

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, SEPTEMBER 14, 2009**

This Town Board Meeting was opened at 7:33 p.m. Supervisor Kleiner presided and the Town Clerk called the Roll. Present were:

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

Also present: Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
Teresa Kenny, First Deputy Town Attorney  
John Edwards, Town Attorney  
Suzanne Barclay, Executive Assistant to the Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Ron Delo, Director of the Dept. of Env'tl Management & Engineering  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE

Charlotte Madigan led the Pledge of Allegiance to the Flag.

There will be a Route 340 Sidewalk Public Information Meeting on September 29<sup>th</sup>, at 6:45 p.m. and a Route 303 Meeting on September 30<sup>th</sup> at 7:30 p.m.

**Summary of Public Comments (RTBM)**

Michael Mandel, Pearl River, spoke about the new DEME positions, the economy and a job freeze. He asked that the Director of the DEME position be posted and for the results from the NYS Comptroller's Office regarding Sewer Bond issues.

Eileen Larkin, Palisades, is against the Empire Zone boundary line revision. She asked, if Orangetown received any stimulus money.

Laura Neuendorf, Orangeburg, urges the Town Board to sign the New York Sharks Swim Club contract.

Andrew Wiley, Pearl River, spoke about the Assessor's Office improperly accessing properties.

Gail Raffaele, Tappan, would like to know the status of the food chain store on Route 303 and if she as a sewer line running thru her backyard.

Mary McCloskey, Pearl River, spoke about the Shark's agreement, the importance of the swimming team and their high ranking among all the teams in the County.

Donald Brenner, Attorney, requested the Empire Zone item (#47) be removed from the agenda.

**RESOLUTION NO. 506**

**CLOSE PUBLIC PORTION**

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

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. 507**

**OPEN PH/ORANGETOWN  
WORKFORCE HOUSING ACT**

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

**Resolution No. 507 - Continued**

RESOLVED, that the 8:00 p.m. public hearing to consider a proposed 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 reside in the community (Orangetown Workforce Housing) is hereby opened.

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

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

Supervisor Kleiner said this legislation will provide moderate income housing. This provision will only be affected in Multifamily Housing (MFR) zones. Currently there are 15 parcels with a total of 41.5 acres. In that zone, 10% of all units shall be reserved for those making 80% of the median income in Rockland or set aside for people making no more of about \$80,000 per household through a lottery. This statute has no bonus unit provision in it. It simply says if anyone is building in the MFR zone, they will have to provide 10% or 1 out of every 10 units as moderate-income units. To be clear, there are no MFR zones that do not have buildings on them. So this would only be effective if those units were taken down and if there were any redevelopment.

The Supervisor explained that for the first time, there were two sets of public comment sign-up sheets, one for those opposing and one for those in favor of this legislation.

Summary of the Public portion:

Michael Mandel, Pearl River, opposes this law. All eight multifamily residence zoning districts (MFR) are currently developed. Currently there isn't a shortage of affordable multifamily housing in this Town.

Jan Degenshein, Rockland Business Association Member, is in favor of affordable housing. The RBA has examined the need for affordable housing and believes it will be necessary. He urges our representatives to pass this law.

Anthony Pascullo, Pearl River, comes from a working-class family and opposes this law. The Working Family Party is part of ACORN, the community service organization being investigated for improper use of government funding. You can't just vote for a political party, you have to vote for what is right.

Elinor France, Tappan, supports this kind of housing in this community.

Mike Troy, Pearl River, opposes this law. When he first wanted to buy a home, he didn't ask for legislation to be changed to accommodate him. He went out and worked many jobs in order to save money to purchase a home here.

Esta Baitler, Camp Venture in Sparkill, supports affordable housing.

Eileen Larkin, Palisades, opposes this law and said this is clearly politically motivated.

Michael Hogan, S. Nyack, is in favor of this housing because it will help keep the young people here and stated that he is not affiliated with the Working Family Party.

Tom Diviny, Blauvelt, spoke about the Working Family party and he opposes this law.

James Maher, Blauvelt, opposes this housing and believes if you want something, you have to work for it.

Joyce Bressler, Nyack, is in favor of this housing so her son can live in Orangetown.

Alex DiMenna, Blauvelt, said he is 21 years old with a low income and he doesn't support this housing.

Dan Lukens, Piermont, Executive Director for Camp Venture, is in favor of this law, housing is a major necessity to provide housing for their workers.

Shelly Morgan, Tappan, spoke about the Town Board, the Working Family party, nomination for the Supreme Court Justice and the County Executive position.

Richard Sussman, Nyack, said Orangetown needs to plan to provide affordable housing and essential services for people who live and work here. He urges for this law to be passed.

Carmel Reilly, Pearl River, spoke about the proud hard work of her parents and herself which enabled them to purchase homes. In order to succeed one must work hard. She respectfully requested the Town Board to vote "No" to this housing.

