

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JULY 20, 2009**

This Town Board Meeting was opened at 7:39 p.m. Supervisor Kleiner presided and called the Roll. Present were:

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

Also present: Teresa Accetta-Pugh, Deputy Town Clerk
Eliot Tozer, Deputy Supervisor
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
Robert Simon, Receiver of Taxes (arrived at 8:05 p.m.)
John Giardiello, Director of OBZPAE
Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Esta Baitler led the Pledge of Allegiance to the Flag.

A Route 303 and Erie Street Intersection Public Information Meeting will be held on July 28th at 7:30 p.m.

Nick DeSantis and Margaret Modugno of Bennet Kielson Storch DeSantis presented the 2008 Financial Report. He said the Town again received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada. The Town spent \$122,111 more than the budget and the Town received \$302,500 less revenue. He spoke about mortgage taxes, state aid, fund balances, deficits, unexpected expenses and bonds. He recommended not raising taxes to accumulate funds for the extended economic downturn.

RESOLUTION NO. 402

**ADOPT-A-SPOT/POP'S GANG HILL
VAN WYCK RD AND BLAUVELT RD**

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

RESOLVED, that the Adopt-A-Spot Committee, a volunteer organization with Thomas Tracey 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 intersection of Van Wyck Road and Blauvelt 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 "Pop's Gang Hill" Adopt-A-Spot Committee, Dated July 20, 2009" is hereby authorized and approved.

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

Noes: None

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RESOLUTION NO. 403**OPEN PH/OFFICE OF THE TOWN
SUPERVISOR/EXTEND TERM FROM
2-YEARS TO 4-YEARS**

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

RESOLVED, that the 8:00 p.m. public hearing to consider the adoption of a proposed local law, subject to mandatory referendum, extending the term of office of the Supervisor of the Town of Orangetown from 2-years to 4-years, effective the 1st day of January next following the November 2011 biennial election is hereby opened. The said local law would supersede N.Y.S. Town Law §24, which fixes the term of Office for the Town Supervisor at two-years.

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

Noes: None

The Deputy Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 07-A-09 and made a part of these minutes.

Summary of public comments:

Gail Raffaele, Tappan, opposes this action. Having lived in Orangetown all her life and having Supervisors elected every two years, she has seen the Town flourish.

Michael Mandel, Pearl River, is in favor of the 4-years. However, there should be a proviso in there of term limits. If we are starting in 2009 for the Town Clerk and 2009 for Highway, it should be 2009 for the Supervisor too.

Catherine Dodge, Orangeburg, said all elected positions should be 4-years. Four years give the voters time to assess the job being done and can vote for or against the candidate. This change should be done as soon as possible for all three positions.

Carol Silverstein, Orangeburg, is completely against the extension of the term of office. The rules regarding the length of office have served everyone well in this Town. She spoke of Jim Dean's compiled statistics on term lengths from every county in New York: 54% of Town Clerks, 48% of Highway Superintendents and 30% of Town Supervisors have 4-year terms.

Eileen Larkin, Palisades, is against the legislation to extend the terms of office of the ones that are on the agenda and she spoke about term limits.

Alex DiMenna, Blauvelt, definitely does not support the increasing of terms for the Supervisor. It has served us well in Orangetown to get fresh perspective every two years.

Ruth Weber, Upper Grandview, said if assured that four-year terms cost less money and an effort on your part could translate into less inflationary play to play politics in Orangetown, such a change might work for the taxpayer's benefit. In any case, she favors a limit of six or eight years for an elected official.

James Dean, Superintendent of Highways, clarified that based on everyone who had a two-year term, 53% of the communities have already changed the Town Clerk to a four-year term and 48% have already changed the Highway Superintendent. So there is a trend. He believes Stony Point is looking at the same type of extension and it's going to be on this year's ballot.

RESOLUTION NO. 404**CLOSE PUBLIC PORTION/ OFFICE
OF THE TOWN OF SUPERVISOR
EXTEND TERM FROM 2-YEARS TO 4-
YEARS**

Councilwoman Low-Hogan 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 Low-Hogan, Manning, Troy, Maturo
Supervisor Kleiner

Noes: None

RESOLUTION NO. 405**ADOPT RESOLUTION/SUBJECT TO
MANDATORY REFERENDUM
OFFICE OF THE TOWN SUPERVISOR
EXTEND TERM FROM 2-YEARS TO
4-YEARS**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Maturo and on a roll call was unanimously adopted:

WHEREAS, by resolution duly adopted the 22nd day of June 2009, the Town Board of the Town of Orangetown, in the exercise of its powers under the Municipal Home Rule Law, resolved to conduct a public hearing on a proposed local law that would increase the length of the term of office for the Town Supervisor from two-years to four-years, said law to apply to the individual elected to the office of Town Supervisor of the Town of Orangetown at the biennial Town Election to be held in November 2011, and to those thereafter elected to such office; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland Journal News, the official newspaper of the Town of Orangetown, on July 6, 2009 for a public hearing to be held on July 20, 2009; and

WHEREAS, the said public hearing was duly held on July 20, 2009 at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, at which time all parties in attendance were permitted an opportunity to be heard with respect to the proposed law; and

WHEREAS, after due deliberation, the Town Board finds it to be in the best interests of the Town to adopt such local law; and

WHEREAS, pursuant to the provisions of § 23 of the Municipal Home Rule Law, said local law is subject to mandatory referendum.

