

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, SEPTEMBER 29, 2009**

This Town Board Meeting was opened at 7:43 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
John Edwards, Town Attorney
Teresa Kenny, First Deputy Town Attorney
Suzanne Barclay, Executive Assistant to the Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Ron Delo, Director of the Dept. of Env'tl Management & Engineering
Robert Simon, Receiver of Taxes
John Giardiello, Director of OBZPAE
Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Brenden Bourke led the Pledge of Allegiance to the Flag.

On September 30, 2009, at 7:30 p.m. a public information meeting regarding Route 303 will be held at Town Hall.

The following Pearl River Girls Little League members (12 year olds) New York State Champions were honored by the Town Board and the Town Clerk: Samantha Alicandri, Erin Woods, Mandy McCarthy, Lea Miller, Dee O'Malley, Caroline Kardashian, Eric Collura, Kelly Hayes, Jules Madigan, Alexa Murphy, and Katie Ryan, along with Rick Alicandri (Manager), Mike Wood(Coach) and John McCarthy (Coach).

Summary of Public Comments

Michael Mandel, Pearl River, spoke about the wastewater treatment plant costs and its mis-planning and management. He believes the retirement waiver should be shelved.

RESOLUTION NO. 579

CLOSE PUBLIC PORTION

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

RESOLVED, that the public comment portion is hereby closed.

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

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A lengthy discussion took place by the Town Board regarding the Workforce Housing Act.

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RESOLUTION NO. 580

**OPEN PH/SPARKILL HAMLET
CENTER OVERLAY ZONING
DISTRICT EXPAND BOUNDARIES**

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

Resolution No. 580 - Continued

RESOLVED, that the 8:00 p.m. public hearing to consider a proposed local law amending §2.2 (Zoning Map), and §14.3 of Article XIV, of Chapter 43 (“Zoning”) of the Town Code, so as to expand/enlarge the geographic boundaries of the Sparkill Hamlet Center Overlay Zoning District (the “Overlay Zoning District”) by adding the following parcels of real property to be included: 641 Main Street (77.08-5-46); 639 Main Street (77.08-5-45); 637 Main Street (77.08-5-45.1); 635 Main Street (77.08-5-44.2); 631 Main Street (77.08-5-44.1); 627 Main Street (77.08-5-43); 623-625 Main Street (77.08-5-42); 617 Main Street (77.08-5-41); 613 Main Street (77.08-5-40); 609 Main Street (77.08-5-39); 610 Main Street (77.08-5-38); and 3 William Street (77.08-5-37) is hereby opened.

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

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

Supervisor Kleiner said the intent is to permit certain residential uses over stores and to generate economic development for the hamlet of Sparkill.

A copy of the comment letter from the County of Rockland, Department of Planning is labeled Exhibit 09-H-09 and made a part of these minutes.

Summary of the Public portion:
Larry Vail, Tappan, asked why the zone extends passed Sparkill Avenue into a residential area.

RESOLUTION NO. 581

**CLOSE PUBLIC COMMENTS
SPARKILL HAMLET CENTER
OVERLAY ZONING DISTRICT
EXPAND BOUNDARIES**

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

RESOLVED, the public portion of the Sparkill Hamlet Center Overlay Zoning District public hearing is hereby closed.

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

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RESOLUTION NO. 582

**DESIGNATION OF LEAD AGENCY
SPARKILL HAMLET CENTER
OVERLAY ZONING DISTRICT
EXPAND BOUNDARIES**

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

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RESOLUTION NO. 583

**NEGATIVE SEQRA DECLARATION
SPARKILL HAMLET CENTER
OVERLAY ZONING DISTRICT
EXPAND BOUNDARIES**

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

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

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

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RESOLUTION NO. 584

**AMEND/SPARKILL HAMLET CENTER
OVERLAY ZONING DISTRICT/EXPAND
BOUNDARIES**

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

RESOLVED, that the proposed local law to expand/enlarge the geographic boundaries of the Sparkill Hamlet Center Overlay Zoning District is hereby amended to exclude 3 William Street (77.08-5-37) and 610 Main Street (77.08-5-38).

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

**LOCAL LAW NO. 6, 2009
OF THE TOWN OF ORANGETOWN**

A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1969 (CURRENTLY CODIFIED AS CHAPTER 43 OF THE CODE OF THE TOWN OF ORANGETOWN ENTITLED "ZONING"), AS AMENDED BY, AND AMENDING, LOCAL LAW NO. 4, 2008.