Margaret Grace, Piermont, is in favor, the Piermont Master Plan states the need to create housing to accommodate all economic income brackets.

Gail Raffaele, Tappan, said it's the taxes that you have to be afraid of. She opposes this legislation and she asked if these units are going to be assessed at the same value as the other units in the complexes or are the taxpayers going to take another responsibility from people who just can't afford housing or need affordable housing.

Tom Stoner, S. Nyack and Head of the Working Families party, is in favor. The Working Families party did not draft this bill. They did send laws from other municipalities that passed them, particularly Greenburgh and Nyack.

Felice Morris, Pearl River, is in favor of the affordable housing.

A petition opposing the Workforce Housing Act was submitted with over 850 names.

The following people signed a sheet that said they opposed the Workforce Housing Act but were unable to speak because of the time constraint:

Kenneth Malley, Orangetown	Jim MCLAughlin, Blauvelt;
Maureen Malley, Pearl River	Brendan Malley, Pearl River
Marian Kerley, Pearl River	Edward Brady, Pearl River
Angela DiVenere Orangeburg	C. O'Keefe, Pearl River
Harry Laugou, Orangeburg	Sandy Rahal, Pearl River
Ruth Weber Upper Grandview	Frank Coda, Pearl River
Peggy Roche, Pearl River	James J. Doyle, Orangetown
Paul W. Valentine, Blauvelt	Jim Russell, Pearl River
Phil Sheridan, Pearl River	Ada Levine, Orangeburg
Noreen Hanson, Orangeburg	Scott Hanson, Orangeburg
Elizabeth White, Pearl River	Michael Meehan, Tappan
Barbara Hartigan, Pearl River	Tom Hartigan, Pearl River
Anne Putko, Piermont	Cathy Dunleavy, Orangetown
Colleen Succis, Pearl River	Mel Conroy, Pearl River
Vincenzo Dimoro, Pearl River	Bridget McGuire, Tappan
Kathleen Dawling, Blauvelt	Barbara Gries, Orangetown
Douglas Kleber, Orangetown	Sheila Tracey, Orangetown
M. Kleber, Pearl River	Kevin Pettus, Pearl River
Andy Andrews, Blauvelt	Stefan Mihaeli, Tappan
Martha Mihaeli, Tappan	Noreen Hogan, Pearl River
Tom Hogan, Pearl River	Lydia Rubino, Blauvelt
Michael Rubino, Blauvelt	Rich Lenihan, Orangetown
Rich Rogers, Pearl River	Vincentia Dondero, Pearl River
Julia Torrellas, Pearl River	Joan Purcell, Pearl River
Diane Farley, Pearl River	John Farley, Pearl River
Mary Kelly, Pearl River	Jim Kelly, Pearl River
Rosemary O'Connor, Pearl River	John Conway, Tappan
Thomas Cokeley, Pearl River	John Frawley, Pearl River
Larry Dolan, Pearl River	

The following people signed a sheet that said they are in favor of the Workforce Housing Act but were unable to speak because of the time constraint:

Fran McCormack, Orangetown	Irene Mullins, Blauvelt
Steve Bretschneider, S. Nyack	Larry Vail, Tappan
Jim Vleman, Pearl River	Denise Kronstadt, Piermont

Supervisor Kleiner proposed creating a committee of ten members regarding affordable housing but no councilmember made a second and this resolution was dropped.

#### **RESOLUTION NO. 508**

#### **CLOSE PUBLIC COMMENTS ORANGETOWN WORKFORCE HOUSING ACT**

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

**Resolution No. 508 - Continued**

RESOLVED, the public portion of the Orangetown Workforce Housing Act public hearing is hereby closed.

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

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**RESOLUTION NO. 509**

**DESIGNATION OF LEAD AGENCY  
 ORANGETOWN WORKFORCE  
 HOUSING ACT**

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

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

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

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**RESOLUTION NO. 510**

**NEGATIVE SEQRA DECLARATION  
 ORANGETOWN WORKFORCE  
 HOUSING ACT**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted; a copy is labeled Exhibit 09-B-09 and made a part of these minutes.

(Councilman Troy proposed an action that would have a positive impact with John Edwards, Town Attorney, advising the Town Board to make a positive declaration on the grounds that the number in the audience would indicate there was an impact.)

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

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**RESOLUTION NO. 511**

**DENY LL/ORANGETOWN WORKFORCE  
 HOUSING ACT**

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

RESOLVED, that 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 reside in the community (Orangetown Workforce Housing).