NOW, THEREFORE, BE IT RESOLVED, that, in the exercise of its powers under §10(1)(ii)(d)(3) of the Municipal Home Rule Law, the Town Board of the Town of Orangetown hereby adopts, subject to mandatory referendum, the said local law entitled "Local Law of the Town of Orangetown, Increasing the Term of the Office of Town Supervisor from Two (2) Years to Four (4) Years", a copy of which is annexed hereto and made a part of this resolution, which local law supersedes § 24 of the N.Y.S. Town Law; and be it further

RESOLVED, that the Town Clerk be, and hereby is, directed to certify the following proposition to the Rockland County Board of Elections for inclusion on the ballot of the biennial town election to be held on November 3, 2009:

"Shall a Local Law, entitled "A Local Law Increasing the Term of the Office of Town Supervisor from Two (2) Years to Four (4) Years, be approved, as applicable to the individual elected to the office of Town Supervisor of the Town of Orangetown at the biennial Town Election to be held in November 2011, and to those thereafter elected to such office?"

And be it further

RESOLVED, that, in the event the foregoing proposition is approved by a majority of the qualified voters voting thereon, as certified by the Rockland County Board of Elections, the Town Clerk be, and hereby is, authorized to notice the adoption of said local law and to file a copy of same with the Secretary of State of the State of New York, as, and within the time, required by law.

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

Noes: None

**PROPOSED LOCAL LAW
INCREASING THE TERM OF OFFICE OF THE TOWN SUPERVISOR
FROM TWO (2) YEARS TO FOUR (4) YEARS.**

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Chapter 1A. of the Code of the Town of Orangetown is hereby amended to add a new Article III to be entitled Terms of Office, which shall read as follows:

**ARTICLE III
Terms of Office**

§ 1A-__ Term of Office of the Town Supervisor

The term of office for the individual elected to the office of Town Supervisor of the Town of Orangetown at the biennial Town Election to be held in November 2011, and to those thereafter elected to such office, shall be four (4) years.

§ 1A-__ Statutory Authority and Supersession

This Local Law is adopted pursuant to §§ 10(1)(ii)(d)(3) and 23 of the Municipal Home Rule Law of the State of New York, and shall supersede the provisions of Town Law § 24, relating to the term of office for Town Supervisor.

§ 1A-__ Effective Date

The provisions of this local law shall take effect immediately upon filing with the Secretary of State, following its adoption and ratification by mandatory referendum.

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RESOLUTION NO. 406

**OPEN PH/OFFICE OF THE
SUPERINTENDENT OF HIGHWAYS
EXTEND TERM FROM 2-YRS TO 4-YRS**

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

RESOLVED, that the 8:05 p.m. public hearing to consider the adoption of a proposed local law, subject to mandatory referendum, amending Chapter 8A, §3 of the Code of the Town of Orangetown, entitled "Superintendent of Highways; Term of Office" is hereby opened. The amendment, if adopted, would extend the term of office of the Town Superintendent of Highways from 2-years to 4-years, effective the 1st day of January next following the November 2009 biennial election. The said local law would supersede N.Y.S. Town Law §24, which fixes the term of Office for the Superintendent of Highways at two-years.

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

The Deputy Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 07-B-09 and made a part of these minutes.

Summary of Public portion:

Gail Raffaele, Tappan, does not think any position in the Town of Orangetown elected should be four years right now.

Carol Silverstein, Blauvelt, said on principle alone, the Superintendent of Highways term, the Town Clerk's term and definitely the Supervisor's term should not be extended.

Allan Ryff, Tappan, said reality is in America we have a system, whereby you have a balance of power and the people have the right to vote and they should vote. You have to have a sense of responsibility. The people have the right every so often to say "No" and tonight, I think the people are saying "No".

Eileen Larkin, Palisades, believes a candidate should know the Town and have a platform prior to running for office. Every elected official should have a term limit and should not be entitled to lifetime health benefits or a pension.

