

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, OCTOBER 7, 2014**

This Town Board Meeting was opened at 7:00 p.m. Supervisor Stewart presided and the Town Clerk Madigan called the Roll. Present were:

Absent: Councilman Denis Troy
Councilman Thomas Morr
Councilman Paul Valentine
Councilman Thomas Diviny

Also present: Charlotte Madigan, Town Clerk
John Edwards, Town Attorney
Teresa Kenny, First Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEMA
Bert von Wurmb, Building Inspector
Aric Gorton, Superintendent of Parks and Recreation
Kevin Nulty, Police Chief

Charlotte Madigan led the Pledge of Allegiance to the Flag.

Announcements:

The Town Clerk, Charlotte Madigan, will be hosting a Shredding Day Event on Thursday, October 23rd, at Town Hall 4 p.m. – 7 p.m.

Police Department/Town Hall Open House will be on Saturday, October 18, 2014, 11:00 am – 2:00 pm.

The Town Board met, before the Regular Town Board Meeting, with Mario Gonzalez, President of the Orangeburg Library and Sal Pagnani, President of the Blauvelt Library, to discuss their 2015 Budgets.

Summary of Public Comments (RTBM):

Eileen Larkin, Palisades, spoke about PILOT programs and the Rockland County Industrial Development Agency. She is against any tax relief for profit making companies. She asked, when did it become legal for profit making companies to get tax exempt status.

Watson Morgan, Blauvelt, supports libraries. They bring joy, information and education to our community. He is concerned about the problems occurring with the televised Town Board meetings and that the rail trail project has not started.

Mary Cardenas, Town Historian, spoke about two historic homes; John Perry House (285 Blue Hill Rd, Pearl River) and the Abraham Lent House (2 Greenbush Rd, Orangeburg). As the Historian, she is charged with preserving and protecting the Town's heritage, but every old house is not worth saving. The Perry House has major water damage and the repairs would be astronomical. The Lent House is simply 262 years old and in the way of a proposed development. There is no reason why the developer cannot include this house in their plans. She asked the Town Board not to approve the demolition of the Lent house until all possibilities are considered.

RESOLUTION NO. 455

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Morr
Noes: None
Absent: Councilperson Diviny

RESOLUTION NO. 456**AUTHORIZE / DEC CONSENT ORDER**

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

RESOLVED, upon the recommendation of the Town Attorney's Office and the Sewer Department, the Town Supervisor is hereby authorized to sign the Order on Consent, Case No. R3-200131223-167, and the Finance Department is authorized to pay the Department of Environmental Conservation the civil penalty of \$5,000.00.

Ayes: Supervisor Stewart
Councilpersons Morr, Troy, Valentine
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 457**APPROVE/ROAD WIDENING DEED
OAK TREE ROAD/WALTHER
SUBDIVISION**

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

RESOLVED, upon the recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, pursuant to the All County Properties Site Plan, as approved by the Planning Board in decision 2014-08, the Town hereby accepts from William and Susan Walther a Road Widening Deed for Oak Tree Road, Palisades, NY and the Supervisor or his designee shall execute all documents necessary to effectuate acceptance of same. This executed deed to be filed in the Town Clerk's Office.

Ayes: Councilpersons Valentine, Troy, Valentine
Supervisor Stewart
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 458**AID/ORANGEBURG FIRE DEPART
HALLOWEEN & HOLIDAY PARADES**

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

RESOLVED, upon recommendation of the Superintendent of Highway, request for aid by the Orangeburg Fire Department, for providing barricades and trash cans for their Halloween Parade on 10/31/14 and for their Holiday Parade on 12/13/14 is hereby approved.

Ayes: Councilpersons Morr, Troy, Valentine
Supervisor Stewart
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 459**APPOINT/MATTHEW KANE / DEME
MAINTENANCE ELECTRICIAN**

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

RESOLVED, upon the recommendation of the Commissioner of DEME and the Human Resources Coordinator, Matthew Kane is hereby appointed to the position of Maintenance

RESOLUTION NO. 459 - Continued

Electrician (Sewers), provisionally, Grade 14 Step 1, at a salary of \$60,894.00, effective October 20, 2014. (This position was established at the July 15, 2014 RTBM, Resolution No. 353).