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

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**RESOLUTION NO. 512**

**OPEN PH/PROPERTY MAINTENANCE  
 VIOLATIONS/80 SOUTH  
 MIDDLETOWN RD (69.17-1-76)**

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

**Resolution No. 512 - Continued**

RESOLVED, that the 8:15 p.m. public hearing to consider Property Maintenance Violations (Section 24C of the Town Code), for property located at 80 South Middletown Rd., Pearl River, NY (69.17-1-76) is hereby opened.

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

John Giardiello, Director of OBZPAE, recommends the house be boarded up, the debris and vehicle be removed. The property owner, an older gentleman, was here but had to leave.

**Summary of the Public portion:**

Ernest Calvi, neighbor, said the house was condemned approximately a year and half ago. In all that time, the house has never been boarded up. There are two large openings in the side of the house leading to the basement through which animals come and go. He believes the condition of the house presents a hazard.

**RESOLUTION NO. 513****CLOSE PUBLIC COMMENTS PROPERTY MAINTENANCE VIOLATIONS/80 SOUTH MIDDLETOWN RD (69.17-1-76)**

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

RESOLVED, the public portion of the public hearing to consider Property Maintenance Violations (Section 24C of the Town Code), for property located at 80 South Middletown Rd., Pearl River, NY (69.17-1-76) is hereby closed.

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

**RESOLUTION NO. 514****ADOPT/PROPERTY MAINTENANCE VIOLATIONS/80 SOUTH MIDDLETOWN RD/PEARL RIVER (69.17-1-76)**

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

RESOLVED, that upon the failure of the owner, tenant or occupant with Notice to correct property maintenance violations (Section 24C of the Town Code), the Town Board directs that the Town of Orangetown, its designee or agent, or a private contractor to take further actions for the property located at 80 South Middletown Rd., Pearl River, NY (69.17-1-76).

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

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**RESOLUTION NO. 515****OPEN PH/HOME OCCUPATION CHAPTER 43/TOWN CODE**

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

RESOLVED, that the 8:05 p.m. public hearing to consider a proposed local law amending the definition of "Home Occupation" in Chapter 43, Section 11.2, of the Town Code, is hereby opened.

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

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

John Giardiello, Director of OBZPAE, explained that this amendment is a correction to the Town Code, so that we are in compliance with the 2007 New York State Residential Code. Home Occupation refers to use of a portion of a residential dwelling for the purpose of a profession or other occupation not necessarily permitted in a residential zone.

Summary of the Public portion:

The public portion was opened and there was no public comment.

**RESOLUTION NO. 516**

**CLOSE PUBLIC COMMENTS/HOME  
OCCUPATION/CHAPTER 43  
TOWN CODE**

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

RESOLVED, the public portion of the Home Occupation public hearing is hereby closed.

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

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**RESOLUTION NO. 517**

**DESIGNATION OF LEAD AGENCY  
HOME OCCUPATION/CHAPTER 43  
TOWN CODE**

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

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

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

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**RESOLUTION NO. 518**

**NEGATIVE SEQRA DECLARATION  
HOME OCCUPATION CHAPTER 43  
TOWN CODE**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted; a copy is labeled Exhibit 09-D-09 and made a part of these minutes.

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

**LOCAL LAW NO. 4 2009  
OF THE TOWN OF ORANGETOWN**

A LOCAL LAW AMENDING CHAPTER 43, ARTICLE XI ENTITLED, DEFINITIONS AND WORD USAGE, SECTION 11.2 DEFINITIONS - HOME OCCUPATION – ADOPTED BY THE TOWN BOARD OF ORANGETOWN PERMITTING THE OFFICE OF BUILDING, ZONING, PLANNING, ADMINISTRATION AND ENFORCEMENT THE USE OF A PORTION OF A RESIDENTIAL DWELLING FOR THE PURPOSE OF A PROFESSION OR OTHER OCCUPATION NOT NECESSARILY PERMITTED IN A RESIDENTIAL ZONE.

HOME OCCUPATION – A profession or other occupation not otherwise permitted in the district which is conducted as an accessory use on a residential lot by one or more members of the family residing on the premises and which in R Districts conforms to the following additional restrictions: The profession or other occupation shall be carried on wholly within the primary structure on the premises, shall not exceed 15% of the total floor area of the primary structure, limited to a maximum of 500 square feet, and shall not be operated between the hours of 10:00 p.m. and 8:00 a.m.; there shall be no exterior display or exterior sign except as permitted in Use Table, Column 5, for R Districts, no exterior storage of materials or equipment and no other exterior indication of such home occupation or variation from the residential character of the building, lot or neighborhood; inventory and supplies shall not occupy more than 50% of the area permitted to be used as a home occupation; and not more than one person other than actual residents of the premises shall participate in such home occupation without permission of the Board of Appeals. In particular, a “home occupation” includes, but is not limited to, art studio; dressmaking; secretarial services, notary public; teacher, with musical instruction limited to a single pupil at a time; contractor’s office; or the office or studio of a physician, dentist, author, artist, musician, lawyer, engineer, architect, city planner, realtor or accountant or similar use; but shall not include animal hospital, repair service, barbershop, beauty parlor, restaurant, tea room, tavern, sale of antiques, used merchandise or similar use, store, mortuary, auto rental or livery service, or other uses similar to the foregoing, and massage services.