James Dean, Superintendent of Highways, said he really doesn't want this to be a thing of personalities. The reason Charlotte Madigan and I brought this to the board a few times in the last couple of years is not because it is self-serving. In fact, from a political standpoint for me, it's fine having a two-term because nobody runs against me. So why would I just leave it this way. Why would I ever want to attract somebody else? But, I really believe truly that it is better for the Town of Orangetown, because we will establish a position that would allow somebody to take the job and do some planning, and I'll give you a couple of incidences for that. This is, from Charlie and I am talking for Charlie because as you know she is recuperating, she is not here tonight and I did discuss this with her just a little awhile ago. We brought this forward because many times when we're running for election and when we're talking to people and when we're talking about nominations, constantly what comes up is for administrator positions like this why isn't it a 4-year term. Administrators in most places, if they are not policy making, are four or more year terms, because you need some continuity and you need some stability. If you are running departments, and I think it's been testified here that the Town Clerk's department and the Highway department runs pretty well, we stay within our budgets, we try to do the best job we can with the funds that are available, we advocate what we think is necessary for highways. Basically, because I have had the luxury of not having to worry about all my decisions and how it's going to effect me getting elected two years from now. So, I think there is a lot of reasoning for considering the 4-year term and communities are doing that because they believe its better management. As far as continuity, experience helps expands your knowledge of what the public expects from you. You come in, you hear a few people telling you what they think needs to be done but we're servicing 50,000 people in the Town of Orangetown. So, you get the opportunity when you are there for awhile to really know what neighborhoods are about and to really understand what people are asking for. I think that is one of reasons we should be bringing this to the vote in November. So that, the entire Town of Orangetown has an opportunity. Personally, I am very much in favor of the 4-year term, because I think it will be a benefit to Orangetown, but if it doesn't happen, it's not the end of the world for me. So, I just want to get that part cleared up. It gives you, the person that is in there the ability to develop an understanding of working local government and how local government works. When you are brand new, it's like being in a maze. I'm talking about budgets. I'm talking about dealing with other agencies, State Department of Transportation, the Comptroller's office, whoever as an elected official you may have to deal with. It takes awhile to learn that process and we benefit by people that have been through it and have proven to be good at it. The same thing with the Federal and State agencies, we're working on Federal and State grants now that it takes you two years to learn how to even apply for the grant and I've been here along time. Stability, the public gets to know what you are about and the Town Board gets to know what you are about. You control the highway department and the Town Board does by the budget. You can feel comfortable spending money or putting into our fund what we think is necessary. If you decide that you don't trust the person running that department, you can always pull the strings and say "no" you are not getting the money. So there's that part of stability. You know what is going on. One thing that gets overlooked many times is employee stability. Employees get to know who they are working for. They get to understand the policies. It's not changing all the time. I have seen in other communities where actually the employees didn't like someone who was there for a two-year term and work against him. Because, they figure well two years will get him thrown out. An absolute fact. If you are in a four term and you see that changes need to be made you have the opportunity to implement changes, because it's not a knee jerk reaction. You can work them in. We have proven that with a number of programs that we have established. It also gives you what I really think is one of the most beneficial points is the ability to do long-term planning. It helps to develop programs based on historical data. We know what the public has expected; we know what services they ask for or what services they don't want. It gives you the opportunity to actually develop that. You can do better budgeting, if you are looking long-term then trying to hit just particular needs and you are winding up with pikes. Actually, I think it very much encourages managing solving problems and not managing by dealing with crises.

RESOLUTION NO. 407

**CLOSE PUBLIC PORTION/OFFICE OF
THE SUPERINTENDENT OF HIGHWAYS
EXTEND TERM FROM 2-YRS TO 4-YRS**

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

Resolution No. 407 - Continued

RESOLVED, that the public comment portion is hereby closed.

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

Noes: None

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RESOLUTION NO. 408

**ADOPT RESOLUTION/SUBJECT TO
MANDATORY REFERENDUM
OFFICE OF THE SUPERINTENDENT
OF HIGHWAYS/EXTEND TERM
FROM 2-YEARS TO 4-YEARS**

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

WHEREAS, by resolution duly adopted the 22nd day of June 2009, the Town Board of the Town of Orangetown, in the exercise of its powers under the Municipal Home Rule Law, resolved to conduct a public hearing on a proposed local law that would increase the length of the term of office for the Town Highway Superintendent from two-years to four-years, said law to apply to the individual elected to the office of Town Highway Superintendent at the biennial Town Election to be held on November 3, 2009, whose term shall commence on January 1, 2010, and to those thereafter elected to such office; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland Journal News, the official newspaper of the Town of Orangetown, on July 6, 2009 for a public hearing to be held on July 20, 2009; and

WHEREAS, the said public hearing was duly held on July 20, 2009 at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, at which time all parties in attendance were permitted an opportunity to be heard with respect to the proposed law; and

WHEREAS, after due deliberation, the Town Board finds it to be in the best interests of the Town to adopt such local law; and

WHEREAS, pursuant to the provisions of § 23 of the Municipal Home Rule Law, said local law is subject to mandatory referendum.

NOW, THEREFORE, BE IT RESOLVED, that, in the exercise of its powers under §10(1)(ii)(d)(3) of the Municipal Home Rule Law, the Town Board of the Town of Orangetown hereby adopts, subject to mandatory referendum, the said local law entitled "Local Law of the Town of Orangetown, Increasing the Term of the Office of Town Highway Superintendent from Two (2) Years to Four (4) Years", a copy of which is annexed hereto and made a part of this resolution, which local law supersedes § 24 of the N.Y.S. Town Law; and be it further

RESOLVED, that the Town Clerk be, and hereby is, directed to certify the following proposition to the Rockland County Board of Elections for inclusion on the ballot of the biennial town election to be held on November 3, 2009:

"Shall a Local Law, entitled "A Local Law Increasing the Term of the Office of Town Highway Superintendent from Two (2) Years to Four (4) Years, be approved, said local law to be applicable to the individual elected to the office of Town Highway Superintendent of the Town of Orangetown at the biennial Town Election to be held on November 3, 2009, and whose term shall commence on January 1, 2010, and to those thereafter elected to such office?"

And be it further

RESOLVED, that, in the event the foregoing proposition is approved by a majority of the qualified voters voting thereon, as certified by the Rockland County Board of Elections, the Town Clerk be, and hereby is, authorized to notice the adoption of said local law and to file a

Resolution No. 408 - Continued

copy of same with the Secretary of State of the State of New York, as, and within the time, required by law.

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

**PROPOSED LOCAL LAW
INCREASING THE TERM OF OFFICE OF THE TOWN HIGHWAY
SUPERINTENDENT FROM TWO (2) YEARS TO FOUR (4) YEARS.**

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Chapter 1A. of the Code of the Town of Orangetown is hereby amended to add a new Article III to be entitled Terms of Office, which shall read as follows:

**ARTICLE III
Terms of Office**

§ 1A-___ Term of Office of the Town Highway Superintendent

The term of office for the individual elected to the office of Town Highway Superintendent of the Town of Orangetown at the biennial Town Election to be held on November 3, 2009, and whose term shall commence on January 1, 2010, and to those thereafter elected to such office, shall be four (4) years.