Ayes: Councilpersons Morr, Troy, Valentine
Supervisor Stewart

Noes: None

Absent: Councilperson Diviny

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RESOLUTION NO. 460**APPOINT/STEPHANIE TASSELLO
ACCOUNT-KEEPING SUPERVISOR**

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

RESOLVED, upon the recommendation of the Director of Finance, Supervisor of Fiscal Services and the Human Resources Coordinator, Stephanie Tassello is hereby appointed to the position of Account-Keeping Supervisor, Grade 15, Step 1 at a salary of \$62,659.00, provisionally, pending competitive examination, effective TBD.

Ayes: Councilpersons Troy, Valentine, Morr
Supervisor Stewart

Noes: None

Absent: Councilperson Diviny

RESOLUTION NO. 461**APPOINT/ CHAIRPERSON/ (ACABOR)
ARCHITECTURE AND COMMUNITY
APPEARANCE BOARD OF REVIEW
JILL FIELDSTEIN**

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

RESOLVED, that the Town Board hereby appointed Jill Fieldstein, Chairperson, of the Architecture and Community Appearance Board of Review (ACABOR), for the period commencing October 1, 2014, and expiring December 31, 2014 (filling the remainder of Jack Messina's term).

Ayes: Councilpersons Troy, Morr, Valentine
Supervisor Stewart

Noes: None

Absent: Councilperson Diviny

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RESOLUTION NO. 462**APPOINT/ JOSEPH MENDICINO
ENGINEER II (NCP/T&E) DEME**

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

RESOLVED, upon the recommendation of Rockland County Personnel and the Human Resources Coordinator, Joseph Mendicino is hereby appointed to the position of Engineer II (NCP/T&E), permanent, from RC List #14074, effective October 6, 2014.

Ayes: Councilpersons Valentine, Morr, Troy
Supervisor Stewart

Noes: None

Absent: Councilperson Diviny

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RESOLUTION NO. 463**AUTHORIZE/GRANT APPLICATION
COMMUNICATIONS EQUIPMENT &
SOFTWARE/JUSTICE COURT**

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

RESOLVED, the Supervisor is hereby authorized to submit a grant application, for the Orangetown Justice Court, to the New York State Justice Court Assistance Program 2014, in the amount of \$6,155.00 for the purpose of obtaining case management software and courtroom communications equipment upgrade.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Morr
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 464**ACCEPT/RECEIVE/FILE/ TOWN
CLERK'S OFFICE**

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

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

1. License Agreement (dated 9/30/14) with the Pearl River Fire Department for use of the John Perry House (295 Blue Hill Rd) for training purposes.
2. September 9, 2014 Regular Town Board/Executive Session minutes and September 16, 2014 Libraries 2015 Budget/Executive Session minutes

Ayes: Supervisor Stewart
Councilpersons Morr, Troy, Valentine
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 465**GRANT PERMISSION/NY HIGHWAY
SAFETY ANNUAL FALL SYMPOSIUM**

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

RESOLVED, that permission is hereby granted to a Police Officer, to attend the New York Highway Safety Annual Fall Symposium in Lake Placid, NY, on October 19-22, 2014, with lodging and meals being provided by the Rockland County STOP-DWI Program, at no expense to the Town.

Ayes: Supervisor Stewart
Councilpersons Troy, Morr, Valentine
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 466**PAY VOUCHERS**

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

RESOLUTION NO. 466 - Continued

RESOLVED, the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds for a total amount of \$1,023,239.63.

Ayes: Supervisor Stewart
Councilpersons Morr, Troy, Valentine
Noes: None
Absent: Councilperson Diviny

The Town Board took a ten minute recess at 7:55 p.m. and reconvened at 8:05 p.m.

RESOLUTION NO. 467**OPEN PUBLIC HEARING / CONTRACT
BLAUVELT FIRE COMPANY, INC.**

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

RESOLVED, the 8:00 p.m. public hearing to consider a 1-year contract, with the Blauvelt Fire Company, Inc., for fire protection services, to the Blauvelt Fire Protection District, within the Town, for calendar year 2015, is hereby opened.

