Executive Assistant to the Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Ron Delo, Director of the Dept. of Env'tl Management & Engineering  
Lt. Anthony Mercurio, Police Department  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Esta Baitler, Sparkill, led the Pledge of Allegiance to the Flag.

Supervisor Kleiner: The first public hearing for RPC-Draft Generic Environmental Impact Statement (DGEIS) was held on May 7<sup>th</sup> and the second will be held on May 18 at 7:30 p.m. People can write in comments until 5 p.m. on June 18<sup>th</sup>.

Community Funding applications are available on the Town's website.

Charlotte Madigan, Town Clerk, thanked Paul Piperato, County Clerk and his office for hosting a Passport Day in Town Hall last Thursday. Over 60 applications were processed, which made it very successful and convenient for the residents of Orangetown. Plans will be made for a future Passport Day in Orangetown. Mr. Piperato sent a letter thanking the Town Clerk's Office, particularly Kerri White for her help in making this service so successful.

Councilman Troy thanked Judge Ramsey and the Substance Abuse Committee for all their hard work in educating students. The organization CANDLE, currently at Tappan Zee High School, will be looking for an additional \$13,000 to offer their program at Pearl River High School.

**Summary of Public Comment:**

Norman Schaifer, Tappan, spoke regarding Orangetown filing for Chapter 9 bankruptcy and Governor Patterson banding bottled water in state offices.

Esta Baitler, Sparkill, asked when the Town is going to promote safety along Route 340. She thinks the Town should bring in an outside consultant to promote transparency in the Sewer District along Route 340.

Eileen Larkin, Palisades, asked for clarification regarding the apprenticeship training program. She asked that the Hovnanian contract and the RPC-Draft Generic Environmental Impact Statement be posted on the internet.

Watson Morgan, Blauvelt, suggested, to utilize our resources better, the RPC property could be mowed every other week, and on the off weeks the landscape workers could clear away some of the brush. He spoke about possibly turning Boardacres back into a certified Audubon golf course.

Michael Mandel, Pearl River, asked the Town to inquire about using the Sheriff's Department to clean up the RPC property at no cost to the Town.

**RESOLUTION NO. 299**

**CLOSE PUBLIC PORTION**

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

**Resolution No. 299 - Continued**

RESOLVED, that the public comment portion is hereby closed.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 300****AID/VCS GAY PRIDE ROCKLAND**

Councilwoman Manning offered the following resolution, which was seconded by Councilwoman Low-Hogan and was unanimously adopted:

RESOLVED, that the request of the VCS Gay Pride Rockland for the use of the showmobile on June 14, in the Riverspace parking lot in Nyack, at a cost of \$300 is hereby approved.

Ayes: Councilpersons Manning, Low-Hogan, Troy  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 301****PROCLAIM NATIONAL PUBLIC WORKS WEEK/ORANGETOWN**

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

RESOLVED, that the week of May 17 to May 23, 2009 is hereby proclaimed National Public Works Week in the Town of Orangetown.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 302****PROCLAIM NATIONAL POLICE MEMORIAL WEEK/ORANGETOWN**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the week of May 10 to May 16, 2009 is proclaimed to be National Police Memorial Week in the Town of Orangetown.

Ayes: Councilpersons Low-Hogan, Troy, Manning  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 303****SET PUBLIC HEARING DATE APPRENTICESHIP TRAINING PROGRAM/BUILDING CONSTRUCTION ADMINISTRATION**

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

RESOLVED, that a public hearing is scheduled for June 8, 2009, 8:00 p.m. to consider a proposed Local Law amending Chapter 6 Building Construction Administration, of the Town

**Resolution No. 303 - Continued**

Code of the Town of Orangetown to require apprenticeship training programs for construction contracts over \$250,000 with the Town of Orangetown.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 304****COMBINE ITEMS**

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

RESOLVED, that agenda items five (5) through fourteen (14) are hereby combined.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 305****WYETH/COVENANT/ANNUAL  
INSPECTION MAINTENANCE  
STORM WATER RECEIVE/FILE**

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

RESOLVED, that the Declaration of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities for the North Retention Basin shown on the Wyeth Site Plan (PB #08-40) for property located at 401 North Middletown Road, Pearl River (S/B/L 68.08-1-1) is received and filed and that upon receipt from the Rockland County Clerk's Office, the original be filed and maintained in the Town Clerk's Office.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 306****AUTHORIZE/MAINTENANCE  
MECHANIC GRADE CHANGE/PARKS**

