

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, OCTOBER 27, 2015**

This Regular Town Board Meeting was opened at 7:30 p.m. Supervisor Stewart presided and the Deputy Clerk, called the roll. Present were:

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

Also present: Teresa Accetta-Pugh, Deputy Clerk  
John Edwards, Town Attorney  
Teresa Kenny, Deputy Town Attorney  
Jeff Bencik, Finance Director  
Janice Ganley, Supervisor of Fiscal Services  
James Dean, Superintendent of Highways  
Joe Moran, Commissioner of DEMA  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.

Pledge of Allegiance to the Flag of the United States of America was led by the Town Board.

Announcement:

Public Hearing - 2016 Preliminary Budget - 11/04/2015, 8:05 pm

Summary of Public Comments:

George Garrecht, CSEA Town employee, is an employee that could lose his job, when the Town does a partnership for the Blue Hill Golf Course (BHGC). He and the CSEA Union will fight this partnership. He urged the Town Board to look at other options.

George Richards, CSEA Town employee, spoke about ethics and integrity. The donation of sick time should have been the same as in the past.

James Stevenson, retired Sewer Dept. employee, is against an outside evaluation of the high flow event that occurred at the WWTP. It was the Commissioner's and Chief Operator's fault.

Esta Baitler, Sparkill, wants a pra-transit bus service in the Town.

Eileen Larkin, Palisades, is concerned about the costs of sewage flooding the Sparkill Creek and Town buildings. She is against any partnership for the BHGC and employees losing their jobs.

Bill Baldes, Piermont, said Applied Golf setting their own rates is at the expense of BHGC.

Applied Golf did voo-doo accounting but actually owes the Town \$5,200. He demands the Town to collect this money. He is in favor of employees keeping their jobs at BHGC.

Mark Alexander, Blauvelt, supports youth athletics and a resident field use policy. He spoke against Rockland FC and the Supervisor's support of them.

Mike Mandel, Pearl River, is glad a sick bank policy has been implemented. He supports an outside evaluation of the Sewer Department. He is concerned that many houses do not have numbers, in case of an emergency.

Manny Larenas, Pearl River, said sometimes fiction overrules facts. He read a letter from a soccer player regarding the great training he/she received. He requested that his name and Rockland FC not be slandered.

Tom Iacobellis, CSEA Town employee, said the employees are the backbone of the Town and the Town Board needs to show them decency and respect. He requested the BHGC RFPs be thrown out.

Ronnie Cummings, CSEA President, asked the Town Board if they can actually look at eight employees and tell them they are going to be transferred, at a lower salary, or lose their jobs. A partnership for BHGC is not the way to go.

Heather Hurley, Pearl River, asked questions regarding comments made by the Town Board members during the debate. She wants answers to questions that were sent in an email to the candidates running for election.

Amy Wertheim, Pearl River, said whether enforcing the existing code or adopting new legislation, banning the manufacturing of BTX, needs to be done immediately.

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Kathy Kelley, Pearl River, is thankful for the very informative debate by the Council members. However, she is appalled at the Supervisor's bad behavior during the debate. She has asked nicely and forcefully for action to be taken regarding the Anellotech project and it is shameful that nothing has been done.

Dimitri Laddis, Piermont, spoke very highly of Manny Larenas. He believes personal attacks and slandering is inexcusable.

**RESOLUTION NO. 467**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Diviny, Morr, Valentine,  
Supervisor Stewart

Noes: None

Absent: Councilperson Troy

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**RESOLUTION NO. 468**

**OPEN TB DISCUSSION  
MODIFICATIONS/2016 TENTATIVE  
BUDGET**

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

RESOLVED, the Town Board opened discussions on the proposed modifications/changes to the Supervisor's Tentative Budget.

Ayes: Councilperson Morr, Supervisor Stewart  
Councilpersons Diviny, Valentine

Noes: None

Absent: Councilperson Troy

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**RESOLUTION NO. 469**

**APPROVE MODIFICATIONS 2016  
TENTATIVE BUDGET/OFFICE OF  
EMERGENCY MANAGEMENT  
BUDGET**

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

RESOLVED, the Office of Emergency Management's (OEM) budget (line A.3645.457) is increased to \$11,500.00 from \$8,000.00, in the 2016 Supervisor/Tentative Budget.

