

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, MAY 28, 2013**

This Town Board Meeting was opened at 7:10 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  
John Edwards, Town Attorney  
Teresa Kenny, First Deputy Town Attorney  
Jeff Bencik, Finance Director  
Mike Yannazzone, Highway General Forman  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks-Rec.

The Pledge of Allegiance to the Flag was led by Charlotte Madigan.

**RESOLUTION NO. 250**

**ENTER EXECUTIVE SESSION  
SPECIFIC PERSONNEL MATTER**

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

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

RESOLVED, that the Town Board hereby entered Executive Session, to discuss a personnel matter involving a specific employee, at 7:10 p.m.

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

\* \* \*

**RESOLUTION NO. 251**

**RE-ENTER RTBM**

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

RESOLVED, that the Town Board reentered the Regular Town Board Meeting, at 7:45 p.m.

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

\* \* \*

Summary of Public Comments:

Al Samuels, Rockland Business Association, is against an Issue Conference for the desalination plant. A conference will delay this project and the costs will increase.  
Nancy Antonucci, REASON, reiterated support for the purchase of the Children's Psychiatric Center. It is imperative that the Town controls the development of this site.  
Biglow Green, Palisades Presbyterian Church, asked that the church's building permit fees (\$948.00) be waived in these difficult economic times.  
Mike Mandel, Pearl River, is against desalination but in favor of an Issue Conference. He questioned the need for more water. United Water should stop releasing water to NJ.

Sr. Dorothy Maxwell, Blauvelt and a member of Religious Organization Along the River (ROAR), is against the desalination plant. She believes the plant is corporate greed. We have to use our resources conservatively and respect what has been given to us.

Jan Degenshein, Orangetown, is against an Issue Conference. The Rockland County Health Dept. has stated that we need to increase our water supply. The Town will risk losing businesses, risk fire fighting and general health, without a large enough water supply.

RoseMarie Raccioppi, Tappan, is in favor of an Issue Conference. She believes all information, including concerns, liabilities and water resources, should be gathered and reviewed.

Tom O'Reilly, Engineer, said water can and does maintain itself. He spoke about managing supply and consumption of water.

Margie Turri, Clarkstown, supports an Issue Conference. The costs for desalination are very high and taxpayers can not afford them. She spoke about alternatives that are less expensive.

Robert Tompkins, Orangetown Housing Authority (OHA), said he can not perform his duties as a member of the OHA under the current Chairman.

Stephen Reich, Ken Lewis, Joe Nery, Dale Scott, Joseph Coskey, and Kathy Rumsey, Laborers Local 754, are against an Issue Conference and they support the desalination plant. An Issue Conference is costly and just reviews old data. The plant is mandated by the PCS and United Water has done its due diligence. The Hudson River is cleaner than it has ever been.

Watson Morgan, Blauvelt, is in favor of an Issue Conference. He said the underground water system on the grounds of RPC could be used to capture water.

Jacquelyn Drechsler, Valley Cottage, supports an Issue Conference. She is afraid of radiation leakage from Indian Point and she believes we should stop releasing water to NJ.

Jocelyn DeCrescenzo, Valley Cottage, sang her opposition to the desalination plant.

Donald Steinmetz, Grandview, said much more data is needed and asking for a conference is doing our due diligence.

John Dillion, Sr. Attorney for United Water is opposed to an Issue Conference. A copy of Mr. Dillion's comments is labeled Exhibit 05-D-13, and made a part of these minutes

Michael Pointing, VP of United Water, explained that there has been a seven year study and Rockland needs more water. A desalination plant is the most cost effective way to increase the water supply.

Laurie Seeman, Sparkill Creek Watershed Alliance, favors an Issue Conference. She said there is no deadline for the plant to be up and running. Water usage and consumption needs to change.

Deborah Turner, Nyack, supports an Issue Conference. The families of the County need to be protected.

David Fried, candidate for Rockland County Executive, agrees with having an Issue Conference.

