

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 20, 2010**

This Town Board Meeting was opened at 7:35 p.m. First Deputy Supervisor, Denis Troy, presided and the Town Clerk called the Roll. Present were:

Councilwoman Nancy Low-Hogan
Councilman Michael Maturo
Councilman Thomas Diviny
Absent: Supervisor Paul Whalen

Also present: Charlotte Madigan, Town Clerk
John Edwards, Town Attorney
Teresa Kenny, First Deputy Town Attorney
Robert Magrino, Deputy Town Attorney
AnnMarie Hahr, Executive Assistant to the Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Joe Rutkowski, Sewer Chief Operator
Sgt. Gerald Bottari, Police Dept.
Robert Simon, Receiver of Taxes
John Giardiello, Director of OBZPAE
Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Troy Hansen led the Pledge of Allegiance to the Flag.

Summary of Public Comments (RTBM):

Beth Riso, Nyack, spoke about disorderly conduct in Memorial Park and requested more Police presence in the park.

Henry Rand, Nyack, also talked about the disorderly conduct in Memorial Park and stressed that Police presence is needed for safety reasons.

Michael Killeen, Pearl River, would like to know what is happening to his sewer damage claim.

Tom Bertussi, Pearl River, presented the Town Board with information regarding union and non-union workers. He is against Project Labor Agreements (PLA). Using only PLAs eliminates 50% of contractors able to bid on projects.

Lou Bertussi, Pearl River, is also against Project Labor Agreements. A PLA is not cost efficient and it doesn't allow fair competition.

Paul Valentine, Blauvelt, is against Project Labor Agreements. The Town Board should allow all contractors to bid on projects, in order to have the lowest responsible bidder.

RESOLUTION NO. 420

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy

Noes: None

Absent: Supervisor Whalen

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RESOLUTION NO. 421

**OPEN PH/NOTIFICATION OF PUBLIC
HEARINGS/SPECIAL PERMITS/ZONE
CHANGES**

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

RESOLVED, that the 8:00 p.m. public hearing, to consider a proposed Local Law amending Chapter 43 entitled "Zoning", Article 10 entitled "Administration and Enforcement",

Resolution No. 421 - Continued

Section 10.4 entitled "Town Board Approval" of the Town Code by adding Section 10.44 entitled "Notice and Hearing" (Notification of Public Hearings for special permits or zone changes) is hereby opened.

Ayes: Councilpersons Low-Hogan, Maturo, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 7-A-10 and made a part of these minutes.

Robert Magrino, Deputy Town Attorney, explained this proposed local law would require any applicant, for a special permit or zone change, to send written notice by mail to all property owners within 500 feet and post signs on the property.

Summary of Public portion:

Joanne DiLorenzo, Pearl River Chamber of Commerce, is in favor of this proposed law.

Jim Castagna, Sparkill, supports this proposed local law.

Habib Hasan, Pearl River, agrees with this proposed local law.

Eileen Larkin, Palisades, said people who live in Palisades with a P O Box do not always receive the notification letters.

RESOLUTION NO. 422**CLOSE PH/NOTIFICATION OF PUBLIC HEARINGS/SPECIAL PERMITS/ZONE CHANGES**

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Low-Hogan, Maturo, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 423**LEAD AGENCY/NOTIFICATION OF PUBLIC HEARINGS/SPECIAL PERMITS/ZONE CHANGES**

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

RESOLVED, that the Town Board declares itself Lead Agency in this matter.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 424**SEQRA DECLARATION/ NOTIFICATION OF PUBLIC HEARINGS/SPECIAL PERMITS/ZONE CHANGES**

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

Resolution No. 424 - Continued

RESOLVED, that a SEQRA Declaration of non-significance, indicating that the action the Town Board is contemplating will not have a significant negative impact on the environment, is hereby adopted; a copy is labeled Exhibit 7-B-10 and made a part of these minutes.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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**LOCAL LAW NO. 4, 2010 OF THE TOWN OF ORANGETOWN,
AMENDING CHAPTER 43, ARTICLE 10.44, NOTIFICATION OF PUBLIC HEARINGS
FOR SPECIAL PERMITS OR ZONE CHANGES BEFORE THE TOWN BOARD, OF
THE TOWN CODE**

CHAPTER 43 – ZONING**ARTICLE X-ADMINISTRATION AND ENFORCEMENT****§10.4 Town Board approval.**

10.44. Notice and hearing. Whenever an application is made to the Town Board for a special permit or zone change, the Town Board shall hold a public hearing on due notice as set forth herein. Every application shall state the specific use for which a special permit is sought or the details of the zone change which is sought and the special circumstances affecting the particular lot(s) which are cited as justifying such special permit or zone change, as the case may be.

