

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, MAY 26, 2009**

This Town Board Meeting was opened at 7:37 p.m. Supervisor Kleiner presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy
Councilwoman Marie Manning
Councilwoman Nancy Low-Hogan
Councilman Michael Maturo (arrived at 7:51 p.m.)

Also present: Charlotte Madigan, Town Clerk
Teresa Kenny, First Deputy 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

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

Summary of Public Comments:

Gail Raffaele, Tappan, wrote to Ron Delo about a sewer problem and she is not getting any answers. She asked is the Village of South Nyack paying for portable toilets for South Nyack Fire District's run. She thought it was ill-conceived to have RPC-DGEIS public hearing at a workshop and not at a meeting that would be televised.

Esta Baitler, Sparkill, asked when the sidewalks along Route 340 will be measured and what happened to O & R putting up the promised LED lights.

Andrew Wiley, Pearl River, believes Mrs. Low-Hogan should recuse herself from voting on item number 1, since she is a resident of South Nyack and the South Nyack Fire District would benefit from this. What budget is the money coming from for CANDLE? He spoke about floor ratio limits, drainage, unpaid fees, loss revenue, permits, sidewalks, parking and the assessed value regarding the Pearl River movie theatre property.

RESOLUTION NO. 324

CLOSE PUBLIC PORTION

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

RESOLVED, that the public comment portion is hereby closed.

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

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RESOLUTION NO. 325

COMBINE ITEMS

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

RESOLVED, that agenda items one (1) through twelve (12) are hereby combined.

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

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RESOLUTION NO. 326

**AID/ROCKLAND ROAD RUNNERS
SOUTH NYACK FIRE DEPT/ANNUAL
SOUTH NYACK TEN MILER RACE**

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

Resolution No. 326 - Continued

RESOLVED, that the request of the Rockland Road Runners and the South Nyack Volunteer Fire Department for the use of six portable toilets and safety barriers for the 21st Annual South Nyack Ten Miler race on Sunday, September 13, 12008 on the Raymond Esposito Trail, to be charged to Account No. A7520004/50457 is hereby approved.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 327**AID/ORANGEBURG FIRE
ASSOCIATION/CARNIVAL**

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

RESOLVED, that the request of the Orangeburg Volunteer Fire Association for 25 trash receptacles, 20 barricades and one dumpster for their Carnival at Dominican College to be held June 3, 2009 thru June 7th, 2009, to be charged to Account No. A7520001/50011 is hereby approved.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 328**AUTHORIZE FUNDING/CANDLE
PEARL RIVER HIGH SCHOOL**

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

RESOLVED, that funding in the amount of \$13,000, for CANDLE at Pearl River High School, to be charged to Account No. A4211004/50457 is hereby authorized.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 329**APPOINT/ASSISTANT OPERATOR,
GRADE 3 (WASTEWATER)/DEME
MARK HOVSEPIAN**

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

RESOLVED, that Mark Hovsepien is hereby appointed to the position of Assistant Operator, Grade 3 (Wastewater) (Trainee) in the Department of Environmental Management and Engineering, from the Eligible List No. 09028 in that title, grade 14-4, annual salary \$63,882, effective May 20, 2009.

Ayes: Councilpersons Troy, Manning, Low-Hogan, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 330**APPOINT/ASSISTANT OPERATOR,
GRADE 3 (WASTEWATER)/DEME
FERNANDO SEMINELLI**

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

Resolution No. 330 - Continued

RESOLVED, that Fernando Seminelli is hereby appointed to the position of Assistant Operator, Grade 3 (Wastewater) (Trainee) in the Department of Environmental Management and Engineering, from the Eligible List No. 09028 in that title, grade 14-4, annual salary \$63,882, effective May 20, 2009.

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

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RESOLUTION NO. 331**GOLF SEASONAL ALTERNATE RATE
ASSOCIATE/CORPORATE PERMIT
HOLDERS/BLUE HILL/BROADACRES**

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

RESOLVED, that a new "seasonal alternate" rate of \$25.00 in the 2009 fee schedule for Blue Hill and Broadacres Golf Courses for associate/corporate permit holders is hereby instituted.