He supports each municipality having control over their future destiny. Everyone has to recognize that development in one municipality does have an impact on other municipalities.

Eileen Larkin, Palisades, is in favor of the conference. She spoke about Ellen Jaffee's Letter and the DEC. She challenges the DEC to impose a moratorium on development causing a water shortage.

Andrew Wiley, Pearl River, supports an Issue Conference. He spoke about his concerns regarding the desalination plant.

Ruth Weber, Upper Grandview Civic Association, is in favor of the Conference. She has concerns about discharging water into the Hudson. There are other alternatives to control the safety of our water.

Dr. Turner, believes employing more labors to fix the 20% water leakage in the water pipelines is better than the desalination plant.

## **RESOLUTION NO. 252**

## **CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

\* \* \*

**RESOLUTION NO. 253**

**UNITED WATER NEW YORK/ISSUE  
CONFERENCE/DESALINATION PLANT  
NYS DEPT OF ENVIRONMENTAL  
CONSERVATION (DEC)**

Councilman Diviny offered the following resolution, which was seconded by Supervisor Stewart and **on a roll call** was adopted:

WHEREAS, United Water New York (UWNY) is the primary provider of drinking water to most of Rockland County and the Town of Orangetown and UWNY has an obligation to provide clean, safe water to its consumers in a cost effective manner; and

WHEREAS, UWNY has proposed the “Haverstraw Water Supply Project”, seeking to draw water from the Hudson River for use as drinking water; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) assumed the status of lead agency for review of the environmental impacts of the proposed project and is now reviewing the Draft Environmental Impact Statement prepared by UWNY; and

WHEREAS, many residents of the Town of Orangetown and the County of Rockland continue to have questions and concerns over the environmental impacts of such a project and desire to be heard regarding same; and

WHEREAS, many residents of the Town of Orangetown and the County of Rockland continue to have questions and concerns over the impact that the Town of Ramapo has had on the past, present and future consumption of water throughout the County of Rockland and Town of Orangetown through the Town of Ramapo’s continued promotion of high density housing; failure to enforce its land use codes, rules and regulations; failure to conservatively plan for the future while taking into account the limited supply of water in the County of Rockland; and failure to pay its fair share for the costs of water infrastructure improvements that are mainly the result of the Town of Ramapo’s uncontained population growth which unduly burdens the residents of the Town of Orangetown and County of Rockland, and

WHEREAS, an Issues Conference may be held under the rules of the New York State DEC to determine if there are disputed issues pursuant to 16 NYCRR Section 624;

NOW THEREFORE, BE IT RESOLVED that the Orangetown Town Board requests that an Issues Conference be held to adjudicate these disputed issues and conclusions.

**Ayes:** Councilmen Diviny, Morr  
Supervisor Stewart

**Noes:** Councilmen Troy, Valentine

\* \* \*

**RESOLUTION NO. 254**

**POLICE REGULATION/4 HOUR  
PARKING /NORTH WILLIAM ST  
PEARL RIVER**

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

RESOLVED, that upon the recommendation of the Traffic Advisory Board, the installation of "4 Hour" parking signs on the eastside of North William Street in Pearl River, from the intersection of East Washington Avenue to house #62, as a six (6) month police regulation is hereby approved.

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

**Noes:** None

\* \* \*

**RESOLUTION NO. 255****COMPUTER NETWORK SPECIALIST**

Councilman Valentine offered the following resolution, which was seconded by Supervisor Stewart and on a roll call was adopted:

RESOLVED, that upon the recommendation of the Director of Finance, the position of Computer Network Specialist, for the Central Data Department, Grade 12, from A.1682, at an annual salary of \$52,249 is hereby approved. (should have an impact of \$26,000 in fiscal 2013)