A. Any such public hearings by the Town Board pursuant to this Chapter and New York Town Law must be advertised at least once in a newspaper of general circulation, and serve any other required written notice, pursuant to the terms and conditions of New York Town Law §264 and/or §274-b, as amended and as applicable.

B. In addition, all applicants or persons seeking a special permit or zone change, at least 10 days prior to any such public hearings, shall send written notice by first class mail to all owners within 500 feet of the property as measured from the front, side, and rear lot lines of the subject parcel (excluding public road ways, rights of way, and property owned by any public utility or public entity in measuring the 500 feet), as well as all properties within 500 feet of the subject parcel along both sides of any street or roadway on which the subject parcel abuts, at the applicant's expense, and as determined by the Office of Building Planning Zoning and Enforcement. Prior to mailing the notification, the applicant shall be responsible for generating a list of all property owners required to receive notice pursuant to this section. The written notices, in properly addressed and stamped envelopes, shall be returned to the Town Clerk for the purpose of mailing from the Town Clerk's office. Property owners entitled to such notice shall be those listed as owners on the record in the Town of Orangetown Tax Assessor's office as of the date of the mailing. The written notice shall contain information on a form provided by the Town Clerk and shall include the date and time of the hearing and to be continued as necessary, the name and address of the applicant and the applicant's attorney, if any, the street address of the property, the tax map designation of the property, the nature of the application, and an indication that further information on the application is available at the Town Clerk's Office. Failure of a property owner to receive the notice shall not affect the validity of the public hearing or any action taken thereat by the Board.

C. All applicants or persons seeking a special permit or zone change from the Town Board are further required to erect signs containing information regarding the public hearing as set forth in subdivision B of this section, on every lot corner and at least once every 100 feet thereafter, giving notice that such application has been made and that a public hearing will be held. Such signs shall be obtained from the Town Clerk. Such

LOCAL LAW NO. 4, 2010 - Continued

signs are to be displayed for a period of not less than 5 days immediately preceding the hearing date or any adjourned hearing date. The sign shall not be set back more than 10 feet from any property or street line, shall not be less than two feet or more than six feet above grade at the property line and shall be clearly visible from the property line.

D. At the commencement of any public hearing, the applicant must file an affidavit with the Town Clerk which states that the aforementioned notices have been complied with and said affidavit shall include a list of the names and addresses of all property owners to whom notices were sent pursuant to this section and a statement that said properties are the only properties required to be notified pursuant to this section. The Board shall not proceed with the hearing unless the affidavit has been filed.

RESOLUTION NO. 425**TB DECISION/ NOTIFICATION OF PUBLIC HEARINGS/SPECIAL PERMITS/ZONE CHANGES/ADOPTED**

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

RESOLVED, that the Town Board hereby adopted Local Law 4, 2010, amending Chapter 43 entitled "Zoning", Article 10 entitled "Administration and Enforcement", Section 10.4 entitled "Town Board Approval" of the Town Code by adding Section 10.44 entitled "Notice and Hearing" (Notification of Public Hearings for special permits or zone changes).

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 426**SET PUBLIC HEARING DATE SPECIAL PERMIT/SEAN QUINN**

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

RESOLVED, that a Public Hearing to consider Sean Quinn's Special Permit Petition (77.08-5-48) for mixed use, in the Sparkill Hamlet Overlay District is scheduled for August 17, 2010 at 8:00 p.m.