§ 1A-___ Statutory Authority and Supersession

This Local Law is adopted pursuant to §§ 10(1)(ii)(d)(3) and 23 of the Municipal Home Rule Law of the State of New York, and shall supersede the provisions of Town Law § 24, relating to the term of office for Town Highway Superintendent.

§ 1A-___ Effective Date

The provisions of this local law shall take effect immediately upon filing with the Secretary of State, following its adoption and ratification by mandatory referendum.

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RESOLUTION NO. 409

**OPEN PH/OFFICE OF THE TOWN
CLERK/EXTEND TERM FROM
2-YEARS TO 4-YEARS**

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

RESOLVED, that the 8:10 p.m. public hearing to consider the adoption of a proposed local law, subject to mandatory referendum, extending the term of office of the Town Clerk of the Town of Orangetown from 2-years to 4-years, effective the 1st day of January next following the November 2009 biennial election is hereby opened. The said local law would supersede N.Y.S. Town Law §24, which fixes the term of Office for the Town Clerk at two-years.

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

The Deputy Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 07-C-09 and made a part of these minutes.

Summary of Public portion:

Gail Raffaele, Tappan, is against this action and she thinks the Town Clerk and the Receiver of Taxes should be occupied by civil servants.

RESOLUTION NO. 410

**CLOSE PUBLIC PORTION/OFFICE
OF THE TOWN CLERK/EXTEND
TERM FROM 2-YEARS TO 4-YEARS**

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

RESOLUTION NO. 411

**ADOPT RESOLUTION/SUBJECT TO
MANDATORY REFERENDUM/OFFICE
OF THE TOWN CLERK/EXTEND TERM
FROM 2-YRS TO 4-YRS**

Councilman Maturo offered the following resolution, which was seconded by Councilman Troy and on a roll call was unanimously adopted:

WHEREAS, by resolution duly adopted the 22nd day of June 2009, the Town Board of the Town of Orangetown, in the exercise of its powers under the Municipal Home Rule Law, resolved to conduct a public hearing on a proposed local law that would increase the length of the term of office for the Town Clerk from two-years to four-years, said law to apply to the individual elected to the office of Town Clerk at the biennial Town Election to be held on November 3, 2009, whose term shall commence on January 1, 2010, and to those thereafter elected to such office; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland Journal News, the official newspaper of the Town of Orangetown, on July 6, 2009 for a public hearing to be held on July 20, 2009; and

WHEREAS, the said public hearing was duly held on July 20, 2009 at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, at which time all parties in attendance were permitted an opportunity to be heard with respect to the proposed law; and

WHEREAS, after due deliberation, the Town Board finds it to be in the best interests of the Town to adopt such local law; and

WHEREAS, pursuant to the provisions of § 23 of the Municipal Home Rule Law, said local law is subject to mandatory referendum.

NOW, THEREFORE, BE IT RESOLVED, that, in the exercise of its powers under §10(1)(ii)(d)(3) of the Municipal Home Rule Law, the Town Board of the Town of Orangetown hereby adopts, subject to mandatory referendum, the said local law entitled "Local Law of the Town of Orangetown, Increasing the Term of the Office of Town Clerk from Two (2) Years to Four (4) Years", a copy of which is annexed hereto and made a part of this resolution, which local law supersedes § 24 of the N.Y.S. Town Law; and be it further

RESOLVED, that the Town Clerk be, and hereby is, directed to certify the following proposition to the Rockland County Board of Elections for inclusion on the ballot of the biennial town election to be held on November 3, 2009:

"Shall a Local Law, entitled "A Local Law Increasing the Term of the Office of Town Clerk from Two (2) Years to Four (4) Years, be approved, said local law to be applicable to the individual elected to the office of Town Clerk of the Town of Orangetown at the

Resolution No. 411 - Continued

biennial Town Election to be held on November 3, 2009, and whose term shall commence on January 1, 2010, and to those thereafter elected to such office?"

And be it further

RESOLVED, that, in the event the foregoing proposition is approved by a majority of the qualified voters voting thereon, as certified by the Rockland County Board of Elections, the Town Clerk be, and hereby is, authorized to notice the adoption of said local law and to file a copy of same with the Secretary of State of the State of New York, as, and within the time, required by law.

Ayes: Councilpersons Maturo, Troy, Manning
Supervisor Kleiner

Noes: Councilwoman Low-Hogan

**PROPOSED LOCAL LAW
INCREASING THE TERM OF OFFICE OF THE TOWN CLERK
FROM TWO (2) YEARS TO FOUR (4) YEARS.**

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Chapter 1A. of the Code of the Town of Orangetown is hereby amended to add a new Article III to be entitled Terms of Office, which shall read as follows:

**ARTICLE III
Terms of Office**

§ 1A-__ Term of Office of the Town Clerk

The term of office for the individual elected to the office of Town Clerk of the Town of Orangetown at the biennial Town Election to be held on November 3, 2009, and whose term shall commence on January 1, 2010, and to those thereafter elected to such office, shall be four (4) years.