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

RESOLVED, that a grade change in the two positions of Maintenance Mechanic 1 in the Department of Parks & Recreation, from grade 13 to 14, effective December 9, 2008, is hereby authorized.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 307****RELEASE PERFORMANCE BOND  
COLONIAL COURT SUBDIVISION**

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

**Resolution No. 307 - Continued**

RESOLVED, that upon the recommendation of the Planning Board (PB 2009-14), the Town Highway Department, DEME and the Town Attorney's Office, the Town Board hereby authorizes the release of the Colonial Court Subdivision Performance Bond in the sum of \$79,098.00 originally posted and accepted by the Town pursuant to Town Board Resolution 2006-253.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 308**

**ORANGEBURG RACQUET CLUB  
COVENANT/INSPECTION  
MAINTENANCE/STORMWATER  
RECEIVED/FILED**

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

RESOLVED, that upon the recommendation of the Department of Environmental Management and Engineering and the Town Attorney's Office, the Declaration of Covenant for the Annual Inspection and Maintenance of Storm water Control Facilities for the Orangeburg Racquet Club Site Plan, Ramland Road South, Orangeburg (77.05-1-1) is hereby accepted, received and filed. Upon receipt from the Rockland County Clerk's Office, the originals are to be filed and maintained in the Town Clerk's Office.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 309**

**APPOINT/DEME ENGINEER I  
JOSEPH M MENDICINO**

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

RESOLVED that provisional employee, Joseph M. Mendicino is hereby appointed permanent from Eligible List # 08192, in his title of Engineer I in the Department of Environmental Management and Engineering, effective immediately with no change in grade or salary.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 310****ACCEPT MINUTES**

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

RESOLVED that the April 6, 2009 Audit Meeting and Executive Session minutes; the April 13, 2009 Regular Town Board Meeting and Audit Meeting minutes; the April 20, 2009 Audit Meeting and Executive Session minutes and the April 27, 2009 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 311****HAUSER BROTHERS INC/CHANGE  
ORDER NO. 1/PS-06-2P  
RECEIVED/FILED**

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

RESOLVED that the executed copy of Change Order No. 1 for DEME Contract No. PS-06-2P with Hauser Brothers, Inc. is received and filed in the Town Clerk's Office.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 312****HAUSER BROTHERS INC/CHANGE  
ORDER NO. 1, 2, 3, 4, 5/DEME  
WWTP-06-1P/RECEIVED/FILED**

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

RESOLVED that the executed copies of Change Order Nos. 1, 2, 3, 4, and 5 for DEME Contract WWTP-06-1P with Hauser Brothers, Inc. are received and filed in the Town Clerk's Office.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 313****ALL BRIGHT ELECTRIC/CHANGE  
ORDER NOS 3, 4, 5, 6, 7, 8, 9/DEME  
WWTP-06-1E/RECEIVED/FILED**

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

RESOLVED that the executed copies of Change Order Nos. 3, 4, 5, 6, 7, 8, and 9 for DEME Contract WWTP-06-1E with All Bright Electric are received and filed in the Town Clerk's Office.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 314****CABLEVISION FRANCHISE  
AGREEMENT/CERTIFICATE OF  
CONFIRMATION/RECEIVED/FILED**

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

RESOLVED that the fully executed Franchise Agreement and the Certificate of Confirmation between the Town of Orangetown and Cablevision of Rockland/Ramapo, LLC are hereby received and filed in the Town Clerk's Office.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

**RESOLUTION NO. 315****ENTER AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 8:17 p.m.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 316****PAY VOUCHERS**

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Trust and Agency, Special District, Special Parking and Capital Projects Funds, in the amount of \$1,573,243.55.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 317****ENTERED EXECUTIVE SESSION**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that the Town Board entered Executive Session to at 9:39 p.m.

Ayes: Councilpersons Low-Hogan, Manning, Troy  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

**Resolution Nos. 317A and 317 B see Executive Session.**

**RESOLUTION NO. 318****ADJOURNMENT**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that the Town Board adjourned, in memory of Adria Guidali, Sparkill-Camp Venture, Frank Castelli, Piermont, and Alfred (Mooney) Bocket, Pearl River, at 10:03 p.m.

Ayes: Councilpersons Low-Hogan, Manning, Troy  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**Charlotte Madigan, Town Clerk**