Ayes: Councilpersons Maturo, Low-Hogan, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 427**SET PUBLIC HEARING DATE SPECIAL PERMIT/HIGHLAND MEWS AT SPARKILL**

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

RESOLVED, that a Public Hearing to consider John Mascia Special Permit Petition (77.08-5-49) for mixed use at the Highland Mews at Sparkill, in the Sparkill Hamlet Overlay District, is scheduled for August 17, 2010 at 8:05 p.m.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 428**SET PUBLIC HEARING/ZONE
CHANGE/THE MEWS AT PEARL
RIVER/68.16/6/62/CS ZONE TO PAC
ZONE/EDWARD LANE**

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

RESOLVED, that a Public Hearing to consider the Zone Change Petition of the Mews at Pearl River, Section 68.16, Block 6, Lot 62, from a CS Zone to PAC Zone, is scheduled for September 14, 2010 at 9:00 p.m.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 429**APPROVE AID/POLICE
ORANGETOWN NATIONAL NIGHT
OUT/SK8 NIGHT**

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

RESOLVED, that aid for Orangetown National Night Out/SK8 Night, for the use of two portable toilets, one handicapped, for placement in Veterans Memorial Park on Tuesday, August 3, 2010, from 4:00 – 10:00 PM, at a cost of \$165.50, to be charged to Acct. No. A7550004/50457 is hereby approved.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 430**DESIGNATE ROCKLAND HOUSING
ACTION COALITION (RHAC)
MONITORING AGENT/PAC**

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

RESOLVED, that in accordance with the Planned Active Adult Affordable Housing Program Rules and Regulations, Rockland Housing Action Coalition is designated as the Monitoring Agent, for the year 2010, and the agreement with RHAC is approved, which provides for the fee, for such services to be paid directly by the Purchaser.

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 431**TAX CERTIORARI/PEARL RIVER
INDUSTRIAL TERMINAL/68.16-1-2**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is authorized to sign the Consent Judgment regarding the tax certiorari proceeding *Pearl River Industrial Terminal v. The Assessor, et al., and Pearl River Union Free School District, Intervenor-Respondent*, Tax Map designation 68.16-1-2 for the tax assessment years 2003 through 2009 for a total refund by the

Resolution No. 431 - Continued

County of \$1,931 and for a total refund by the Town of \$12,427. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilpersons Diviny, Maturo, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 432**TAX CERTIORARI/LEEMILTS
PETROLEUM, INC./77.77-1-31**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is authorized to sign the Consent Judgment regarding the tax certiorari proceeding *Leemilts Petroleum Inc. v. The Assessor, et al., and South Orangetown Central School District, Intervenor-Respondent*, Tax Map designation 75.77-1-31 for the tax assessment years 2007 through 2009 for a total refund by the County of \$1,577 and for a total refund by the Town of \$1,646. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 433**TAX CERTIORARI/COURTLAND
REALTY ASSOCIATES/68.12-2-6**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is authorized to sign the Consent Order regarding the tax certiorari proceeding *Courtland Realty Associates v. The Assessor of the Town of Orangetown, et ano*, Tax Map designation 68.12-2-6 for the tax assessment years 2008 and 2009 for a total refund by the County of \$802 and for a total refund by the Town of \$3,193. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilpersons Diviny, Maturo, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 434**REDUCE PERFORMANCE BOND
COMMERCE BANK/TD BANK SITE
PLAN**

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

RESOLVED, that upon the recommendation of the Planning Board (PB# 2010-21), the Board hereby authorizes the Performance Bond, posted by Commerce Bank (now known as TD Bank, NA), in reference to the Commerce Bank Site Plan, pursuant to Town Board Resolution 2002-570, to be reduced from \$29,754.00 to the sum of \$1,000.00. The Director of Finance is

Resolution No. 434 - Continued

hereby authorized to return the difference of \$28,754.00 to the applicant or its authorized representative and retain the \$1,000.00 balance until such time as this Board authorizes its release.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 435**ACCEPT/EBENEZEER FULL GOSPEL
ASSEMBLY/SANITARY SEWER AND
CONSERVATION EASEMENTS**

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

RESOLVED, that upon recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, the Town hereby accepts from the Ebenezer Full Gospel Assembly a 15' Wide Sanitary Sewer Easement and a Conservation Easement, granted pursuant to Planning Board Decision 1999-181. The Supervisor or his designee is authorized to execute all transfer documents necessary to effectuate the acceptance of these easements, which shall be recorded in the Rockland County Clerk's Office at the expense of the Ebenezer Full Gospel Assembly and upon receipt be filed in the Town Clerk's Office.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 436**CERTIFICATE OF REGISTRATION 2010
SEWER WORK/ROTO-ROOTER**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Maturo 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 2010 Sewer Work is approved to Roto-Rooter Plumbing Services, 325 Waverly Avenue, Mamaroneck, NY.

