

**TOWN OF ORANGETOWN
SPECIAL TOWN BOARD/BUDGET MEETING
THURSDAY, NOVEMBER 1, 2012**

This Special Town Board Meeting was opened at 7:45 p.m. Supervisor Stewart presided and the Town Clerk called the Roll.

Present were: Councilman Denis Troy
Councilman Thomas Diviny
Councilman Thomas Morr
Councilman Paul Valentine

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
Robert Simon, Receiver of Taxes
John Giardiello, Director of OBZPAE
Aric Gorton, Superintendent of Parks-Rec.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

RESOLUTION NO. 513

**AMEND/2013 TENTATIVE BUDGET
VARIOUS ITEMS**

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

RESOLVED, that the following amendments have been made to the 2013 Tentative Budget:

- No raises for the Town Attorneys.
- Reduce Town Attorneys Conferences.
- Eliminate Building Inspector position.
- Increase Mortgage Tax Assumption.
- Increase Sales Tax Assumption.
- Eliminate Use of Town Cars to home for out-of-town employees, non-emergency response.
- Cut Funding to Substance Abuse/Candle by 50%.
- Eliminate Capital outlay and facilities (Parks & Recreation).
- Reduce Capital outlay for Blue Hill.
- Replace 2 full-time groundsworker employees w/seasonal at Blue Hill.
- Reduce Police Overtime due to replacing/hiring three new officers.
- Remove Capital Outlay for new Police cars.

Ayes: Councilmen Diviny, Valentine, Troy, Morr
Supervisor Stewart

Noes: None

RESOLUTION NO. 514

**AMEND/2013 TENTATIVE BUDGET
CODE ENFORCEMENT OFFICER**

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

RESOLVED, that the 2013 Tentative Budget is hereby amended to eliminate one of two Code Enforcement Officers.

Ayes: Councilmen Valentine, Diviny, Troy, Morr
Noes: Supervisor Stewart

RESOLUTION NO. 515**AMEND/2013 TENTATIVE BUDGET
DROP OFF CENTER FEE**

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

RESOLVED, that the 2013 Tentative Budget is hereby amended to charge a \$10.00 fee for use of the Drop Off Center.

Ayes: Councilmen Valentine, Diviny, Troy
Supervisor Stewart
Noes: Councilman Morr

RESOLUTION NO. 516**AMEND/2013 TENTATIVE BUDGET
DOUBLE TIME/LEAF PICKUP**

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

RESOLVED, that the 2013 Tentative Budget is hereby amended to eliminate double time (holiday) pay for the leaf removal program.

Ayes: Councilmen Valentine, Diviny, Troy, Morr
Noes: Supervisor Stewart

RESOLUTION NO. 517**AMEND/2013 TENTATIVE BUDGET
POLICE OFFICERS/REPLACE/HIRE**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and on a roll call was adopted:

RESOLVED, that the 2013 Tentative Budget is hereby amended to replace/hire three new Police Officers.

Ayes: Councilmen Valentine, Diviny, Troy
Noes: Councilman Morr and Supervisor Stewart

RESOLUTION NO. 518**AMEND/2013 TENTATIVE BUDGET
BROADACRES/FUNDING**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and on a roll call was adopted:

RESOLVED, that the 2013 Tentative Budget is hereby amended to restore funding for Broadacres.

Ayes: Councilmen Diviny, Troy, Morr
Noes: Councilman Valentine and Supervisor Stewart

RESOLUTION NO. 519**AMEND/2013 TENTATIVE BUDGET/NOT
TO FUND ADDITIONAL STAFF/IT DEPT
FAILED**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and on a roll call **FAILED**:

Resolution No. 519 - Continued

RESOLVED, that the 2013 Tentative Budget is hereby amended **not** to fund additional staff for the IT Department.

Ayes: Councilmen Diviny
Noes: Councilman Morr, Troy, Valentine and Supervisor Stewart

RESOLUTION NO. 520**AMEND/2013 TENTATIVE BUDGET
SUPERVISOR'S ASSISTANT**

Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and on a roll call was adopted:

RESOLVED, that the 2013 Tentative Budget is hereby amended to keep the Supervisor's Assistant part-time.

Ayes: Councilmen Troy, Diviny, Morr, Valentine
Noes: Supervisor Stewart

RESOLUTION NO. 521**AMEND/2013 TENTATIVE BUDGET
ELIMINATE SEASONAL EMPLOYEES
LEAF PICK-UP/FAILED**

Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and on a roll call **FAILED**:

RESOLVED, that the 2013 Tentative Budget is hereby amended to eliminate seasonal employees for leaf pick-up.

Ayes: None
Noes: Councilmen Troy, Diviny, Morr, Valentine
Supervisor Stewart

RESOLUTION NO. 522**AMEND/2013 TENTATIVE BUDGET
HIGHWAY CHIP-SEAL PROGRAM**

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

RESOLVED, that the 2013 Tentative Budget is hereby amended to reduce the Highway chip-seal program by \$75,000 and extend it from 10 years to 12 years.

Ayes: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart
Noes: None

RESOLUTION NO. 523**AMEND/2013 TENTATIVE BUDGET
POLICE SCHOOL EXPENSES**

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

RESOLVED, that the 2013 Tentative Budget is hereby amended to reduce Police School expenses to the minimum mandatory levels.

