

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
WEDNESDAY, NOVEMBER 9, 2011**

This Town Board Meeting was opened at 7:35 p.m. Supervisor Whalen presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy
Councilwoman Nancy Low-Hogan
Councilman Michael Maturo
Councilman Thomas Diviny

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
Joseph Moran, Commissioner of DEME
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

Alexander Koniuta led the Pledge of Allegiance to the Flag.

James Dean, Superintendent of Highways, explained the Highway Department does not have the manpower or equipment to remove the branches and brush in a timely manner before the roadside leaf collection. He requested a resolution to hire outside contractors to assist with the removal of branches and brush. Leaf pickup will probably start Monday, (November 14th) and the leaf pickup schedule/portal will be on the website Monday, November 21st.

Summary of Public Comments:

Eileen Larkin, Palisades, thanked the Town for their assistance at her husband's funeral. She discussed cuts and expenditures of the Town and the effect on the taxpayers.

Alexander Koniuta, Boy Scout Troop 616 and candidate for an Eagle Scout, asked for assistance in collecting items for the soldiers being deployed to Afghanistan. A collection box is located in the Town Hall.

Eileen Carson, Pearl River, asked how the fields are allocated and how often is the allocation process reevaluated.

RESOLUTION NO. 594

CLOSE PUBLIC COMMENTS

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, Maturo, Diviny
Supervisor Whalen
Noes: None

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RESOLUTION NO. 595

**OPEN PH/LL OVERRIDING THE 2%
TAX CAP**

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

RESOLVED, that the 8:00 p.m. public hearing to amend the Town Code, Chapter 34, entitled "Taxation" by adding a new Article III, entitled "Property Tax Cap Override – Fiscal Year 2012" is hereby opened.

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

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

John Edwards, Town Attorney, said the tax levy cap is a new law passed at the end of the State legislature session. There is a difference between a tax cap and what actually is contemplated by the law, which is a cap on the levy, which is how much of your budget, is actually funded by a tax levy. The danger in not overriding derives from the fact, that it is a new law, which has to be applied and interpreted. He still encourages the Board to override the cap, simply for protection from the uncertainties that are inherited in a newly enacted statute. The Board may end up in a penalty situation that could be difficult. Orangetown has challenges that are not faced by other municipalities that will prevent the Town from coming in within the cap. The Board can fund some of those expenses using the fund balance but that exposes the Town to additional problems. All this law does, is allows you to exceed it without penalty. Governor Cuomo said, he is not telling municipalities what to do. What he is doing is leaning on them politically. The school districts will be subject to it next year. He thinks it is prudent to override the tax levy cap at this point, fully understanding every effort will be made to come as close to the cap as possible.

Summary of Public Comments:

Mike Mandel, Pearl River, said the idea about even thinking of raising the cap is an insult to residents of this Town. It is time to think of ways to reduce spending and change union contracts and not tax our way out of a problem. He is against overriding the cap.

Eileen Larkin, Palisades, agrees that the Town needs to reduce spending. She disagrees with Gov. Cuomo's plan to hit municipalities with a 2% cap but believes this local law should be passed. She spoke about the loss of taxes from Pfizer and other tax certioraris.

Anthony Riso, Piermont, is against overriding the cap.

Beth Riso, Nyack, is shocked at the fat in the budget with unrealistic salaries, benefits and job positions. She is against overriding the tax cap.

Frenca Piperni, Nyack, is a chiropractor and is against this local law. She and her husband own there own building in Nyack and property taxes have doubled.

Henry Rand, Nyack, said Gov. Cuomo challenged everyone to meet the 2% cap. This law was passed to protect the taxpayers. He, too, is against overriding.

Carol Silverstein, Orangeburg, is also against overriding the cap. The Governor gave this mandate for homeowners' relief.

Dr. Peter J. Puchaer, Piermont, a new resident, said the budget has to be cut or people need to be let go. It should not be the Town Board's decision to override, but rather the decision of the people.

Ann Marie Uhl, Sparkill, said the school districts are subject to the 2% tax levy. The only way a school district can go over the cap is to put out a vote and get a 60% approval rate. It would be irresponsible to exceed the cap without really looking closely at the budget.

Ann Putko, Piermont, voiced her support for not considering going over the tax cap. We need to find creative solutions to provide basic services and not increase the tax burden.