Ayes: Councilpersons Low-Hogan, Maturo, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 437**ESTABLISH STANDARD WORK
DAY/ELECTED AND APPOINTED
OFFICIALS/REPORTING AND RECORD
KEEPING/NYS COMPTROLLER
SUPERSEDE RESOLUTIONS**

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

Whereas, the New York State Comptroller passed Regulations regarding the reporting and record keeping requirements for elected and appointed officials being reported into the retirement system and requiring the officials to maintain a record of activities for a consecutive three month period; and

Resolution No. 437 - Continued

Whereas, the Regulations require the Town to pass a resolution setting forth: a) the number of hours prescribed as a standard work day for each position; b) the expiration of the term of each position; and c) and that the employee holding the office maintains a daily record of time worked or has recorded and submitted to the Clerk his or her work activities for a period of three consecutive months and d) the total number of days per month to be reported based upon such record of work activities;

Be it Resolved, that the Town Board hereby establishes the following as the standard work day for elected and appointed officials and will report the days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Town Clerk.

Be it further Resolved that, this Resolution shall supersede all resolutions previously approved by the Town Board setting forth a standard workday or setting forth the number of retirement hours to be reported to the New York State Retirement System.

Be it further Resolved, that this Resolution shall be posted on the Town website for at least 30 days and that a certified copy of the resolution shall be filed by the Clerk with the Office of the State Comptroller.

Elected Official Title	Name	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates Employer's Time Keeping System	Days/Month (based on record of activities)
Supervisor	Paul Whalen	5000000-9	7	1/1/10-12/31/11	N	20
Town Clerk	Charlotte Madigan	3648368-3	7	1/1/10-12/31/11	N	20
Receiver Taxes	Robert Simon	1254728-7	7	1/1/10-12/31/11	N	20
Town Justice	Paul B. Phinney	3388673-0	7	1/1/08-12/31/11	N	11.23
Town Justice	Richard C. Finning	5000200-5	7	1/1/10-12/31/13	N	11.57
Councilman	Denis Troy	3805585-1	7	1/1/10-12/31/13	N	13.12
Councilman	Michael Maturo	4270093-0	7	1/1/08-12/31/11	N	12
Councilman	Thomas Diviny	5000001-7	7	1/1/10-12/31/13	N	13.87
Councilwoman	Nancy Low Hogan	4311498-2	7	1/1/08-12/31/11	N	6.86

Appointed Officials Title	Name	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Time Keeping System	Days/Month (based on record of activities)
Assessor	Brian Kenney	367866-1	7	10/16/95-	no	20
Confidential Assistant to Supervisor	Ann Marie Hahr	5000201-3	7	1/1/10-12/31/11	no	20
Court Clerk	Barbara Hofsommer	3648955-7	7	11/25/90-open	no	20
Planning Board	Bruce Bond	4344263-1	7	1/1/10-12/31/10	no	
Zoning Board of Appeals	Nanette Albanese	3788471-5	7	2/15/06-12/31/13	no	
Zoning Board of Appeals	Patricia Castelli	4332551-3	7	1/1/09-12/31/13	no	
Planning Board member	Kevin Garvey	4147276-2	7	1/1/09-12/31/11	no	
HABOR member	Thomas Quinn	4343814-2	7	3/30/09-12/31/11	no	
HABOR member	Walter Wheatley	3683288-9	7	4/13/09-12/31/13	no	