**RESOLUTION NO. 519****ADOPT LOCAL LAW 4, 2009/HOME  
OCCUPATION CHAPTER 43/TOWN  
CODE**

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

RESOLVED, that a local law amending the definition of “Home Occupation” in Chapter 43, Section 11.2, of the Town Code is hereby adopted.

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

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**RESOLUTION NO. 520****OPEN PH/BUILDING PERMIT FEES  
CHAPTER 6/TOWN CODE**

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

RESOLVED, that the 8:10 p.m. public hearing to consider a proposed local amending, Building Permit Fees, Chapter 6, Section 6-11 of the Town Code, to allow the acceptance of partial building permit fees and the refunding of building permit fees in certain cases is hereby opened.

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

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 09-E-09 and made a part of these minutes.

John Giardiello, Director of OBZPAE, said the first part is if the applicant needs to go before any of the land use boards; they still have to pay the full fee at the time they make their application for the building permit. Some of the larger more complex projects do not even have architectural plans yet to say what the final cost would be, so we estimate. In the past, we would accept a partial fee but it was never really formalized. We take a certain percentage and then the balance is collected before the applicant gets the building permit. The second part is requests, mostly homeowners, for a refund from people who do not go forward with a project.

## Summary of the Public portion:

Donald Brenner, Attorney, requested only 10% or 20% be collected up front for building permit fees, especially on large building projects.

Eileen Larkin, Palisades, said we should not waive fees on applications made by educational, religious, fraternal, service organizations and other not-for-profit entities.

**RESOLUTION NO. 521**

**CLOSE PUBLIC COMMENTS  
BUILDING PERMIT FEES/CHAPTER 6  
TOWN CODE**

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

RESOLVED, the public portion of the Building Permit Fees public hearing is hereby closed.

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

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**RESOLUTION NO. 522**

**DESIGNATION OF LEAD AGENCY  
BUILDING PERMIT FEES/CHAPTER 6  
TOWN CODE**

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

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

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

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**RESOLUTION NO. 523**

**NEGATIVE SEQRA DECLARATION  
BUILDING PERMIT FEES/CHAPTER 6  
TOWN CODE**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted; a copy is labeled Exhibit 09-F-09 and made a part of these minutes.

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

**LOCAL LAW NO. 5 2009  
OF THE TOWN OF ORANGETOWN**

A LOCAL LAW AMENDING CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, SECTION 6-11, BUILDING PERMIT FEES, ADOPTED BY THE TOWN BOARD OF ORANGETOWN PERMITTING THE OFFICE OF BUILDING, ZONING, PLANNING, ADMINISTRATION AND ENFORCEMENT THE ACCEPTANCE OF PARTIAL BUILDING PERMIT FEES IN CERTAIN CASES, AS WELL AS REFUNDING FEES IN THE EVENT A BUILDING PERMIT IS WITHDRAWN.

A. Fees. Upon the filing of an application for a building permit, fees shall be payable as set forth by the Town Board by resolution.

B. Waiver of fees. The foregoing fees may be waived by the Town Board of the Town of Orangetown, at its sole discretion, with respect to applications made by educational, religious, fraternal, service organizations and all other not-for-profit entities.



C. For any applications where the estimated construction costs exceed four million dollars, the applicant may pay 25% of the total building permit fee at the time of application. The balance of the building permit fee shall be paid prior to the issuance of a building permit.

D. In the event an application for a building permit is withdrawn after the application fees have been paid, the applicant shall be entitled to a refund of the application fee, less 10% or \$100.00, whichever is greater, as a processing fee.

**RESOLUTION NO. 524**

**ADOPT LOCAL LAW 5, 2009L/BUILDING PERMIT FEES/CHAPTER 6/TOWN CODE**

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

RESOLVED, that a proposed local amending, Building Permit Fees, Chapter 6, Section 6-11 of the Town Code, to allow the acceptance of partial building permit fees and the refunding of building permit fees in certain cases is hereby adopted.

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

Noes: None

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**RESOLUTION NO. 525**

**TABLED/PUBLIC HEARING DATE APPRENTICESHIP TRAINING**

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

RESOLVED, that scheduling a public hearing to continue a public hearing to consider a proposed local law amending the Town Code, Chapter 1-A, relating to apprenticeship training is hereby TABLED.