RESOLUTION NO. 596

CLOSE PH/LL OVERRIDING THE 2% TAX CAP

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons Troy, Diviny, Low-Hogan, Maturo
Supervisor Whalen

Noes: None

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RESOLUTION NO. 597

LEAD AGENCY/LL OVERRIDING THE 2% TAX CAP

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

Resolution No. 597 - Continued

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

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

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RESOLUTION NO. 598

**SEQRA DECLARATION/LL
OVERRIDING THE 2% TAX LEVY
CAP/NON-SIGNIFICANCE**

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

WHEREAS, the Town Board has assumed the status of Lead Agency for environmental review in connection with the adoption of a Local Law relating to the override of the Tax Levy Limit provided at § 3-c of the N.Y.S. General Municipal Law; and

WHEREAS, the Town Board has reviewed and approved the Short Environmental Assessment Form (Exhibit 11-A-11) prepared and filed in connection with the proposed action; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, acting in its capacity as Lead Agency under the N.Y.S. Environmental Quality Review Act, determines and declares that the proposed action consisting of the adoption of a Local Law authorizing the override of the limit on the amount of real property taxes that may be levied by the Town of Orangetown pursuant to General Municipal Law §3-c, thereby allowing the Town to adopt a budget for the fiscal year 2012 that requires a real property tax levy in excess of the “tax levy limit” will not have a significant adverse environmental impact, and authorizes the Supervisor to execute a Determination of Non-significance.

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

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RESOLUTION NO. 599

**TB DECISION/LL OVERRIDING THE
2% TAX CAP/FAILED**

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

RESOLVED, that the Town Board hereby adopts a local law to amend the Town Code, Chapter 34, entitled “Taxation” by adding a new Article III, entitled “Property Tax Cap Override – Fiscal Year 2012”.

Ayes: Councilpersons Low-Hogan, Troy
Noes: Councilperson Maturo, Diviny, Supervisor Whalen

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RESOLUTION NO. 600

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

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

Resolution No. 600 - Continued

RESOLVED, that the 8:05 p.m. public hearing to consider contracting 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: Councilpersons Low-Hogan, Diviny, Troy, Maturo
Supervisor Whalen
Noes: None

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

The public portion was opened and there were no public comments.

RESOLUTION NO. 601

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

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

RESOLVED, that the public portion is hereby closed.

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

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RESOLUTION NO. 602

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

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

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

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

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RESOLUTION NO. 603

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

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

RESOLVED, that a SEQRA Declaration of non-significance, indicating that the action the Town Board is contemplating will not have a significant negative impact on the environment, is hereby adopted.

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

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RESOLUTION NO. 604

**TB DISCUSSION/CONTRACT
BLAUVELT VOLUNTEER FIRE
COMPANY/FIRE PROTECTION
SERVICES**

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

RESOLVED, that the Town Board hereby discusses the proposed contract, with the Blauvelt Volunteer Fire Company, Inc., to provide fire protection services to and throughout the Blauvelt Fire Protection District, within the Town.

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

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RESOLUTION NO. 605

**TB/AMEND/CONTRACT/BLAUVELT
VOLUNTEER FIRE COMPANY/FIRE
PROTECTION SERVICES**

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

RESOLVED, that the Town Board hereby approves a 1-yr contract with the Blauvelt Volunteer Fire Company, Inc., to provide fire protection services to and throughout the Blauvelt Fire Protection District, within the Town.

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

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RESOLUTION NO. 606

**TB/RESCIND/AMEND/CONTRACT
BLAUVELT VOLUNTEER FIRE
COMPANY/FIRE PROTECTION
SERVICES/RESCIND**

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

RESOLVED, that the Town Board hereby rescind the motion to approve 1-yr contract with the Blauvelt Volunteer Fire Company, Inc., to provide fire protection services to and throughout the Blauvelt Fire Protection District, within the Town.

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

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RESOLUTION NO. 607

**TB AMEND/CONTRACT/BLAUVELT
VOLUNTEER FIRE COMPANY/FIRE
PROTECTION SERVICES**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Low-Hogan and on a roll call was unanimously adopted:

RESOLVED, that the Town Board hereby amends the 5-yr contract with the Blauvelt Volunteer Fire Company, Inc., to the first year, as proposed and written, for \$827, 550.

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

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RESOLUTION NO. 608**TB DECISION/CONTRACT
BLAUVELT VOLUNTEER FIRE
COMPANY/FIRE PROTECTION
SERVICES**

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

RESOLVED, that the Town Board hereby approves a 1-yr contract, as proposed and written for \$827,550 with the Blauvelt Volunteer Fire Company, Inc., to provide fire protection services to and throughout the Blauvelt Fire Protection District, within the Town.