Zoning Board	Daniel Sullivan	4337068-3	7	1/3/06-12/31/10	no	
Director of DEME			7			
Supt. of Parks & Recreation	Aric Gorton	4315008-5	7	n/a	no	20
Chief Operator Waste Water IV	Joseph Rutkowski	4231988-9	7	n/a	Y	n/a
Director of OBZPAE	John Giardiello	3758740-9	7	n/a	no	20
Finance Director	Charles Richardson	3985700-8	7	1/1/10-open	no	20
Highway Maint.Sup. III	Michael Yannazzone	3109093-9	7	n/a	Y	n/a
Legal Stenographer	Mary Ferraro	4206467-5	7	n/a	Y	n/a
Personnel Administrator	Eileen Schlag	3648712-2	7	n/a	no	20
Secretarial Assistant Legal	Barbara Dardzinski	3967340-5	7	n/a	Y	20
Town Attorney	John Edwards	3759999-0	7	1/1/10-12/31/11	no	17.74
Deputy Town Attorney	Teresa Kenny	400079030	7	1/1/10-12/31/11	no	12.15
Deputy Town Attorney	Dennis Michaels	3822027-3	7	9/9/96-open	no	10.60
Deputy Town Attorney	Robert Magrino	369043-6	7	3/1/04- open	no	10.60
Deputy Town Attorney	Denise Sullivan	3867448-7	7	4/29/08-open	no	12.56
Deputy Town Attorney	Rick Pakola	4280548-1	7	5/5/08-open	no	10.60
Deputy Town Attorney	Barbara Gionta	3793357-9	7	6/5/07-open	no	10.60
Animal Control Officer	James Robbins	3736876-1	7	n/a	no	8.86
Animal Control Officer	Richard Padilla	3701419-8	7	n/a	no	8.31
Animal Control Officer	John Hickey	4098913-9	7	n/a	no	

Ayes: Councilpersons Low-Hogan, Maturo, Diviny
 1st Deputy Supervisor Troy
 Noes: None
 Absent: Supervisor Whalen

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RESOLUTION NO. 438

PARKS/REPEAL TBR #731-2009/BOND BLUE HILL GOLF COURSE

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

RESOLVED, that TBR #731-2009, approving \$1.3 million bond for the Blue Hill Golf facilities is hereby repealed.

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
 1st Deputy Supervisor Troy
 Noes: None
 Absent: Supervisor Whalen

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RESOLUTION NO. 439**AMEND BOND/BLUE HILL GOLF COURSE FACILITIES/\$1.3 MIL**

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

RESOLVED, that the Bond amount for renovation work at the Blue Hill Golf Course Clubhouse be amended to \$1,300,000.

Ayes: Councilpersons Maturo, Low-Hogan, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 440**APPROVE BOND/BLUE HILL GOLF COURSE FACILITIES/\$1.3 MIL**

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

RESOLVED, that a resolution (Exhibit 7-C-10) authorizing renovation work at the Blue Hill Golf Course Clubhouse, at a maximum estimated cost of \$1,300,000, is hereby approved and subject to Permissive Referendum the issuance of \$1,300,000 bond is hereby authorized.

Ayes: Councilpersons Maturo, Low-Hogan, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 441**SEWER/APPROVE/ EMERGENCY PROCUREMENT/RPC/COPPOLA**

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

RESOLVED, that an emergency procurement, for repairs and trucking at the RPC sewer pump station, to Coppola Services, Inc., Ringwood, NJ, in the amount of \$27,000.00, to be charged to Account No. G8120004/50457, is hereby approved.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 442**SEWER AWARD BID/NON-HAZARDOUS ANTI-CORROSIVE ODOR CONTROL CHEMICALS/NRP GROUP, INC.**

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

WHEREAS, Joe Rutkowski, Chief Operator, of the Dept. of Env'tl Management & Engineering duly advertised for sealed bids for Non-Hazardous Anti-Corrosive Odor Control Chemicals, which were received and publicly opened on June 30, 2010. The Chief Operator made this recommendation to the Town Board; a copy is labeled Exhibit 7-D-10, and made a part of these minutes. Now, Therefore, Be It

Resolution No. 442 - Continued

RESOLVED, that this bid is hereby awarded to NRP Group, Inc., Wichita, KS, the sole bidder, in the amount of \$9,067.50 per month, for a total amount of \$217,620.00, for 24 months, to be charged to Account No. G8130004/50449.