Ayes: Councilpersons Troy, Valentine, Morr
Supervisor Stewart
Noes: None
Absent: Councilperson Diviny

The Town Clerk presented the Affidavit of Publication, and the Notice of Posting; copies are labeled Exhibit 10-A-14 and made a part of these minutes.

In attendance from the Blauvelt Volunteer Fire Company were Charles Sweeney, Treasurer; Robert Clifford, Chairperson; George Chondris, Assistant Chief and Mike Conklin, President.

They presented a budget of \$770,675.00, which is 2% over last year's budget, plus Workers Compensation Insurance. Their fund balance as of March 31, 2014 is \$2.6 million. They anticipate spending \$650,000 for a pumper truck in 2018; \$700,000 for a rescue truck in 2020 and \$725,000 for another pumper truck in 2025. This excludes, if the ISO comes in and says they need a ladder truck, at the cost of \$1.1 million. They set aside \$120,000 yearly, plus any surplus to buy new trucks. The last two years they paid the FIS \$240,000, for age discrimination benefits and another \$225,000 because the fund was not fully funded.

There were no public comments.

RESOLUTION NO. 468**CLOSE PUBLIC HEARING / 1-YR
CONTRACT/ BLAUVELT FIRE
COMPANY, INC.**

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

RESOLVED, that the public hearing on the proposed contract between the Town and the Blauvelt Fire Company, Inc., for fire protection services, for calendar year 2015, is hereby closed.

Ayes: Supervisor Stewart
Councilpersons Valentine, Troy, Morr
Noes: None
Absent: Councilperson Diviny

RESOLUTION NO. 469**SEQRA/LEAD AGENCY/NEGATIVE
DECLARATION/CONTRACT WITH
BLAUVELT FIRE COMPANY, INC.**

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

WHEREAS, the Town of Orangetown has within its boundaries a duly formed Fire Protection District known as the "Blauvelt Fire Protection District", embracing territory in the Town in and about the hamlet of Blauvelt and more fully described in the Resolution establishing such District, as from time to time amended; and

WHEREAS, the Town is required to provide for fire protection services within such Fire Protection District, which services historically have been provided by contract with the Blauvelt Fire Company, Inc.; and

WHEREAS, it is proposed that the Town of Orangetown enter into a 1-year contract with the Blauvelt Volunteer Fire Company, Inc., for the furnishing of fire protection in the District, which contract is subject to review under SEQRA; and

WHEREAS, the Town Board is the only involved agency under SEQRA in the approval of such a contract,

NOW, THEREFORE, BE IT RESOLVED, as follows: the Town Board hereby declares itself to be lead agency under SEQRA for the purpose of environmental review; the within action is an "unlisted action" under SEQRA; and the Town Board determines that a 1-year contract with the Blauvelt Fire Company for fire protection services to and within the Blauvelt Fire Protection District will not have a significant adverse impact on the environment, and, therefore, issues a determination of non-significance, which the Supervisor is hereby authorized to execute.

Ayes: Councilpersons Morr, Troy, Valentine
Supervisor Stewart
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 470**APPROVE 1-YEAR CONTRACT FOR
FIRE PROTECTION SERVICES
BLAUVELT FIRE COMPANY, INC.**

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

RESOLVED, that the Town Board hereby approves a 1-year contract with the Blauvelt Fire Company, Inc., for fire protection services, in and throughout, the Blauvelt Fire Protection District, for calendar year 2015, in the sum of \$770,675.00 plus workers compensation insurance and otherwise in accordance with the terms of a contract incorporated herein by reference.

Ayes: Councilpersons Valentine, Troy, Morr
Supervisor Stewart
Noes: None
Absent: Councilperson Diviny

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RESOLUTION NO. 471**ADJOURNED/MEMORY**

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

RESOLVED, that the Town Board adjourned, in memory of John Saccardi, Town Planner and Patricia Scarpinato, Pearl River, at 8:20 p.m.

Ayes: Supervisor Stewart
Councilpersons Morr, Troy, Valentine
Noes: None
Absent: Councilperson Diviny

Charlotte Madigan, Town Clerk