Ayes: Councilpersons Diviny, Valentine, Morr  
Supervisor Stewart

Noes: None

Absent: Councilperson Troy

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**RESOLUTION NO. 470**

**APPROVE MODIFICATIONS 2016  
TENTATIVE BUDGET/AUTOMATED  
EMERGENCY DEFIBRILLATOR  
(AED)**

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

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**RESOLUTION NO. 470 - Continued**

RESOLVED, that the 2016 Supervisor/Tentative Budget is increased, by \$5,000.00 for the Automated Emergency Defibrillators (AED), Shared Services-Capital Outlay (line item A.1622.200).

Ayes: Councilpersons Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilperson Troy

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**RESOLUTION NO. 471**

**APPROVE MODIFICATIONS  
TENTATIVE BUDGET/AUTHORIZE  
PUBLIC HEARING/PRELIMINARY  
BUDGET (TENTATIVE BUDGET AS  
MODIFIED)**

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

RESOLVED, that the Town Board hereby authorizes the following changes to the Tentative Budget submitted by the Town Supervisor (Note changes, and, as appropriate, specific vote approving changes.)

And be it further,

RESOLVED, that the Tentative Budget, as modified, now the Preliminary Budget, is hereby approved for the purpose of a Public Hearing to be conducted, thereon, on November 4th, 2015, at 8:05 p.m., in accordance with the Town Budget Calendar duly adopted by Town Board Resolution 191 of 2015, and ordered filed in the Office of the Town Clerk

Ayes: Supervisor Stewart  
Councilpersons Morr, Diviny, Valentine

Noes: None

Absent: Councilperson Troy

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**RESOLUTION NO. 472**

**APPROVE/TAX CERTIORARI  
ORANGEBURG-SALISBURY CORP**

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

RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Consent Judgment regarding the tax certiorari proceeding *Orangeburg-Salisbury Corp. v. The Town of Orangetown*, Tax Map designation 74.07-1-15.1, (125 S. Greenbush Road, Orangeburg, SOCSO) for the tax assessment years 2009 through 2015, for a total refund by the County of \$10,749, a total refund by the Town of \$44,718 and a total refund by the School District of \$122,247. 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 (and Rockland County Finance Dept.).

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Morr, Valentine

Noes: None

Absent: Councilperson Troy

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**RESOLUTION NO. 473**

**APPROVE/TAX CERTIORARI  
GOLDEN EAGLE, LLC**

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

RESOLVED, that upon the recommendation of the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Consent Judgment regarding the tax certiorari proceeding *Golden Eagle, LLC v. The Town of Orangetown*, Tax Map designation 74.07-1-15.2, (S Greenbush Road, Orangeburg) for the tax assessment years 2009 through 2015, for a total refund by the County of \$831, a total refund by the Town of \$4,238 and a total refund by the School District of \$11,924. The improvement on the lot was demolished. 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 (and Rockland County Finance Dept.).

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

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**RESOLUTION NO. 474**

**AUTHORIZE/PROFESSIONAL  
SERVICES AGREEMENT/GHD  
CONSULTING SERVICES/EVALUATE  
WASTEWATER TREATMENT PLANT**

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

WHEREAS, an overflow occurred at the WWTP on Sunday, May 31, 2015 precipitated by an extreme weather event; and,

WHEREAS, GHD Consulting Services, Inc. was the original design engineer for the upgrades at the WWTP; and,

WHEREAS, it is recommended that preventive measures be taken to avoid a future overflow,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves a Professional Services Agreement with GHD Consulting Services, Inc., in the amount of \$9,800.00, to evaluate said high flow event that occurred at the WWTP and recommend preventive measures to the Town.

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

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**RESOLUTION NO. 475**

**PAY VOUCHERS**

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

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds for a total amount of \$512,226.64.

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

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**RESOLUTION NO. 476**

**ADJOURNED/MEMORY**

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

RESOLVED, at 9:30 p.m., the Town Board adjourned, in memory of Ronald McCormack, Nyack.

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

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**Teresa Accetta-Pugh**