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 443**ACCEPT MINUTES**

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

RESOLVED, that the June 8, 2010 Regular Town Board, Audit Meeting, and Executive Session minutes, the June 18, 2010 Special Town Board Meeting minutes and the June 22, 2010 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

Ayes: Councilpersons Maturo, Low-Hogan, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 444**POLICE RETIREMENT/POLICE OFFICER JOHN MOFFETT/ACCEPT**

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

RESOLVED, that Police Officer John Moffett, Shield No.170, retirement from the Orangetown Police Department, effective July 5, 2010, is hereby accepted with regret.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 445**2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT/RECEIVE/FILE**

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

RESOLVED, that the Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2009 is received and filed in the Town Clerk's Office.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 446**COMBINE AGENDA ITEMS**

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

Resolution No. 446 - Continued

RESOLVED, that agenda items twenty-five (25) through thirty (30) are hereby combined.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 447

**WWTPCIP/PS-06-3G/CHANGE ORDER
NO. 3/TIER II/III PUMPING
STATIONS/RECEIVE/FILE**

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

RESOLVED, that Change Order No. 3 for the Tier II/III Pumping Stations – Phase I (PS-06-3G) with Coppola Services Inc is received and filed in the Town Clerk’s Office.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 448

**VILLAGE OF GRANDVIEW-ON-
HUDSON/SANITARY SEWER PUMP
STATION EASEMENT AGREEMENT
RECEIVE/FILE**

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

RESOLVED, that the Sanitary Sewer Pump Station Easement Agreement with the Village of Grandview-on-Hudson for property on River Road (71.46-1-4), which was recorded in the Rockland County Clerk’s Office as Instrument No. 2010-00020535, is received and filed in the Town Clerk’s Office.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 449

**KEEP ROCKLAND BEAUTIFUL,
INC./HOLD HARMLESS AND
INDEMNIFICATION AGREEMENT
RECEIVE/FILE**

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

RESOLVED, that the Hold Harmless and Indemnification Agreement between Keep Rockland Beautiful, Inc. and the Town is received and filed in the Town Clerk’s Office.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 450

**RPC/BASEBALL FIELDS/CONTRACT
1G-GENERAL/COMPLETION/RELEASE
DOCUMENTS/RECEIVE/FILE**

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

RESOLVED, that the following fully executed documents for the Baseball Fields Contract No. 1G-General are received and filed in the Town Clerk’s Office.

1. Certificate of Substantial Completion.
2. Contractor Release and Discharge.
3. Certificate of Final Completion.
4. Certificate and Release.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 451

**WWTPCIP/COPPOLA SERVICES
TIER II/III PUMPING STATIONS-
PHASE I/PS-06-3G/MAW CHARGE
RECEIVE/FILE**

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

RESOLVED, that the executed copy of M.A.W Charge No. 12, with Coppola Services for the Tier II/III Pumping Stations-Phase I (PS-06-3G) is received and filed in the Town Clerk’s Office.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 452

**SOCSD/POOL SETTLEMENT
AGREEMENT AND LEASE AND USE
AGREEMENT/RECEIVE/FILE**

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

RESOLVED, that the fully executed Settlement Agreement and Lease and Use Agreement between the South Orangetown Central School District and the Town of Orangetown for the pool are received and filed in the Town Clerk’s Office.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 453

**HIGHWAY/RECLASSIFY
POSITION/ADMINISTRATIVE
ASSISTANT/STEPHEN MUNNO**

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

Resolution No. 453 - Continued

RESOLVED, that upon the recommendation of Rockland County Personnel Office, Stephen Munno's position of Administrative Assistant is hereby reclassified to Senior Administrative Assistant in the Highway Department, grade 17, step 8, annual salary \$87,161., effective July 21, 2010.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 454**APPROVE AID/BLAUVELT
LIONS/APPLEFEST**

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

RESOLVED, that aid to the Blauvelt Lion's Club, for the use of two portable toilets, one regular, one handicapped, at a cost of \$165.50, and trash barrels from the Highway Department for their annual Applefest at Flywheel Park in Piermont, on September 26, 2010, to be charged to Acct. No. A7550004/50457 is hereby approved.

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 455**APPROVE AID/ROCKLAND COUNTY
GAELIC FOOTBALL LEAGUE**

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

RESOLVED, that the request of the Rockland County Gaelic Football League for 30 trash barrels, four portable toilets (2 handicapped accessible), at a cost of \$331.00, the Auxiliary Police, and barricades for their Grand Opening (Third Avenue, Orangeburg) to be held July 23 thru July 25, 2010, to be charged to Account #A755004/50457 is hereby approved.