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

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RESOLUTION NO. 332**AWARD BID/SUMMER BUS
TRANSPORTATION/RINALDI**

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

WHEREAS, the Superintendent of Parks, Recreation and Building Maintenance duly advertised for sealed bids for bus transportation for 2009 Summer Day Camp, which were received and publicly opened on May 14, 2009. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 5-E-09 and made a part of these minutes.

NOW THEREFORE BE IT RESOLVED, that this bid hereby awarded to Rinaldi Transportation Co., Closter, NJ, the lowest qualified bidder, in the amount of \$228.00 per bus for all day and \$221.00 per bus for mornings and afternoons, to be charged to Account No. A7310004/50457.

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

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RESOLUTION NO. 333**AWARD BID/LIQUID ANTI-ICING
UNIT/5,000 GALLON TANK**

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

WHEREAS, the Superintendent of Highway duly advertised for sealed bids for a Liquid Anti-Icing Unit and a 5,000 gallon tank, which were received and publicly opened on May 6, 2009. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 5-F-09 and made a part of these minutes.

Resolution No. 333 - Continued

NOW THEREFORE BE IT RESOLVED, that this bid is hereby awarded to Reed Systems of Ellenville, NY, the lowest qualified bidder, in the amount of \$27,609.00, to be charged to Account No. D5142054-50449.

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

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RESOLUTION NO. 334**RETAIN BECKMANN APPRAISALS
CHRYSLER MOTORS LLC**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Beckmann Appraisals, Inc., of Tappan, NY is hereby retained to prepare a preliminary appraisal at a cost of \$8,000 and a trial appraisal at a cost of \$18,000 (latter if necessary), to be charged to Account No. A1355004/50485 for the real property known as Chrysler Motors, LLC, S/B/L 77.07-1-1, located at 108 Route 303, Tappan, NY.

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

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RESOLUTION NO. 335**COLONIAL COURT SUBDIVISION
ROAD WIDENING DEED/TITLE
INSURANCE POLICY/RECEIVE/FILE**

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

RESOLVED, that the original Road Widening Deed and Title Insurance Policy, which were recorded in the Rockland County Clerk's Office as Instrument No. 2009-8317, for the Colonial Court Subdivision, Pearl River (69.13-2-2) is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 336**BYRNE SUBDIVISION/ ROAD
WIDENING DEED/RECEIVE/FILE**

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

RESOLVED, that the original Road Widening Deed, which was recorded in the Rockland County Clerk's Office as Instrument No. 2009-12822, for the Byrne Subdivision, 252 Ehrhardt Rd, Pearl River (69.05-4-41) is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 337**CHANGE ORDER NO. 10/ALL
BRIGHT ELECTRIC/WWTP-06-1E**

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

Resolution No. 337 - Continued

RESOLVED, that the original executed Change Order No. 10 with All Bright Electric for WWTP & Hunt Road Pumping Station Improvements (WWTP-06-1E) is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 338**EMERGENCY AIR CONDITIONING
REPAIRS/JOHNSON CONTROLS**

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

RESOLVED, that emergency air conditioning repairs in the amount of \$16,750 to be performed by Johnson Controls, to be charged to Account No. A1620004/50453, is hereby approved.

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

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RESOLUTION NO. 339**ENTER AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 8:15 p.m.

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

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RESOLUTION NO. 340**PAY VOUCHERS**

Councilwoman Manning offered the following resolution, which was seconded by Councilman Maturo 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 \$329,561.64.

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

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RESOLUTION NO. 341**ENTERED EXECUTIVE SESSION**

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

RESOLVED, that the Town Board entered Executive Session at 8:22 p.m.

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

Resolution Nos. 341A and 341B see Executive Session.

RESOLUTION NO. 342

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 Anthony P. Catania, Pearl River, at 10:03 p.m.

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

Charlotte Madigan, Town Clerk