Be it enacted by the Town Council of the Town of Orangetown that Local Law No. 4, 1969, currently codified as Chapter 43 of the Code of the Town of Orangetown entitled "Zoning," adopted on July 7, 1969, as amended (hereinafter referred to as "the Zoning Code"), and Local Law No. 4, 2008, currently codified as Article XIV, of the Zoning Code, entitled "Sparkill Hamlet Center Overlay Zoning District" (hereinafter referred to as the "Overlay Zoning District"), adopted on September 8, 2008, be and hereby are amended by this Local Law No. 6, 2009, so as to amend §2.2 (Zoning Map), and §14.3 of Article XIV, of the Zoning Code, so as to expand/enlarge the geographic boundaries of the Overlay Zoning District by adding the following parcels of real property to be included in the Overlay Zoning District (Orangetown Tax Map Designations are set forth within the parentheses): 641 Main Street (77.08-5-46); 639 Main Street (77.08-5-45); 637 Main Street (77.08-5-45.1); 635 Main Street (77.08-5-44.2); 631 Main Street (77.08-5-44.1); 627 Main Street (77.08-5-43); 623-625 Main Street (77.08-5-42); 617 Main Street (77.08-5-41); 613 Main Street (77.08-5-40); 609 Main Street (77.08-5-39).

This Local Law No. 6, 2009, shall take effect immediately upon filing in the Office of the Secretary of State in accordance with §27 of the Municipal Home Rule Law.

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RESOLUTION NO. 585

**ADOPT LOCAL LAW 6, 2009 SPARKILL
HAMLET CENTER OVERLAY ZONING
DISTRICT EXPAND BOUNDARIES**

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

Resolution No. 585 - Continued

RESOLVED, that a local law amending §2.2 (Zoning Map), and §14.3 of Article XIV, of Chapter 43 ("Zoning") of the Town Code, so as to expand/enlarge the geographic boundaries of the Sparkill Hamlet Center Overlay Zoning District (the "Overlay Zoning District") by adding the following parcels of real property to be included: 641 Main Street (77.08-5-46); 639 Main Street (77.08-5-45); 637 Main Street (77.08-5-45.1); 635 Main Street (77.08-5-44.2); 631 Main Street (77.08-5-44.1); 627 Main Street (77.08-5-43); 623-625 Main Street (77.08-5-42); 617 Main Street (77.08-5-41); 613 Main Street (77.08-5-40); 609 Main Street (77.08-5-39) is hereby adopted.

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

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RESOLUTION NO. 586

OPEN PH/DRUG-FREE SCHOOL ZONES

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

RESOLVED, that the Open 8:05 p.m. public hearing to consider a proposed local law amending the Town code, by adding Chapter 10B, entitled Drug –Free School Zones is hereby opened. This proposed local law will authorize the establishment of a Drug Free School Zone encompassing all areas up to 1,000 feet from the real property boundary line of certain schools, and the installation and maintenance of signs within the Drug Free School Zones.

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

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

This is a result of the Substance Abuse Committee, Councilman Maturo and Councilman Troy, along with school administrators, in an effort in creating a drug-free environment.

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

RESOLUTION NO. 587

CLOSE PUBLIC COMMENTS DRUG-FREE SCHOOL ZONES

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

RESOLVED, the public portion of the Drug-Free School Zones public hearing is hereby closed.

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

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RESOLUTION NO. 588

DESIGNATION OF LEAD AGENCY DRUG-FREE SCHOOL ZONES

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

Resolution No. 588 - Continued

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. 589

**NEGATIVE SEQRA DECLARATION
DRUG-FREE SCHOOL ZONES**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

LOCAL LAW NO. 7, 2009
OF THE TOWN OF ORANGETOWN

A LOCAL LAW AMENDING THE TOWN CODE OF THE TOWN OF ORANGETOWN BY ADDING CHAPTER 10B, ENTITLED DRUG FREE SCHOOL ZONES.

Chapter 10B, DRUG-FREE SCHOOL ZONES

§10B-1. Legislative Findings.

The Town Board recognizes the proliferation of the illicit use of drugs, narcotics and controlled substances in our society as one of the most threatening and dangerous problems facing our youth. The Town Board has supported programs which educate our young people about the dangers of the illicit use of drugs, narcotics and controlled substances and supports those programs which prevent these problems before they begin.

Drug-free zones create an atmosphere and attitude against the use of drugs and gives the moral support to those young people who wish to resist the use of illegal narcotics. Drug-free school zones use deterrence to prevent exploitation of children by drug traffickers and to reduce children’s exposure to illegal drug activity. These zones are intended to create safe havens in which young people can develop skills to resist the temptations of drug use and learn positive, productive values.

