

**TOWN OF ORANGETOWN  
PUBLIC HEARING/WORKSHOP  
WEDNESDAY, NOVEMBER 3, 2010**

This Public Hearing was opened at 8:00 p.m. Supervisor Whalen presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy  
Councilwoman Nancy Low-Hogan  
Councilman Thomas Diviny

Absent: Councilman Michael Maturo

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, First Deputy Town Attorney  
AnnMarie Hahr, Executive Assistant to the Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Scott Burton, Director of Environmental Management & Engineering  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

**RESOLUTION NO. 653**

**OPEN PH/2011 PRELIMINARY BUDGET**

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

RESOLVED, that the 8:00 p.m. public hearing to consider the 2011 Preliminary Budget is hereby opened.

Ayes: Councilpersons Low-Hogan, Diviny, Troy  
Supervisor Whalen  
Noes: None  
Absent: Councilman Maturo

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 11-A-10 and made a part of these minutes.

Summary of Public Comments:

James Castagna, Sparkill, pointed out, the as promised funding, is still needed for upgrades to several neighborhood parks in Sparkill and the Rail Trail.

Scott Gibson, Pearl River, asked when was the last time an independent evaluation of the operations of the Town was performed.

**RESOLUTION NO. 654**

**CLOSE PH/2011 PRELIMINARY BUDGET**

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Low-Hogan, Troy, Diviny  
Supervisor Whalen  
Noes: None

\* \* \*

**RESOLUTION NO. 655**

**ADOPT/2011 PRELIMINARY BUDGET**

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

**Resolution No. 655 - Continued**

RESOLVED, that the Town Board adopted the 2011 Preliminary Budget, except for Special Districts, as the 2011 Final Budget, with the exception of Special Districts, which will be considered separately.

Ayes: Councilpersons Troy, Low-Hogan Diviny  
Supervisor Whalen  
Noes: None  
Absent: Councilman Maturo

\* \* \*

**RESOLUTION NO. 656****AUTHORIZE/REVOCABLE LICENSE AGREEMENT/ORANGE & ROCKLAND**

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

RESOLVED, that, in regard to Orange & Rockland Utilities' H Tower Transition Project, the Town Attorney is hereby authorized and directed to prepare a Revocable License Agreement with Orange & Rockland ("O & R"), pursuant to which O & R shall be authorized to engage in clearing and other preparatory site work (including the relocation of existing utility towers/structures) on the Town owned lands that are the subject of proposed and still pending special state alienation legislation, subject to the express conditions therein:

(i) that O & R agrees to defend, indemnify and hold the Town and its employees and officers harmless from any claim, loss or damage, including attorneys fees;

(ii) that in the event the pending special state legislation shall not be approved and signed into law, O & R shall restore the Town owned lands to substantially the same condition as existed before any site work was commenced; and

(iii) that O & R require that any contractors or sub-contractors utilized by it to perform any such work provide certificates of insurance with minimum liability policy limits of \$1,000,000.00, naming the Town of Orangetown as an additional insured thereon.

Any such license, by its express terms, may be cancelled by the Town on 60 days written notice, immediately triggering the restoration obligation.

Ayes: Councilpersons Troy, Low-Hogan, Diviny  
Supervisor Whalen  
Noes: None  
Absent: Councilman Maturo

\* \* \*

**RESOLUTION NO. 657****ENTERED EXECUTIVE SESSION**

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

RESOLVED, that the Town Board entered Executive Session at 9:03 p.m.

Ayes: Councilpersons Troy, Low-Hogan, Diviny  
Supervisor Whalen  
Noes: None  
Absent: Councilman Maturo

**Resolution Nos. 658 and 659 see Executive Session.**

**RESOLUTION NO. 660****ADJOURNED PH /ENTER WORKSHOP**

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

**Resolution No. 660 - Continued**

RESOLVED, that the Town Board entered the Workshop Meeting at 9:17 p.m.

Ayes: Councilpersons Troy, Low-Hogan, Diviny  
Supervisor Whalen  
Noes: None  
Absent: Councilman Maturo

---

**Charlotte Madigan, Town Clerk**