§ 1A-__ Statutory Authority and Supersession

This Local Law is adopted pursuant to §§ 10(1)(ii)(d)(3) and 23 of the Municipal Home Rule Law of the State of New York, and shall supersede the provisions of Town Law § 24, relating to the term of office for Town Clerk.

§ 1A-__ Effective Date

The provisions of this local law shall take effect immediately upon filing with the Secretary of State, following its adoption and ratification by mandatory referendum.

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Summary of Public Comments (RTBM)

Gerri Levy, Rockland County Housing Coalition, has been providing entry-level housing (Workforce Housing) for the past 15 years. The Village of Nyack and the Village of Haverstraw has already passed this type of legislation. The Town of Ramapo is already providing workforce housing and the Town of Clarkstown is also entertaining a new zoning designation to allow this housing. Many studies have shown, people can't afford to live in this County and it's a problem maintaining volunteers.

Jo-Ann Coffey-Fasulo, Pearl River, asked the board to legally define the meaning of affordable housing. The taxes on workforce housing shouldn't be subsidized by the other taxpayers. This would steal from others pride and hard work.

Mike Mandel, Pearl River, asked what is the real agenda regarding the workforce housing and he asked it be shelved indefinitely. We need rateables, not subsidize housing. He is against giving \$2,500 to the Amazing Grace Circus.

Gail Raffaele, Tappan, said, if OMM can afford \$700,000 for a concession stand, they ought to be able to pay their own fees to the Town of Orangetown. She would like to know if an active sewer pipe exists in her backyard. If Nyack has adopted a Workforce Housing Act, then we have it in Orangetown.

Ruth Weber, Upper Grandview, said the Orangetown Workforce Housing Act should be buried. They way to provide affordable housing for all is to lower taxes and clean up government.

Eileen Larkin, Palisades, asked who is paying for the repair of Oaktree Road. Who and when the study of insufficient housing was done. She is concerned about some of the language in the Draft of the Orangetown Workforce Housing Act.

Tom Diviny, Blauvelt, believes the Orangetown Workforce Housing Act is all political. Changing zoning invites outside interest to challenge that zoning.

Don Brenner, an attorney, asked where the Workforce Housing statute is going to apply. There isn't any MFR zoning left in the Town. He is not against affordable housing.

Mr. Finn, Orangeburg, asked if the Town is liable for a tree that is uprooting his driveway.

Watson Morgan, Blauvelt, believes since Nyack has certain responsibilities for its planning and its direction, the Town shouldn't be a co-applicant for Riverspace, Inc. This could cause the Town to give up future grant applications.

RESOLUTION NO. 412

CLOSE PUBLIC PORTION

Councilman Maturo 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 Maturo, Manning, Troy, Low-Hogan
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 413

**AUTHORIZE CO-APPLICANT
RIVERSPACE INC.**

Councilman Troy offered the following resolution, which was seconded by Councilwoman Manning and on a roll call was adopted:

RESOLVED, that it is hereby authorized for the Town of Orangetown to be a co-applicant with Riverspace Inc. of Nyack for a grant application to the New York State Department of State Smart Growth Fund for planning funding for the redevelopment of the Riverspace Arts Center and surrounding area.

Ayes: Councilpersons Manning, Low-Hogan
Supervisor Kleiner

Noes: Councilpersons Troy, Maturo

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RESOLUTION NO. 414

**SCHEDULE PUBLIC HEARING
HOUSING FOR MODERATE-INCOME
HOUSEHOLDS (ORANGETOWN
HOUSING ACT)**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Manning and on a roll call was adopted:

RESOLVED, that a public hearing is scheduled on September 14, 2009 at 8:00 p.m. to consider the adoption of a local law requiring that a certain portion of any multifamily housing developments over 10 units in an MFR zone be set aside for moderate-income households to better enable workers, particularly young residents, to be able to afford to reside in the community (Orangetown Workforce Housing).

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

Noes: Councilperson Troy

RESOLUTION NO. 415**SCHEDULE PUBLIC HEARING
EXTEND THE SPARKILL HAMLET
OVERLAY ZONING DISTRICT**

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

RESOLVED, that a public hearing is scheduled on September 29, 2009 at 8:00 p.m. to extend the Sparkill Hamlet Overlay Zoning District to the ten remaining parcels in the Community Shopping zoning District.

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

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RESOLUTION NO. 416**APPROVE FUNDING/AMAZING
GRACE CIRCUS/NYACK**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Manning and on a roll call was adopted:

RESOLVED, that the request of the Amazing Grace Circus for \$1,500 to support the "Circus in the Park Extravaganza" in Memorial Park, Nyack from July 19 – August 2 is hereby approved.

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

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RESOLUTION NO. 417**AWARD BID/AMERICAN WEAR
UNIFORMS/HIGHWAY**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for industrial service uniforms, which were received and publicly opened on July 8, 2009. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 07-D-09, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to American Wear Uniforms, East Orange, NY, the only qualified bidder, at a price of \$1.94 per employee, per week, to be charged to Account No. D5140/50465.

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

* * *

RESOLUTION NO. 418**AMEND RESOLUTION NO. 127/2007
2008/2009 NYSDOT SNOW AND ICE
AGREEMENT/REIMBURSEMENT**

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

RESOLVED, that Resolution No. 127/2007 is hereby amended to increase the reimbursement amount from \$175,284.28 to \$186,523.50 in the 2008/2009 NYSDOT Snow and Ice Agreement.