The President of the Board of Education of the Pearl River Union Free School District and the President of the Board of Education of the South Orangetown Central School District have requested that the Town Board of the Town of Orangetown adopt legislation declaring a Drug-Free Zone around the public High Schools and Middle Schools in those districts in the Town of Orangetown, and for the adoption of official maps which details the scope of this zone around the respective existing schools in the Town of Orangetown. This request and official map designation will offer an additional tool to protect the youth of this community from the exposure to and the sale of controlled substances.

The Town Board acknowledges that Title 21 of the U.S. Code, §860 provides for increased penalties for those persons who manufacture, sell or distribute narcotics, controlled substances and marijuana within 1,000 feet of a public or private elementary school location or secondary school or public or private college, junior college or university or within 100 feet of a playground, public or private youth center, public swimming pool or video arcade facility.

The Town Board also acknowledges that New York State Penal Code §220 provides for stronger criminal penalties for drug offenses that occur within a 1,000 foot radius of the school property. Under the State Penal Law it is a felony to sell drugs in any school building, structure, athletic playing field, playground or land contained within a drug-free school zone, or in any area

Local Law No. 7, 2009 - Continued

accessible to the public or any parked vehicle located within such zone. (Penal Law §220.00, 220.34, 220.44).

Therefore, the Town Board of the Town of Orangetown hereby expresses its support for the implementation of a drug-free zone program by authorizing the installation and maintenance of signs within the Drug Free School Zones that are delineated herein.

§10B-2. Zone established.

A drug-free school zone is established, encompassing all areas up to one thousand (1,000) feet from the real property boundary line of the following schools:

- a. Pearl River High School, 275 E. Central Avenue, Pearl River, New York;
- c. Tappan Zee High School, 15 Dutch Hill Road, Orangeburg, New York.

The drug-free school zone will include those portions of those properties and roadways which lie within this zone.

§10B-3. Official Maps.

Maps are hereby approved and adopted as an official finding and record of the location and boundaries of the areas within the Town of Orangetown to be included in the Drug Free School Zone.

§10B-4. Notification of changes in school property.

The School Board is hereby directed and shall have the continuing obligation to promptly notify the Director of the Office of Building Zoning Planning and the Town Attorney of any changes or contemplated changes in the location and real property boundaries of the Pearl River High School and Tappan Zee High School.

§10B-5. Filing of Map.

The Town Clerk is hereby directed to receive and to keep on file the original of the map approved and adopted pursuant to §10B-3 of this chapter and to provide at a reasonable cost a true copy thereof to any person, agency or court which may from time to time request such a copy, along with a certification that such copy is a true copy of the map approved and adopted herein and kept on file and the date thereof.

It is hereby further directed that a true copy of such map and of this chapter shall be provided without cost to the Rockland County Clerk and the Rockland County District Attorney's Office.

§10B-6. Location of the signs.

The Signs shall contain the words "DRUG-FREE ZONE" and be placed within one thousand (1,000') feet of the following locations in the Pearl River Union Free School District and the South Orangetown Central School District:

- A. Pearl River School District:
 - 1. East Central Avenue adjacent to the Masonic Temple;
 - 2. East Central Avenue west of Oriole Street near the fence of the Pearl River High School with gate to the football fields;
 - 3. Mountainview Avenue north of Orangeburg Road;
 - 4. Holt Drive near #240 Holt Drive;
 - 5. Holt Drive near #319 Holt Drive.
- B. South Orangetown Central School District
 - 1. Battaan Road, east of the North parking lot entrance;
 - 2. Orangeburg Road, near the softball field;
 - 3. Dutch Hill Road, south of the tennis courts,

§10B-7. Authority to Install and Maintain signs.

The Town of Orangetown Highway Department shall install and maintain said signs as required under the provisions of this chapter pursuant to New York State Highway Law §317.

Local Law No. 7, 2009 - Continued

§10B-8. Posting requirements.

Any signs authorized by this chapter to be installed shall be erected and maintained pursuant to the pertinent requirements of the Vehicle and Traffic Law of the State of New York, the regulations promulgated thereunder and any other statutes and regulations of the State of New York prescribing conditions for the installation of signs along public highways.

§10B-9. Distribution of copies.

A copy of this chapter shall be furnished to the Town of Orangetown Police Department, the Rockland County Sheriff’s Department and the New York State Police.

§10B-10. Severability.

If any article, section, subsection, paragraph, phrase or sentence of this article is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable and shall not affect the validity of the remaining portions hereof.

