

**TOWN OF ORANGETOWN  
SPECIAL TOWN BOARD/BUDGET MEETING  
WEDNESDAY, NOVEMBER 7, 2012**

This Special Town Board Meeting was opened at 8:33 p.m. Supervisor Stewart presided and the Deputy Clerk called the Roll.

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

Also present: Teresa Accetta-Pugh, Deputy 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  
Kevin Nulty, Chief of Police  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Paul Witte, Code Enforcement  
Ed McPherson, Code Enforcement  
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

The Pledge of Allegiance to the Flag was led by the Deputy Clerk.

Prior to this meeting, the Supervisor posted to the website and released to the media a notice, (Exhibit 11-C-12), that due to the severe weather the public hearings will be continued on Tuesday, November 13, 2012.

**RESOLUTION NO. 534**

**OPEN PH/BLAUVELT FIRE  
COMPANY/CONTRACT/FIRE  
PROTECTION SERVICES**

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

RESOLVED, that the 8:00 p.m. public hearing to consider a contract with the Blauvelt Volunteer Fire Company, Inc., to provide fire protection services to and throughout the Blauvelt Fire Protection District, within the Town is hereby opened.

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

The Deputy Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 11-A-12 and made a part of these minutes.

Summary of Public Comments:

David Schnitzer, Chief of the Blauvelt Fire Department, said they looked over the numbers collectively as a group and they believe the numbers are as tight as they can be.

**RESOLUTION NO. 535**

**CLOSE PH/BLAUVELT FIRE COMPANY  
CONTRACT/FIRE PROTECTION  
SERVICES**

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

**Resolution No. 535 - Continued**

RESOLVED, that the public portion is hereby closed.

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

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**RESOLUTION NO. 536**

**LEAD AGENCY/BLAUVELT FIRE  
COMPANY/CONTRACT/FIRE  
PROTECTION SERVICES**

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

RESOLVED, that the Town Board declares itself Lead Agency in this matter.

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

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**RESOLUTION NO. 537**

**NEGATIVE SEQRA DECLARATION  
BLAUVELT VOLUNTEER FIRE  
COMPANY/CONTRACT/FIRE  
PROTECTION SERVICES**

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

RESOLVED, that a SEQRA Declaration of non-significance, resolving that the action of the Town Board in contracting for fire protection services with the Blauvelt Fire Department for the Blauvelt Fire Protection District will not have a significant negative impact on the environment is hereby adopted.

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

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**RESOLUTION NO. 538**

**BLAUVELT FIRE COMPANY/FIRE  
PROTECTION SERVICES/ APPROVE  
1-YEAR CONTRACT**

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

RESOLVED, that the Town Board hereby approves a 1-yr contract with the Blauvelt Volunteer Fire Company, Inc., for calendar year 2013, in the amount of \$838,350.00, plus Workers' Compensation insurance costs, to provide fire protection services to and throughout the Blauvelt Fire Protection District, within the Town.

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

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**RESOLUTION NO. 539****OPEN PH/2013 PRELIMINARY  
BUDGET**

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

RESOLVED, that the 8:10 p.m. public hearing to consider the 2013 Preliminary Budget is hereby opened.

The Deputy Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 11-B-12 and made a part of these minutes.

Summary of Public Comments:

Raleigh Tozer, President of Board of Trustees Tappan Library, spoke about the specific law, which treats the four public libraries as a single unit and requires budget requests jointly. He reminded the Board that the Town has been trying to get the State to overturn this law. By overturning it, the libraries will be able to budget independently.

Ed McPherson, Code Enforcement Officer, argued against the elimination of his job. He spoke about his training, experience and how he loves his job. He wishes to remain employed.

**RESOLUTION NO. 540****CONTINUE PH/2013 PRELIMINARY  
BUDGET**

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

RESOLVED that the 2013 Preliminary Budget public hearing will continue on November 13, 2012, at 8:00 p.m.

Ayes: Councilmen Troy, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Morr

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**RESOLUTION NO. 541****NOMINATE/POLICE OFFICER  
MICHAEL L. TAYLOR**

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

RESOLVED that upon the recommendation of Kevin Nulty, Chief of Police, Michael L. Taylor is hereby nominated to the position of Police Officer, from Civil Service List #(OC) 08200, dated August 10, 2012, pending completion of the Rockland County Department of Personnel certification process and a satisfactory background investigation.

Ayes: Councilmen Troy, Diviny, Valentine  
Supervisor Stewart

Noes: None

Absent: Councilman Morr

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**RESOLUTION NO. 542****NOMINATE/POLICE OFFICER  
JOHN A HEIM**

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

RESOLVED that upon the recommendation of Kevin Nulty, Chief of Police, John A. Heim is hereby nominated to the position of Police Officer, from Civil Service List #(OC)

**Resolution No. 542 - Continued**

08200, dated August 10, 2012, pending completion of the Rockland County Department of Personnel certification process and a satisfactory background investigation.

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

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**RESOLUTION NO. 543****NOMINATE/POLICE OFFICER  
AMAURY R LOPEZ**

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

RESOLVED that upon the recommendation of Kevin Nulty, Chief of Police, Amaury R. Lopez is hereby nominated to the position of Police Officer, from Civil Service List #(OC) 08200, dated August 10, 2012, pending completion of the Rockland County Department of Personnel certification process and a satisfactory background investigation.

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

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**RESOLUTION NO. 544****RE-ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session, were Supervisor Stewart, Councilmen Troy, Diviny, and Valentine, and Jeff Bencik.

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

RESOLVED, that the Town Board re-entered Executive Session to discuss personnel matters, at 9:35 p.m.

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

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**RESOLUTION NO. 545****ADJOURNMENT**

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

RESOLVED, that the Town Board re-entered the public meeting and adjourned, at 10:00 p.m.

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