Ayes: Councilpersons Diviny, Maturo, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 456**APPROVE AID/PEARL RIVER HOOK
& LADDER COMPANY/CAR SHOW**

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

RESOLVED, that the request of the Pearl River Hook and Ladder Company for 15 trash barrels, 2 portable toilets for their Car Show (Central Avenue Field), to be held September 19, 2010 is approved.

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 457**POLICE/ROCKLAND CTY OPERATION
CASHTA RICA INVESTIGATION**

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

RESOLVED, that upon the recommendation and approval of the Town Attorney's Office and Finance Director, the Town Supervisor is hereby authorized to enter into an agreement with the County of Rockland, whereby the County agrees to transfer to the Town of Orangetown, and the Town agrees to accept as its entire shared distribution as consideration for its participation in the investigation known as "Operation Cashta Rica Investigation", the sum of Two Hundred and Forty-two Thousand Five hundred and Thirteen Dollars (\$242,513.00).

Ayes: Councilpersons Diviny, Low-Hogan, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 458**POLICE/PERMISSION GRANTED
COL HENRY F WILLIAMS
HOMICIDE SEMINAR**

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

RESOLVED, that upon the recommendation of the Chief of Police, permission is hereby granted for two detectives to attend the New York State Police Academy, between the dates of September 25-30, 2010, for the "Col. Henry F. Williams Homicide Seminar" at a total cost of \$2,080.00 to be charged to appropriate Police Department training account no. B3120164/50441.

Ayes: Councilpersons Low-Hogan, Maturo, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 459**POLICE/ROCKLAND CTY BOCES
SCHOOL RESOURCE OFFICER**

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

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with Rockland County BOCES for the School Resource Officer program, with the reimbursement from BOCES, being in the amount of \$96,500 for 2010/2011 school year.

Ayes: Councilpersons Maturo, Low-Hogan, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 460**NYS COMPTROLLER CORRECTIVE
ACTION PLAN/WASTEWATER
CAPITAL PROJECT (WWTPCIP)**

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

Resolution No. 460 - Continued

RESOLVED, that the Town's corrective action plan to the Office of the State Comptroller for the Wastewater Capital Project (WWTPCIP) is received and filed in the Town Clerk's Office.

Ayes: Councilpersons Maturo, Low-Hogan, Diviny
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 461**PARKS/REQUEST FOR PROPOSALS
GOLF PRO SHOP MANAGEMENT
GOLF COURSES/DISTRIBUTION**

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

RESOLVED, that upon receipt and approval of the Town Board, the Request for Proposals for Golf Pro Shop Management for Blue Hill Golf Course and Broadacres Golf Club, is hereby approved for distribution.

Ayes: Councilpersons Maturo, Diviny, Low-Hogan
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 462**ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 9:15 p.m.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 463**PAY VOUCHERS**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilman Diviny 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 for a total amount of \$2,901,073.67.

Ayes: Councilpersons Low-Hogan, Diviny, Maturo
1st Deputy Supervisor Troy
Noes: None
Absent: Supervisor Whalen

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RESOLUTION NO. 464**ENTER EXECUTIVE SESSION**

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

Resolution No. 464 - Continued

RESOLVED, that the Town Board entered Executive Session at 9:20 p.m.

Ayes: Councilpersons Low-Hogan, Maturo, Diviny
1st Deputy Supervisor Troy

Noes: None

Absent: Supervisor Whalen

Resolution Nos. 465 and 466 see Executive Session.

RESOLUTION NO. 467

ADJOURNMENT/MEMORY

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

RESOLVED, that the Town Board adjourned, in memory of Bessie Sobel, Blauvelt; John Daly, Pearl River; John Fox, Pearl River; William Engellenner, Pearl River; William Fortune, Pearl River; Senator Thomas P. Morahan, New City; and Michael T. Moore, Pearl River at 10:18 p.m.

Ayes: Councilpersons Low-Hogan, Maturo
1st Deputy Supervisor Troy

Noes: None

Absent: Councilperson Diviny, Supervisor Whalen

Charlotte Madigan, Town Clerk