§10B-11. Effective date.

This Local Law No. 7, 2009, shall take effect immediately upon publishing, posting and upon filing a copy with the Secretary of State as required by law.

RESOLUTION NO. 590

**ADOPT/LOCAL LAW 7, 2009
DRUG-FREE SCHOOL ZONES**

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

RESOLVED, that a local law amending the Town code, by adding Chapter 10B, entitled Drug –Free School Zones is hereby adopted. This proposed local law will authorize the establishment of a Drug Free School Zone encompassing all areas up to 1,000 feet from the real property boundary line of certain schools, and the installation and maintenance of signs within the Drug Free School Zones.

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

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RESOLUTION NO. 591

**2010 TENTATIVE BUDGET/BUDGET
MESSAGES/FILED/DISTRIBUTED**

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

RESOLVED, that the Supervisor filed with the Town Clerk, the 2010 Tentative Budget and the 2010 budget messages, estimates and schedules of the various administrative units and the Town Clerk distributed the 2010 Tentative Budget to the Town Board.

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

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RESOLUTION NO. 592

**AID/SOUTH ORANGETOWN ROTARY
2009 TENNIS OPEN**

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

Resolution No. 592 - Continued

RESOLVED, that the request of the South Orangetown Rotary for four portable toilets for their 2009 Tennis Open to be held at Tappan Zee High School and St. Thomas Aquinas College courts, October 10-12, 2009, to be charged to Account No. A7550/50457, is hereby approved.

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

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RESOLUTION NO. 593

**AID/ST. CONSTANTINE AND HELEN
GREEK CHURCH/GREEK FALL
FESTIVAL**

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

RESOLVED, that the request of St. Constantine and Helen Greek Church for the use of trash receptacles, barricades, cones and directional signs for the Greek Fall Festival on October 2-4, 2009 to be held at the Church in West Nyack, to be charged to Account No. A7550/50020, is hereby approved.

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

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RESOLUTION NO. 594

**APPOINT/MAINTENANCE MECHANIC I
(BUILDINGS) ROBERT YEZARSKY**

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

RESOLVED, that employee, Robert Yezarsky, is hereby appointed to the position of Maintenance Mechanic I (Buildings) in Building Maintenance, permanent with a mandatory six month probationary period, grade 14-19, annual salary \$80,180.00, effective 9/29/09.

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

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RESOLUTION NO. 595

**DEME/AWARD CONTRACT/MASER
CONSULTING/ENGINEERING SERVICES
SLUDGE HOLDINGS TANKS 1 & 2**

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

RESOLVED, that a contract is hereby awarded to Maser Consulting at a cost not to exceed \$109,000 plus 15% contingency of \$16,365 for unforeseen conditions for professional engineering services for design, preparation of bid documents and shop drawings for the rehabilitation of sludge holdings tanks numbers 1 and 2, to be charged to Account No. G8197/50457.

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

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RESOLUTION NO. 596

**DEME/AUTHORIZE CONTRACT
DERANTE CONTRACTING/SLUDGE
DEWATERING BUILDING**

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

RESOLVED, that the Supervisor is hereby authorized to sign a contract for the masonry separation wall in the sludge dewatering building in the amount of \$13,950, to be charged to Account No. G8130/50453, to Derante Contracting.

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

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RESOLUTION NO. 597

**AWARD BID/HEAVY DUTY 4WD
PLOW TRUCKS/HWY**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the purchase of three new heavy-duty 4WD plow trucks with accessories, which were received and publicly opened on January 29, 2009. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 09-K-09, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Deluxe International Trucks, Hackensack, NJ, the only qualified responsive bidder, in the amount of \$728,247 to be charged to Account No. D5130/50200 and a capital account to be established.

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

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RESOLUTION NO. 598

**HWY/AUTHORIZE AGREEMENT 2009
STORMWATER II EDUCATION
PROGRAM AGREEMENT**

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

RESOLVED, that the Superintendent of Highways, as the Town's representative, is hereby authorized to renew the 2009 Stormwater II Education Program Agreement with Cornell University Cooperative Extension of Rockland County at a cost of \$6,800.00, to be charged to Account No. A5010/50457.

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

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RESOLUTION NO. 599

**ASH SUBDIVISION/TAPPAN SANITARY
SEWER EASEMENT/RECEIVE/FILE**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Manning 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, a sanitary sewer easement for property located at 14 Main Street, Tappan, NY known as the Ash

Resolution No. 599 - Continued

Subdivision (Tax Lot Section 77.14 Block 1 Lot 16) is accepted, received and filed and it is authorized execute all documents necessary to effectuate the acceptance of this easement. Upon receipt from the Rockland County Clerk’s Office, the originals are to be filed and maintained in the Town Clerk’s Office.