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

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RESOLUTION NO. 609**OPEN PH/2012 PRELIMINARY BUDGET**

Councilwoman Low-Hogan 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 2012 Preliminary Budget is hereby opened.

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

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

Summary of Public Comments:

Eileen Larkin, Palisades, commended Councilpersons Troy and Low-Hogan for voting for the override because she believes they were protecting the Town. The Town Board has an obligation to meet contract obligations. She requested the Town Board to table their vote on the budget.

Mike Mandel, Pearl River, is against layoffs and it should be done through attrition. A freeze should have been in place before hiring court constables. He questioned the following; increase in hospitalization; increase in the Parks Department seasonal overtime; increase in Police Officer supplies and life insurance. He suggested a review of all contracts with outside vendors.

Robert Thompson, Pearl River, a budget analyst for several companies, asked what percentage needs to be cut and if the Pfizer settlement comes under the 2%. He believes reducing the budget, within one week, is going to be a challenge.

RESOLUTION NO. 610**CLOSE PH/2012 PRELIMINARY BUDGET**

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

RESOLVED, that the public portion is hereby closed.

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

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RESOLUTION NO. 611**LEAD AGENCY/2012 PRELIMINARY
BUDGET**

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

Resolution No. 611 - Continued

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

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

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RESOLUTION NO. 612**SEQRA DECLARATION/2012
PRELIMINARY BUDGET**

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

RESOLVED, that a SEQRA Declaration of non-significance, indicating that the action the Town Board is contemplating will not have a significant negative impact on the environment, is hereby adopted.

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

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RESOLUTION NO. 613**TB DECISION/2012 PRELIMINARY
BUDGET/RESERVE**

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

RESOLVED, that the Town Board's decision to adopt the 2012 Preliminary Budget as the 2012 Final Budget is hereby reserved.

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

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RESOLUTION NO. 614**APPROVE LEASE/NEW YORK
SMSA/D/B/A VERIZON WIRELESS**

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

RESOLVED, that the Second Amendment to the Lease Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless is hereby approved and the Supervisor is hereby authorized to sign said Amendment.

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

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RESOLUTION NO. 615**AMEND RESOLUTION 437/2010 AND
RESOLUTION 62/2011/RETIREMENT
ELECTED/APPOINTED OFFICIALS**

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

WHEREAS, the New York State Comptroller passed Regulations regarding reporting and record keeping requirements for elected and appointed officials being reported into the retirement system and requiring the officials to maintain a record of activities for a consecutive three month period; and

Resolution No. 615 - Continued

WHEREAS the Comptroller's Office requested corrections to the resolution previously submitted by the Town,

BE IT RESOLVED, that the Town Board hereby amends Resolution No. 437 of 2010 and Resolution No. 62 of 2011 as follows: to include the following information; the amended Resolution shall be posted for at least 30 days and a certified copy of the resolution shall be filed by the Clerk with the Office of the State Comptroller.

Elected Official Title	Name	Registration Number & last 4 digits of Social security number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates Employer's Time Keeping System	Days/Month (based on record of activities)
Supervisor	Paul Whalen	[REDACTED]	7	1/1/10-12/31/11	No	25.71
Town Clerk	Charlotte Madigan	[REDACTED]	7	1/1/10-12/31/11	No	25.71
Town Justice	Paul B. Phinney	[REDACTED]	7	1/1/08-12/31/11	No	11.23
Town Justice	Richard C. Finning	[REDACTED]	7	1/1/10-12/31/13	No	11.57
Councilman	Denis Troy	[REDACTED]	7	1/1/10-12/31/13	No	13.12
Councilman	Michael Maturo	[REDACTED]	7	1/1/08-12/31/11	No	12
Councilman	Thomas Diviny	[REDACTED]	7	1/1/10-12/31/13	No	13.87
Councilwoman	Nancy Low Hogan	[REDACTED]	7	1/1/08-12/31/11	No	6.86