Ayes: Councilpersons Maturo, Low-Hogan, Manning

Noes: Councilman Troy, Supervisor Kleiner

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**RESOLUTION NO. 526**

**COMBINE ITEMS**

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

RESOLVED, that agenda items twenty (20) through fifty-seven (57), except items 23, 25, 27, 34, and 39 are hereby combined.

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

Noes: None

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**RESOLUTION NO. 527**

**AID/NAM KNIGHTS OF AMERICA POW-MIA REMEMBRANCE DAY**

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

RESOLVED, that the request of the Nam Knights of America for the use of the Showmobile and one (1) portable toilet for the annual POW-MIA Remembrance Day on Central Avenue Field, Pearl River on September 19, to be charged to Acct. No. A7550/50020, is hereby approved.

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

Noes: None

**RESOLUTION NO. 528**

**AID/PEARL RIVER LIONS CLUB  
ANNUAL FLEA MARKET/CRAFT FAIR**

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

RESOLVED, that the request of the Pearl River Lions Club for the use of two portable toilets and eight trash receptacles for the Pearl River Lions Club Annual Flea Market and Craft Fair on Central Avenue Field, Pearl River on September 12, to be charged to Acct. No. A7550/50020/50457, is hereby approved.

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

Noes: None

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**RESOLUTION NO. 529**

**APPROVE USAGE/VILLAGE OF  
SOUTH NYACK ROCKLAND ROAD  
RUNNERS ASSOC**

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

RESOLVED, that the request of the Village of South Nyack and the Rockland Road Runners Association to allow runners to use portions of South Broadway between Livingston Place and the entrance to the Esposito Memorial Trail and the portion of the Trail which is located in unincorporated Orangetown is hereby approved.

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

Noes: None

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**RESOLUTION NO. 530**

**APPROVE CONTRACT/NEW YORK  
SHARKS SWIM CLUB**

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

RESOLVED, that a 1-year contract with the New York Sharks Swim Club for the provision of a competitive swim program is hereby approved.

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

Noes: None

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**RESOLUTION NO. 531**

**APPOINT/BLAUVELT VOLUNTEER  
FIREFIGHTERS/GIANNETTA/FORD**

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

RESOLVED, that Laurence Giannetta and Paul Ford are hereby appointed firefighters to the Blauvelt Volunteer Fire Company.

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

Noes: None

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**RESOLUTION NO. 532**

**DEME/APPROVE CHANGE ORDER  
ALL BRIGHT ELECTRIC/CONTRACT  
NO. WWTP-06-1E**

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

RESOLVED, that a change order in the amount of \$26,881 to All Bright Electric, Contract No. WWTP-06-1E for safety/security and site lighting for the wastewater treatment plant is hereby approved.

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

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**RESOLUTION NO. 533**

**DESIGNATION OF LEAD AGENCY  
BOND \$982,000/HIGHWAY EQUIPMT**

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

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

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

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**RESOLUTION NO. 534**

**NEGATIVE SEQRA DECLARATION  
BOND \$982,000/HIGHWAY EQUIPMT**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

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**RESOLUTION NO. 535**

**AUTHORIZE/BOND \$982,000  
HIGHWAY EQUIPMENT**

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

RESOLVED, that the Purchase Of Heavy Equipment and Machinery For The Town Of Orangetown, Rockland County, New York, at A Maximum Estimated Cost Of \$982,000 and the Issuance Of \$982,000 Bonds of said Town to pay the cost thereof is hereby authorized.

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

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**RESOLUTION NO. 536**

**APPROVE ADOPT-A-SPOT/TERRACE  
LANE GARDENS/BLAUVELT**

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

**Resolution No. 536 - Continued**

RESOLVED, that the creation of the Terrace Lane Gardens Adopt-A-Spot Committee including Gina Brennan, Margaret Cowan, Theresa McCleary and Michael Quevedo, to perform necessary and /or desired clean-up activities for the traffic island at Terrace Lane in Blauvelt, otherwise known as the "Spot" is hereby approved.

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

Noes: None

\* \* \*

**RESOLUTION NO. 537****AUTHORIZE AGRMT/PEARL RIVER SCHOOLS/USE OF FUEL**

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

RESOLVED, that the Supervisor is hereby authorized to execute an agreement between the Pearl River Union Free School District and the Town of Orangetown for use of the Town's refueling facilities, with the cost of the fuel to be billed to the School District.

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

Noes: None

\* \* \*

**RESOLUTION NO. 538****APPROVE/HIGHWAY CHANGE ORDER/STILES CONTRACTING GIRDER REPLACEMENT**

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

RESOLVED, that a change order in the amount of \$4,800 for the contract with Stiles Contracting for girder replacement at the salt storage facility to reflect unanticipated work, to be charged to Account No. A5132/50457, is hereby approved.