Ayes: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart
Noes: None

RESOLUTION NO. 524**2013 PRELIMINARY BUDGET
RECEIVED/FILED**

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

RESOLVED, that the 2013 Preliminary Budget is received and filed in the Town Clerk's Office for anyone to review.

Ayes: Councilmen Valentine, Morr, Troy, Diviny
Supervisor Stewart
Noes: None

RESOLUTION NO. 525**APPOINT/ASSISTANT OPERATOR
GRADE 2 (WASTEWATER)/FERNANDO
SEMINELLI**

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

RESOLVED, that upon the recommendation of Rockland County Personnel and the Commissioner of DEME, Fernando Seminelli is hereby appointed to Assistant Operator Grade 2 (Wastewater) at an annual salary of \$76,172.00, Grade 14, Step 8/13. Upon satisfactory completion of the required probationary period, this will be a permanent appointment.

Ayes: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart
Noes: None

RESOLUTION NO. 526**APPOINT/ASSISTANT OPERATOR
GRADE 2 TRAINEE (WASTEWATER)
MARK HOVSEPIAN**

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

RESOLVED, that upon the recommendation of Rockland County Personnel and the Commissioner of DEME, Mark Hovsepian is hereby appointed to Assistant Operator Grade 2 Trainee (Wastewater) at an annual salary of \$69,505.00, Grade 12, Step 8/13. This will be a provisional appointment.

Ayes: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart
Noes: None

RESOLUTION NO. 527**APPROVE LAWFUL NON-CONFORMING
STATUS OF PREMISES LOCATED AT 109
SO. WILLIAM STREET, PEARL RIVER, N.Y.
(Tax Map: 68.20-5-11)**

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

WHEREAS, the premises located at 109 So. William Street, Pearl River, New York (Tax Map Designation: 68.20-5-11) were constructed in 1958; and

WHEREAS, the Town's records do not reflect the issuance of a Building Permit or Certificate of Occupancy for the original construction, or subsequent improvement, of the said Premises; and

Resolution No. 527 - Continued

WHEREAS, the owners of the Premises are unable to convey title to the said premises without confirmation from the Town that the Premises are deemed lawful, without violation, and may continue to be used as a single-family residence without interference or interruption,

NOW, THEREFORE, IT IS RESOLVED, that the Director of the Office of Building, Zoning, Planning and Enforcement is authorized to issue a letter or other writing, stating as follows:

- 1) A search of the computer and other records of the Town Building Department reflects that there are no violations of record at the above referenced premises.
- 2) To the extent the Building Department does not have a building file that includes or reflects the issuance of a Building Permit or Certificate of Occupancy for the original construction, or subsequent improvement, of the premises, and in view of the fact that the premises were constructed in 1958, more than 50 years ago, the Town Building Department, *ratified by this Resolution of the Town Board*, shall treat the premises as a lawful non-conforming structure for zoning and building purposes (to the extent the premises may not presently comply with the provisions of the currently applicable Building and/or Zoning Code). As such, the premises may continue to be used in their existing condition as a single-family residential dwelling without interruption or interference.

Ayes: Councilmen Diviny, Troy, Morr, Valentine
Supervisor Stewart
Noes: None

RESOLUTION NO. 528**APPROVE/HIGHWAY/RETAIN PRIVATE CONTRACTORS/REMOVAL OF TREES AND BRUSH**

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

WHEREAS, a significant storm event has resulted in damage to trees, brush and bushes throughout the Town requiring the removal of same prior to the Town's annual roadside collection of leaves; and

WHEREAS, given the magnitude of the removal, the Town Highway Department does not have the manpower or equipment necessary to provide the timely removal and disposal of the trees and brush in addition to the annual roadside leaf collection; and

WHEREAS, the Town has previously solicited, received and made selections from bids submitted from private contractors for periodic work, on a per diem basis to perform such services; and

WHEREAS, the quantity of trees and brush to be removed is projected to be 20,000 cubic yards.

NOW, THEREFORE, BE IT RESOLVED, that the Superintendent of Highways shall retain the services of four (4) private contractors having adequate equipment and manpower to assist in the removal of trees and brush at a cost not to exceed \$5,000.00 per day, per contractor and a total cost not to exceed \$160,000.00.

Ayes: Councilmen Diviny, Valentine, Troy, Morr
Supervisor Stewart
Noes: None

RESOLUTION NO. 529**DECLARATION OF STATE OF
EMERGENCY AND EMERGENCY
ORDER ON TRAVEL RESTRICTIONS
MAILED/RECEIVED/FILED**

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

RESOLVED, that the October 29, 2012 Declaration of State of Emergency and The Emergency Order for Travel Restriction were mailed to the Department of State, the County Legislature and the County Clerk . They also have been received and filed in the Town Clerk's Office.

Ayes: Councilmen Troy, Morr, Diviny, Valentine
Supervisor Stewart

Noes: None

RESOLUTION NO. 530**ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned this meeting, in memory of Jeffery Chanin, Pearl River, at 8:57 p.m.

Ayes: Councilmen Diviny, Morr, Troy, Valentine
Supervisor Stewart

Noes: None

Charlotte Madigan, Town Clerk