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

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RESOLUTION NO. 600 ACCEPT MINUTES

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

RESOLVED, that the September 8, 2009 Special Town Board Meeting, Audit Meeting and Executive Session minutes; and the September 11, 2009 Special Town Board Meeting minutes are hereby accepted.

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

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**RESOLUTION NO. 601 MEMORANDUM OF UNDERSTANDING
NEW YORK SHARKS AQUATICS
RECEIVED/FILED**

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

RESOLVED, that the fully executed Memorandum of Understanding dated September 15, 2009 between the Town of Orangetown and New York Sharks Aquatics for the calendar year beginning September 14, 2009 and ending December 31, 2010 is hereby received and filed in the Town Clerk’s Office.

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

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**RESOLUTION NO. 602 WASTEWATER TREATMENT
PLANT/HUNT ROAD PUMPING
STATIONS (WWTP-06-1E) ALL BRIGHT
ELECTRICE/RECEIVED/FILED**

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

RESOLVED, that the fully executed original Change Order No. 15 for the Wastewater Treatment Plant and Hunt Road Pumping Station Improvements (WWTP-06-1E) with All Bright Electric is hereby received and filed in the Town Clerk’s Office.

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

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**RESOLUTION NO. 603 SCHEDULE PUBLIC HEARING
REAL PROPERTY TAX EXEMPTIONS
CAPITAL IMPROVEMENTS**

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

Resolution No. 603 - Continued

RESOLVED, that a public hearing is scheduled on October 26, 2009 at 8:00 p.m. to consider a local law amending Chapter 34 of the Town Code to add a new Article XIII relating to Real Property Tax Exemptions for Capital Improvements to Residential Properties.

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

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RESOLUTION NO. 604

**AUTHORIZE/WAIVER APPLICATION
NYS CIVIL SERVICE COMMISSION
RONALD C. DELO/DEME**

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

RESOLVED, that the supervisor is hereby authorized to submit a waiver application for a one-year period to the New York State Civil Service Commission pursuant to Section 211 of the Retirement and Social Security Law in connection with the continued employment of Ronald C. Delo as Director of Environmental Management and Engineering.

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

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RESOLUTION NO. 605

**AID/ACTIVE INTERNATIONAL OF BLUE
HILL PLAZA/LITTLE BIT O' SOLE**

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

RESOLVED, that the request of Active International of Blue Hill Plaza, Pearl River, for barricades for their annual "Little Bit o' Sole" 5 K Walk on October 4, 2009, to be charged to Account No. A7550/50020, is hereby approved.

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

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RESOLUTION NO. 606

**AID/LADIES AUXILIARY/PEARL RIVER
HOOK AND LADDER/CRAFT FAIR**

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

RESOLVED, that the request of the Ladies Auxiliary of the Pearl River Hook and Ladder Company No. 1 for trash receptacles and two portable toilets for their annual Craft Fair to be held at Central Avenue Field on October 3, 2009, to be charged to Account No. A7550/50457, is hereby approved.

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

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RESOLUTION NO. 607

**APPROVE/EMPLOYEE'S ASSISTANCE
CONTRACT/NYACK HOSPITAL**

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

Resolution No. 607 - Continued

RESOLVED, that the Employee’s Assistance contract with Nyack Hospital in the amount \$9,350.00 for the period of October 1, 2009 through September 30, 2010, to be charged to Account No. A1622/50457, is hereby approved.

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

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RESOLUTION NO. 608 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 9:41 p.m.

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

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RESOLUTION NO. 609 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, Capital Projects, Risk Retention, Special Election and Parking Funds, in the amount of \$708,118.27.

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

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RESOLUTION NO. 610 ENTER EXECUTIVE SESSION

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

RESOLVED, that the Town Board entered the Executive Session to discuss contractual matters, at 9:45 p.m.

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

Resolution Nos. 610A and 611 see Executive Session.

RESOLUTION NO. 612 ADJOURNMENT

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

RESOLVED, that the Town Board adjourned, in memory of Janet Ringner, Nanuet; Joseph King, Pearl River; Carolyn Sullivan (8 yrs old), Pearl River; John J. Allgor, Nyack Building Inspector; and Dr. Charles A. Holt, Nanuet, at 11:13 p.m.

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

Charlotte Madigan, Town Clerk