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

Noes: None

\* \* \*

**RESOLUTION NO. 539****APPROVE/HIGHWAY CHANGE ORDER/MCLAREN ENGINEERING ROAD/DRAINAGE/KINGS HWY GREENBUSH RD/TAPPAN**

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

RESOLVED, that a change order in the amount of \$11,800 for the contract with McLaren Engineering for road and drainage improvements for Kings Highway and Greenbush Road from \$70,000 to \$81,800 to reflect additional work, to be charged to Account No. D5110/50457 is hereby approved.

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

Noes: None

\* \* \*

**RESOLUTION NO. 540****ESTABLISH POSITION/ASSISTANT PLANT OPERATOR I/DEME**

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

**Resolution No. 540 - Continued**

RESOLVED, that two positions of Assistant Plant Operator I in the Department of Environmental Management & Engineering, grade 11, effective 9/15/09 is hereby established.

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

\* \* \*

**RESOLUTION NO. 541****ESTABLISH POSITIONS/ASSISTANT PLANT OPERATOR II/DEME**

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

RESOLVED, that three positions of Assistant Plant Operator II in the Department of Environmental Management & Engineering, grade 13, effective 9/15/09 is hereby established.

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

\* \* \*

**RESOLUTION NO. 542****APPOINT NICHOLAS GATTI MOTOR EQUIPMENT OPERATOR II/DEME**

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

RESOLVED, that Nicholas Gatti is hereby appointed to the position of Motor Equipment Operator II in the Department of Environmental Management & Engineering, provisional, grade 12-30, annual salary \$80,180, effective 9/15/09.

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

\* \* \*

**RESOLUTION NO. 543****APPOINT STEPHEN FORDHAM/DEME MOTOR EQUIPMENT OPERATOR II**

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

RESOLVED, that Stephen Fordham is hereby appointed to the position of Motor Equipment Operator II, provisional, in the Department of Environmental Management & Engineering, grade 12-19, annual salary \$73,241, effective 9/15/09.

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

\* \* \*

**RESOLUTION NO. 544****APPOINT JOHN WINTERSTEIGER ASSISTANT OPERATOR I/DEME**

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

**Resolution No. 544 - Continued**

RESOLVED, that John Wintersteiger is hereby appointed to the position of Assistant Operator I (Trainee), provisional, in the Department of Environmental Management & Engineering, grade 10-13, annual salary \$61,140.00, effective 9/15/09.

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

\* \* \*

**RESOLUTION NO. 545****APPOINT JAMES DOHERTY  
ASSISTANT OPERATOR I/DEME**

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

RESOLVED, that James Doherty is hereby appointed to the position of Assistant Operator I (Trainee), provisional, in the Department of Environmental Management & Engineering, grade 10-13, annual salary \$61,140, effective 9/15/09.

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

\* \* \*

**RESOLUTION NO. 546****APPOINT KEVIN MURPHY  
ASSISTANT OPERATOR II/DEME**

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

RESOLVED, that Kevin Murphy is hereby appointed to the position of Assistant Operator II (Trainee), provisional, in the Department of Environmental Management & Engineering, grade 12-5, annual salary \$61,140, effective 9/15/09.

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

\* \* \*

**RESOLUTION NO. 547****APPOINT SEAN FLYNN/ASSISTANT  
OPERATOR II/DEME**

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

RESOLVED, that Sean Flynn is hereby appointed to the position of Assistant Operator II (Trainee), provisional, in the Department of Environmental Management & Engineering, grade 12-5, annual salary \$61,140, effective 9/15/09.

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

\* \* \*

**RESOLUTION NO. 548****POLICE/PERMISSION GRANTED  
MANAGING CIVIL ACTIONS IN  
THREAT INCIDENTS-PROTESTER  
DEVICES**

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

**Resolution No. 548 - Continued**

RESOLVED, that permission is granted for one police officer to attend the “Managing Civil Actions in Threat Incidents – Protester Devices” conference presented by the NYS Office of Homeland Security, September 22-24, 2009, at a cost of \$490.00, to be charged to Acct. B/3120/50441/0480.

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

\* \* \*

**RESOLUTION NO. 549****POLICE/PERMISSION GRANTED  
UNION COUNTY POLICE ACADEMY**

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

RESOLVED, that permission is granted for one police officer to attend the “Union County Police Academy, Scotch Plains, NJ, September 21-October 2, 2009, at a cost of \$1,585.00, to be charged to Acct. B/3120/50441/0480.