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

RESOLUTION NO. 419**PERMISSION GRANTED/OBZPAE
ANNUAL NEW YORK STATE
BUILDING OFFICIALS CONFERENCE**

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

RESOLVED, that permission is hereby granted to John Giardiello, P.E., Director of OBZPAE, to attend the "Annual New York State Building Officials Conference (NYSBOC) Business Meeting" as the Rockland County Delegate, September 9-11, 2009, in Alex Bay, NY at no cost to the town except for the use of a Town vehicle.

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

* * *

RESOLUTION NO. 420**PARKS/ESTABLISH SENIOR
GROUNDWORKER**

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

RESOLVED, that the position of Senior Groundswoker, in the Department of Recreation and Parks, is hereby established. This is a reclassification of Groundswoker (#520481) in that department.

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

* * *

RESOLUTION NO. 421**APPOINT/SENIOR GROUNDWORKER
MICHAEL DALY/PARKS**

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

RESOLVED, that Michael Daly (who is presently in the position) is hereby appointed to the position of Senior Groundswoker (#520481), permanent with a 6 month mandatory probationary period, grade 13-6, annual salary \$66,832, effective July 20, 2009.

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

* * *

RESOLUTION NO. 422**APPOINT/ASSISTANT ACCOUNT-
KEEPING SUPERVISOR/FINANCE
JANICE GANLEY**

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

RESOLVED, that Janice Ganley is hereby appointed to the position of Assistant Account-Keeping Supervisor in the Finance Department, provisional, with a mandatory six month probationary period, Grade 13-1, annual salary of \$52,358, effective September 14, 2009.

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

* * *

RESOLUTION NO. 423**HEGARTY HOMES/HARMONY HILLS
SUBDIVISION/ELIZABETH ST/ESCROW
WITHDRAWAL (1,276.60)**

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

Whereas, pursuant to Town Board Resolution 2009-214, Hegarty Homes, Inc., the developer of the Harmony Hills Subdivision, Elizabeth Street, Pearl River, New York, was required to deposit the sum of \$9,200.00 with the Town as a condition of the release of a Performance Bond for this project and to ensure, among other items, that any improvements related to the subdivision and required by the Town to be completed with respect to the subdivision would be completed to the Town's specifications and satisfaction and,

Whereas, a sewer pump at the Harmony Hills subdivision pumping station that had been installed by Hegarty Homes, Inc. was not functioning properly and was replaced by DEME at a cost of \$1,276.60, which sums have been approved and paid by the Town Finance Department from the DEME account,

Now therefore, be it Resolved, that upon the recommendation of the Department of Environmental Management and Engineering and the Town Attorney's Office, the sum of **\$1,276.60 (One Thousand Two Hundred Seventy Six and 60/100 Dollars)** is hereby authorized to be withdrawn from the \$9,200.00 posted by Hegarty Homes, Inc. with the Town pursuant to Town Board Resolution 2009-214 and credited to the DEME account, and that balance of \$7,923.40 (Seven Thousand Nine Hundred Twenty Three and 40/100 Dollars) is to remain on account with the Town pending further resolution of this Board."

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

* * *

RESOLUTION NO. 424**CERTIFICATE OF REGISTRATION FOR
2009 SEWER WORK/SHF CORPORATION**

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

RESOLVED that upon the recommendation of the Director of the DEME and the Town Attorney, S.H.F. Corporation, 23 Briarwood Drive, New City, NY is approved for a Certificate of Registration for 2009 to perform sewer work.

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

* * *

RESOLUTION NO. 425**STEJ/THE HOLLOWES AT BLUE HILL
AFFORDABLE UNITS/UNIT LOCATION
CHANGE**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Troy and on a roll call was adopted:

Whereas the Town passed the Planned Adult Community zone in 2004 to encourage the development of housing for people 55 years of age and older and permitted developers constructing housing in accordance with this zone to apply for and be granted a bonus in density if they agreed to build a specific number of affordable housing units at a ratio specified in the Town Code;

Whereas STEJ, LLC, the Developer for the Hollows at Blue Hill, requested and was granted a zone change to PAC for property located on Veterans Memorial Highway,

Resolution No. 425 - Continued

Whereas STEJ, LLC requested in the zone change application an increase in density from 6 units to 7 units per acre and agreed to develop “six (6) affordable units under the PAC law, which units shall be dispersed throughout the development” as required by the Planning Board.

Whereas the Town Planning Board approved the site for the Hollows at Blue Hill and approved the locations proposed by STEJ, LLC for the six affordable units,

Whereas STEJ, LLC has requested that the affordable two-bedroom townhouse unit presently designated N-26 be relocated to Building Block “B Unit 70”,

Whereas STEJ, LLC has agreed to immediately offer a contract of sale for the three existing condominium affordable units located in “Condo Buildings A, B, and C” to the applicants of the Town’s Affordable Housing Program who were selected in the Town’s lottery held on January 7, 2009,

Now, therefore be it, Resolved, that, subject to Planning Board approval, application for which shall be made within the next 30 days, the Town Board consents to the relocation of the affordable two-bedroom townhouse unit as stated above (N-26 to B-70), said approval to be effective upon prior passing of title by deed of all three affordable condominium units located in Building Blocks A, B, and C from the developer (or its successor) to persons who qualify for ownership of such affordable units as certified by the Town or the Town’s agent in accordance with the Town’s Affordable Housing Program regulations (it being the express intention of the Town Board that approval of the relocation of the affordable townhouse unit shall become effective only upon the prior sale of the three affordable condominium units located in Building Blocks A, B, and C), and further provided that contracts of sale are delivered, in good faith, by the developer to prospective purchasers of any designated affordable unit within 14 days of any request for same by a prospective purchaser identified as qualified by the Town or the Town’s agent in accordance with the Town’s Affordable Housing Program regulations; and be it further

Resolved that this resolution shall be binding upon any successor to STEJ, LLC.