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

\* \* \*

**RESOLUTION NO. 256****AWARD BID/SUMMER CAMP  
TRANSPORTATION/CHESTNUT  
RIDGE TRANSPORTATION**

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

WHEREAS, the Superintendent of Parks and Recreation duly advertised for sealed bids for the Town's Summer Camp Bus Transportation, which were received and publicly opened on May 17, 2013; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet are labeled Exhibit 05-B-13, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, the bid for Bus Transportation for Summer Camp, is hereby awarded to Chestnut Ridge Transportation, Spring Valley, NY, the only qualified bidder, at a price of \$358.00 per bus for "all day" transportation, \$246.00 per bus for "morning and afternoon" transportation and \$25.00 per bus for "afternoon transportation" for teen camp.

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

\* \* \*

**RESOLUTION NO. 257****ACCEPT PLAQUE/IN MEMORY OF  
DAN DINAN**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, a memorial plaque and post, in memory of Dan Dinan, to be installed on the grounds of Blue Hill Golf Course is hereby accepted with gratitude. This donation was made possible by the efforts of Dan's friends; Rich Volpe, Robert Volpe, Tom Smith and John Schneider.

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

\* \* \*

**RESOLUTION NO. 258****AWARD BID/CAST IRON CURB  
INLETS/CAMPBELL FOUNDRY CO**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr 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 May 2, 2013; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet are labeled Exhibit 05-C-13, and made a part of these minutes. Now, Therefore, Be It

**Resolution No. 258 - Continued**

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bid for cast iron curb inlets is hereby awarded to Campbell Foundry Co., Harrison, New Jersey, the lowest qualified bidder, in the amount of \$6,721.00.

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

\* \* \*

**RESOLUTION NO. 259****CERTIFICATE OF REGISTRATION  
2013 SEWER WORK**

Supervisor Stewart 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 Director of the Department of Environmental Management and Engineering, a Certificate of Registration for 2013 Sewer Work is approved to:

1. Sewer Mechanic, Inc., 34 Hoover Street, Blauvelt, NY
2. R R Plumbing Services Corp., d/b/a Roto-Rooter, 525 Waverly Ave., Mamaroneck, NY

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

\* \* \*

**RESOLUTION NO. 260****ACCEPT/RECEIVE/FILE TOWN BOARD  
MINUTES**

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

RESOLVED, that the April 23, 2013 Regular Town Board/Audit Meeting and the May 7, 2013 Executive Session minutes are hereby accepted, received and file in the Town Clerk's Office.

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

\* \* \*

**RESOLUTION NO. 261****RECEIVE/FILE/DOCUMENTS TOWN  
CLERK'S OFFICE**

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

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

1. Caretaker Maintenance Agreements for Nike Park (Thomas Iacobellis) and Henry V. Borst Park (Anthony Limandri) dated May 2, 2013.
2. Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2012 and O'Connor Davies, LLP Auditor's Report for 2012.
3. Sanitary Sewer Easement for Pearl River School District, 135 W. Crooked Hill Rd, Pearl River (68.11-2-41.1). Recorded in the Rockland County Clerk's Office as Instr No. 2013-15409.
4. Palisades Free Library Agreement, Bylaws, Rules and Regulations, NYS Education report, IRS Form 990 and list of private source funds.
5. DEME 2013 Annual MS4 Stormwater Report.
6. Pearl River Fire District 2011 & 2012 Audit Report.
7. 2013 CANDLE Agreement.

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

**RESOLUTION NO. 262**

**PAY VOUCHERS**

Supervisor Stewart offered the following resolution, which was seconded by Councilman Valentine 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 \$1,711,657.98.

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

\* \* \*

**RESOLUTION NO. 263**

**ADJOURNED/MEMORY**

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

RESOLVED, that the Town Board adjourned, in memory of Robert Crable, Sparkill, former Deputy County Clerk, and member of Rockland County Legislature; and Gertrude (Gerry) Quattroch, Nick Sfraga's mother, at 9:20 p.m.

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

---

**Charlotte Madigan, Town Clerk**