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

\* \* \*

**RESOLUTION NO. 550****RETAIN BECKMANN APPRAISALS  
CLARINS USA (73.16-2-78)**

Councilwoman Manning 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, Beckmann Appraisals, Inc. of Tappan, NY is hereby retained to prepare a preliminary and trial appraisal (latter if necessary) for the real property known as Clarins USA, Inc., S/B/L 73.16-2-78, located at 15 Olympic Drive, Orangeburg, NY at a cost of \$6,000 for the preliminary appraisal and \$13,500 for a self-contained, trial-ready appraisal. Should court appearance be required, the fee shall be \$2,500 per day, or any part thereof, and \$200 per hour for all out of court conferences, meetings, trial preparation services and additional services with respect to same, plus reimbursement for direct expenses relative thereto, to be charged to Account No. A1355/50485.

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

\* \* \*

**RESOLUTION NO. 551****APPOINT HEARING OFFICER  
JOSEPH E WOOLEY/CIVIL  
SERVICE/EMPLOYEE NO. 1027**

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

RESOLVED, that Joseph E. Wooley, Esq. is hereby appointed to act as a hearing officer pursuant to §75 of the Civil Service Law of the State of New York with respect to certain disciplinary charges, dated July 21, 2009, preferred against employee number 1027; and

BE IT FURTHER RESOLVED, that the hearing officer is directed to conduct a hearing, making findings of fact and issue a recommendation of guilt or innocence, along with a recommended penalty, if appropriate, to the Town Board; and

**Resolution No. 551 - Continued**

BE IT FURTHER RESOLVED that the Town Board approve the compensation of Hearing Officer Joseph E. Wooley, Esq. at a rate of \$175.00 per hour not to exceed \$5,000 for services rendered.

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

\* \* \*

**RESOLUTION NO. 552****AUTHORIZE CONTRACT  
WHEELABRATOR WESTCHESTER  
SPECIAL WASTE DISPOSAL**

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

RESOLVED, that the Supervisor is hereby authorized to execute a contract between Wheelabrator Westchester, L.P. and the Town of Orangetown for the disposal of special waste collected by the Orangetown Police Department at a minimum annual fee of \$275.00, to be charged to Account No. B3120/50457.

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

\* \* \*

**RESOLUTION NO. 553****AUTHORIZE CONTRACT HAYDEN  
BUILDING MAINTENANCE/ROOF  
REPAIR/ROUTE 303 PUMPING STATION**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, the Supervisor is hereby authorized to execute a contract with Hayden Building Maintenance Corporation to repair the roof at the Route 303 Pumping Station in the amount of \$8,995.00, to be charged to Account No. 68197/50457.

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

\* \* \*

**RESOLUTION NO. 554****PBN ASSOCIATES/COVENANT  
ANNUAL INSPECTION/STORM WATER  
CONTROL/ACCEPT/RECEIVE/FILE**

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

RESOLVED, that upon the recommendation of the Town Attorney, a Declaration of Covenant for the Annual Inspection of Storm Water Control Facilities submitted by PBN Associates, LLC for a detention basin on property located at 614 Route 303, Blauvelt (S/B/L/ 70.06-1-2) is accepted, received and filed. Upon filing with the Rockland County Clerk's Office, the original is to be filed and maintained in the Town Clerk's Office.

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

\* \* \*



**RESOLUTION NO. 555****SCHEDULE PUBLIC HEARING  
EMPIRE ZONE BOUNDARY LINE  
MERCEDES PROPERTY**

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

RESOLVED, that a public hearing is scheduled for October 13, 2009 at 8:00 p.m. to consider supporting an Empire Zone boundary line revision for the Empire Zone located on the Mercedes property in Pearl River, NY delineated on the map entitled "Exhibit 1" as proposed by the Rockland County Legislature.

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

\* \* \*

**RESOLUTION NO. 556****APPROVE INTERMUNICIPAL  
AGREEMENT/ROCKLAND COUNTY  
NARCOTICS TASK FORCE**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Chief of Police, an Intermunicipal Agreement between the Town and the County of Rockland, providing for payment by the County to the Town in the amount of SEVENTY-THREE THOUSAND NINE HUNDRED TWENTY DOLLARS and 00/100 (\$73,920.00), as partial reimbursement of the cost of one (1) Town of Orangetown police officer assigned to the Rockland County Narcotics Task Force, for the period January 1, 2009 through December 31, 2009, is hereby approved and, by the Resolution, the Town Supervisor is hereby authorized to execute such Agreement on behalf of the Town.