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

* * *

RESOLUTION NO. 426**APPROVE INTERMUNICIPAL
AGREEMENT/COUNTY OF ROCKLAND
ROCKLAND COUNTY INTELLIGENCE**

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

RESOLVED that upon the recommendation of the Town Attorney and the Chief of Police, an Inter-municipal Agreement between the Town and the County of Rockland providing for partial reimbursement by the County in the amount of Seventy-Three Thousand Nine Hundred Twenty Dollars (\$73,920.00) of the compensation costs of one Town Police Officer for services rendered to the Rockland County Intelligence Center for and during the period of January 1, 2009 through December 31, 2009 is hereby approved, and the Town Supervisor is authorized to execute such Agreement on behalf of the Town.

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

* * *

RESOLUTION NO. 427**AUTHORIZE CHANGE ORDER NO.1
DEME CONTRACT NO. PS-06-3G
STEARNS & WHELER/COPPOLA**

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

Resolution No. 427 - Continued

RESOLVED that Change Order No. 1, in the amount of \$22,425.00, at the cost to Stearns & Wheler, for Contract No. PS-06-36 with Coppola Services, Inc. is hereby authorized. The change order is for modifications to prevent stormwater from entering the existing generator building at the wastewater treatment plant.

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

* * *

RESOLUTION NO. 428**ADOPT/2010 BUDGET TIMETABLE
CALENDAR**

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

WHEREAS, Article 8 of the Town Law of the State of New York provides for a budget system for a Town; and

WHEREAS, the Town Board wishes to set up a budget schedule as provided in Article 8 of the Town Law by designating various dates to implement the 2010 budget; Now, Therefore, Be It

RESOLVED, that the following dates are hereby set as official dates of the Town of Orangetown for the submission and adoption of the budget as required by law:

AUGUST 21, 2009: Last date for other department heads to submit estimate of operating revenues and expenditures to Supervisor with the estimates submitted in such form and containing such information as the Supervisor shall prescribe;

BETWEEN SEPTEMBER 8 and SEPTEMBER 21, 2009: The Town Board shall endeavor to meet with department heads and amongst themselves to discuss the budget prior to the filing of the budget by the Supervisor;

SEPTEMBER 18, 2009: Last day for each ambulance and paramedic district, and South Orangetown libraries to submit an estimate of revenues and expenditures, as well as audited financial statements;

SEPTEMBER 29, 2009: Last day for the supervisor to file with the Town Clerk the tentative budget and budget message for 2010, and the estimates and schedules of the various administrative units;

SEPTEMBER 29, 2009: At a meeting of the Town Board at 8:00 P.M. at Town Hall, Orangeburg, New York, the Town Clerk shall distribute to the Town Board the 2010 Tentative Budget for the Town and publish it on the Town's web site.

OCTOBER 15, 2009: Last day for each fire district to submit to the Town Clerk the proposed 2010 budget and notice of public hearing on the 2010 budget for public review and inclusion on the Town's web site.

OCTOBER 20, 2009: Public hearing date for all fire district budgets.

OCTOBER 26, 2009: Last day for the Town Board to complete review of Tentative Budget and file the Preliminary Budget with the Town Clerk who will publish it on the Town's web site.

OCTOBER 26, 2009: Town Clerk is directed to publish said Preliminary Budget and post a notice of public hearing as required by law on said preliminary budget, in which notice includes the salaries of the Town Board and the Town Clerk;

NOVEMBER 5, 2009: At 8:00 P.M. a public hearing on the Preliminary Budget shall be held at Town Hall at Orangeburg, New York. At the conclusion of the hearing, the Town Board

Resolution No. 428 - Continued

may by resolution adopt a final budget, either accepting or amending the Preliminary Budget and said budget may become the legally adopted budget for the Town of Orangetown for the year commencing January 1, 2010.

NOVEMBER 20, 2009: Legal deadline for budget adoption and submittal of approved fire district budgets to the Town Finance Director who will publish the budgets on the Town's web site.

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

* * *

RESOLUTION NO. 429**ACCEPT MINUTES**

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

RESOLVED that the June 8, 2009 Regular Town Board Meeting, Audit Meeting and Executive Session minutes; the June 15, 2009 Audit Meeting minutes; and the June 22, 2009 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

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

* * *

RESOLUTION NO. 430**REDDI ALARM & TIME SYSTEMS
CONTRACT/RECEIVED/FILED**

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

RESOLVED that the fully executed contract with Reddi Alarm & Time Systems, Inc., Orangeburg, NY, for the wastewater administration building, is received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 431**SIEMENS BUILDING TECHNOLOGIES
CONTRACT/RECEIVED/FILED**

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

RESOLVED that the fully executed contract with Siemens Building Technologies, Inc., for the energy performance project at the Town's facilities, is received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 432

**ROCKLAND COUNTY BOARD OF
COOPERATIVE EDUCATIONAL
SERVICES/GATEWAY ACADEMY
CONTRACT/SCHOOL RESOURCE
OFFICER PROGRAM/RECEIVED/FILED**