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

\* \* \*

**RESOLUTION NO. 557****TAX CERTIORARI SETTLEMENT  
348 REALTY ASSOCIATES LLC**

Councilwoman Manning 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 hereby approved and authorized to sign the Order and Judgment with Stipulation regarding the tax certiorari proceeding, *348 Realty Associates, LLC v. Assessor of the Town of Orangetown, et al.*, Tax Map designation 78.09-1- 26 and 27, for the tax assessment year 2008, for a total refund by the County of \$1,206, and for a total refund by the Town of \$5,592; there are no tax refunds for 2009. 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 Manning, Low-Hogan, Troy, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 558****AMEND RESOLUTION NO. 472/2009  
TALLMAN TOWERS/SOUTH  
BROADWAY HOUSING**

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

**Resolution No. 558 - Continued**

RESOLVED, that Resolution No. 472/2009 is amended to read as follows:

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is approved and authorized to sign the Order and Judgment with Stipulation regarding the tax certiorari proceeding, *Tallman Towers, Inc. v. Assessor of the Town of Orangetown, et ano*, Tax Map designation 66.38-1-55, for the tax assessment years 2004 and 2005, and South Broadway Housing LLC v. Assessor, et al., for the tax assessment years 2008 and 2009, for a total refund by the County of \$15,011; and for a total refund by the Town of \$61,051. Tax assessment years 2006 and 2007 are being discontinued without return. 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 Manning, Low-Hogan, Troy, Maturo  
Supervisor Kleiner  
Noes: None

\* \* \*

**RESOLUTION NO. 559**

**AMEND RESOLUTION NO. 463/2009  
KVS INFORMATION SYSTEMS  
COMPUTER SOFTWARE/TRAINING**

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

RESOLVED, that Resolution No. 463/2009 is amended to read as follows:

RESOLVED, that the License Agreement with KVS Information Systems for computer software and training, at a total cost of \$83,641.00, financed over a three year period (resulting in semi-annual payments of \$14,814.65 commencing on 1/1/2010 and ending on 7/1/2012), plus annual charges of \$12,233.00 for software subscription services/hotline support and out-of-pocket expenses, to be charged to Account No. A1622/50443/50457 is hereby approved.

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

\* \* \*

**RESOLUTION NO. 560****ACCEPT MINUTES**

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

RESOLVED, that the August 3, 2009 Special Town Board Meeting, Audit Meeting and Executive Session minutes; the August 10, 2009 Regular Town Board Meeting, Audit Meeting and Executive Session minutes; the September 1, 2009 Special Town Board Meeting minutes; the September 2, 2009 Special Town Board Meeting minutes are hereby accepted.

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

\* \* \*

**RESOLUTION NO. 561**

**DIPIETRANTONIO SUBDIVISION  
SEWER EASEMENT/COVENANT  
MAINTENANCE AGREEMENT/RECEIVED  
AND FILED**

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

**Resolution No. 561 - Continued**

RESOLVED, that the following original documents relating to the DiPietrantonio Subdivision, 618 Blauvelt Rd, Pearl River (69.14-2-5) are received and filed in the Town Clerk's Office:

1. 15' Wide Sanitary Sewer Easement from DiPietrantonio (Rockland Cty Inst. No. 2009-24437).
2. Declaration of Covenant and Maintenance Agreement (Rockland Cty Inst. No. 2009-24438).

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

Noes: None

\* \* \*

**RESOLUTION NO. 562****STIPULATION OF SETTLEMENT  
STEJ LLC/RECEIVED AND FILED**

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

RESOLVED, that the Stipulation of Settlement between STEJ, LLC and the Town of Orangetown (installment payments) is received and filed in the Town Clerk's Office.

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

Noes: None

\* \* \*

**RESOLUTION NO. 563****MIGHTY MIDGETS ATHLETIC CLUB  
(OMM) AGREEMENT/KIDS CORNER  
RECEIVED AND FILED**

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

RESOLVED, that the original fully executed Agreement between the Orangetown Mighty Midgets Athletic Club (OMM) and the Town of Orangetown with regards to use of space at RPC (Kids Corner) is received and filed in the Town Clerk's Office.

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

Noes: None

\* \* \*

**RESOLUTION NO. 564****TRACKER SFI AGREEMENT  
RECEIVED AND FILED**

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

RESOLVED, that the agreement between Tracker SFI and the Town of Orangetown is received and filed in the Town Clerk's Office.

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

Noes: None

\* \* \*

**RESOLUTION NO. 565****AID/MICKEY REEVES BENEFIT**

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

**Resolution No. 565 - Continued**

RESOLVED, that the request from Deirdre McKiernan for use of the Showmobile for a benefit for Mickey Reeves (an 11-year old Tappan resident battling brain cancer) on September 27, 2009, at the Pearl River Elks, to be charged to Acct. No. A7550/50020, is hereby approved.

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

\* \* \*

**RESOLUTION NO. 566****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 11:43 p.m.

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

\* \* \*

**RESOLUTION NO. 567****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 \$571,890.22.

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

\* \* \*

**RESOLUTION NO. 568****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 the Executive Session at 11:50 p.m.

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

**Resolution Nos. 568A and 569 see Executive Session****RESOLUTION NO. 570****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 Charles Brizzolara, Orangeburg; Chance Cosgrove, Pearl River; and Joan Dugandzic Pearl River, at 12:56 a.m.

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

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Charlotte Madigan, Town Clerk