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

RESOLVED that the fully executed agreement between the Orangetown Police Department, the Town of Orangetown and the Rockland County Board of Cooperative Educational Services/Gateway Academy, for the school resource officer program, is received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 433

**I.S. REALTY, LLC (INERTIA SWITCH)
AUTHORIZE COVENANT/HOLD
HARMLESS/INDEMNIFICATION
AGREEMENT**

Councilman Troy offered the following resolution, which was seconded by Councilman Maturo and unanimously was TABLED:

RESOLVED that upon the recommendation of the Town Attorney, the Director of the Dept. of Envntl Management & Engineering, to authorize the Town Supervisor to sign a Covenant, Hold Harmless and Indemnification Agreement, in favor of the Town of Orangetown, with I.S. Realty, LLC (Inertia Switch), for property located at 70 South Greenbush Rd, Orangeburg, NY 10962 (74.07-1-14) has been TABLED.

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

* * *

RESOLUTION NO. 434

**STIPULATION OF SETTLEMENT
STEJ, LLC/ROCKLAND COUNTY
INDEX NO. 134/09**

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

RESOLVED that upon the recommendation of the Town Attorney, the lawsuit entitled STEJ, LLC v. TOWN OF ORANGETOWN, under Rockland County Index No. 134/09, shall be settled upon the terms and conditions set forth in a certain Stipulation of Settlement annexed hereto and made a part hereof.

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

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND
-----X

STEJ, LLC,

-against-

THE TOWN OF ORANGETOWN,
-----X

Plaintiff

Defendant.

STIPULATION
OF SETTLEMENT
Index No. 134/09

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that this action is settled as follows:

1. The Plaintiff shall pay the sum of Two-Hundred and Fifty Thousand Dollars (\$250,000.00) to the Defendant, in five (5) installment payments, each in the amount of Fifty Thousand Dollars (\$50,000.00). The payments shall be made via certified funds. The payments shall be delivered to the office of the Director of Finance for the Town of Orangetown at 26 Orangeburg Road, Orangeburg, New York 10962 by 5:00 p.m. on or before the following dates: July 24, 2009, August 17, 2009, September 15, 2009, October 15, 2009 and November 9, 2009.

2. The Letter of Credit bearing No. 83065-05 which was issued by Country Bank shall remain in place until the delivery of the final installment payment on November 9, 2009. In the event that the Plaintiff fails to timely make any of the five payments set forth herein, the Defendant shall be authorized, without further notice, to immediately draw down any outstanding and unpaid portion of the Two-Hundred and Fifty Thousand Dollars (\$250,000.00) from the Letter of Credit, together with a further Fifty Thousand Dollars (\$50,000.00), which shall be deemed the Defendant's liquidated damages for the Plaintiff's default and not in the nature of a penalty.

3. In consideration of the Defendant's agreement to forbear from immediately drawing down on the said Letter of Credit, accepting, in lieu thereof, the Plaintiff's commitment to make installment payments as set forth herein, the Plaintiff hereby waives its right to appeal from the Decision and Order of the Court dated July 2, 2009, and/or to seek an Order from either the Supreme Court or the Appellate Court, in the future, which enjoins and retrains the Defendant from drawing down of the Letter of Credit in the event of a default hereunder for any outstanding and unpaid portion of the Two-Hundred and Fifty Thousand Dollars (\$250,000.00) and the further liquidated amount set forth in ¶ 2 hereof.

4. Upon receipt of the final installment on November 16, 2009, the Defendant shall provide Country Bank with written consent to cancel the Letter of Credit.

5. Upon delivery and receipt of the final installment on November 16, 2009, the parties shall execute and file stipulation discontinuing this action with the County Clerk of the Rockland County.

Dated: New York, New York
July 17, 2009

STEJ, LLC

By: _____
Edmund Lane, Member

Estrin, Benn & Lane, LLC

By: _____
Patrick Benn, Esq.
Attorneys for Plaintiff
225 Broadway, Suite 1200
New York, New York 10007
(212) 962-0800

TOWN OF ORANGETOWN

By: _____
Thom Kleiner

John Edwards, Town Attorney
Attorney for Defendant
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

* * *

RESOLUTION NO. 435

**WAIVE BUILDING PERMIT
APPLICATION FEE/OMM**

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

Resolution No. 435 - Continued

RESOLVED that the request of Orangetown Mighty Midgets (OMM) Soccer for a waiver of the building permit application fee for the construction of the concession stand adjacent to the Town soccer fields estimated to cost \$700,000.

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

* * *

RESOLUTION NO. 436**RESCHEDULE 9/28/09 RTBM**

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

RESOLVED that Monday, September 28th Regular Town Board Meeting is rescheduled to Tuesday, September 29th.

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

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RESOLUTION NO. 437**ENTER AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 10:55 p.m.

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

* * *

RESOLUTION NO. 438**PAY VOUCHERS**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Manning 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 \$1,928,965.04.

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

* * *

RESOLUTION NO. 439**ENTER EXECUTIVE SESSION**

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

RESOLVED, that the Town Board entered Executive Session at 11:00 p.m.

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

Resolution Nos. 439A and 439B see Executive Session.

RESOLUTION NO. 440

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 John J. (Jack) Cassidy, former Orangetown Supervisor and Roseann (Nancy) Baccaglioni, Pearl River, at 11:31 p.m.

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

Teresa Accetta-Pugh, Deputy Town Clerk