Appointed Officials Title	Name	Registration Number & last 4 digits of social security number	Standard Work Day Hrs/day	Term Begins/Ends	Participates in Time Keeping System	Days/Month (based on record of activities)
Assessor	Brian Kenney	[REDACTED]	7	10/01/07-9/30/13	no	25.28
Confidential Assistant to Supervisor	Ann Marie Hahr	[REDACTED]	7	1/1/10-12/31/11	no	22.85
Court Clerk	Maureen McGrath	[REDACTED]	7	01/3/11-12/31/11	yes	n/a
Planning Board	Bruce Bond	[REDACTED]	7	1/1/10-12/31/18	no	Not compliant
Zoning Board of Appeals	Nanette Albanese	[REDACTED]	7	2/15/06-12/31/13	no	1.14
Zoning Board of Appeals	Patricia Castelli	[REDACTED]	7	1/1/09-12/31/13	no	1.67
Planning Board member	Kevin Garvey	[REDACTED]	7	1/1/09-12/31/11	no	.54
HABOR member	Thomas Quinn	[REDACTED]	7	3/30/09-12/31/11	no	Not compliant
HABOR member	Walter Wheatley	[REDACTED]	7	1/17/01-12/31/13	no	.72
Zoning Board	Daniel Sullivan	[REDACTED]	7	1/3/06-12/31/16	no	1.93
Director of DEME	vacant					
Supt. of Parks & Recreation	Aric Gorton	[REDACTED]	7	1/1/10-12/31/11	no	27.00
Chief Operator Waste Water IV	vacant		7			
Director of OBZPAE	John Giardiello	[REDACTED]	7	1/1/10-12/31/11	no	25.71
Finance Director	Charles Richardson	[REDACTED]	7	1/1/10-12/31/11	no	22.28
Highway Maintenance Sup. III	Michael Yannazzone	[REDACTED]	7	1/1/2011-12/31/15	Y	n/a
Legal Stenographer	Mary Ferraro	[REDACTED]	7	1/10/10-12/31/11	Y	n/a
Personnel Administrator	Eileen Schlag	[REDACTED]	7	1/10/10-12/31/11	no	23
Secretarial Assistant Legal	Barbara Dardzinski	[REDACTED]	7	1/10/10-12/31/11	Y	n/a
Town Attorney	John Edwards	[REDACTED]	7	1/1/10-12/31/11	no	17.74
Deputy Town Attorney	Teresa Kenny	[REDACTED]	7	1/1/10-12/31/11	no	12.15
Deputy Town Attorney	Dennis Michaels	[REDACTED]	7	1/1/10-12/31/11	no	10.60
Deputy Town Attorney	Robert Magrino	[REDACTED]	7	1/1/10-12/31/11	no	10.60
Deputy Town Attorney	Denise Sullivan	[REDACTED]	7	1/1/10-12/31/11	no	12.56

Deputy Town Attorney	Rick Pakola		7	1/1/10-12/31/11	no	10.60
Deputy Town Attorney	Barbara Gionta		7	1/1/10-12/31/11	no	10.60
Animal Control Officer	James Robbins		7	1/1/10-12/31/11	y	
Animal Control Officer	Richard Padilla		7	1/1/10-12/31/11	y	

BE IT FURTHER RESOLVED that this Amended Resolution shall be posted for at least 30 days and a certified copy of the resolution shall be filed by the Clerk with the Office of the State Comptroller.

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

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RESOLUTION NO. 616

**ACCEPT PERFORMANCE BOND
 JACQUENEY BLICKMAN
 SUBDIVISION**

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

WHEREAS, pursuant to Town Board Resolution 2008-128, the Town formally accepted, received and filed a Performance Bond from Victoria Blickman Jacqueney, Trustee of Nancy C. Blickman in favor of the Town of Orangetown in connection with a certain subdivision known as the "Blickman Minor Subdivision" located at Sickletown Road, Pearl River, New York and

WHEREAS, pursuant to said Resolution, Victoria Blickman Jacqueney posted an Irrevocable Letter of Credit No. SDCMTN553279 issued by HSBC Bank in favor of the Town of Orangetown in the amount of \$101,520.00.00, and

WHEREAS, the Planning Board in its decisions identified as PB #2011-38 and upon recommendation of DEME and the Orangetown Highway Department, recommended a reduction in the amount of the Performance Bond to \$65,294.40,

NOW THEREFORE, be it hereby resolved that the Town Board hereby authorizes a reduction in the "Blickman Minor Subdivision" Performance Bond that was posted pursuant to Town Board Resolution 2008-128, to \$65,294.40 and

BE IT FURTHER RESOLVED, that upon the Town Attorney's Office, the Town hereby accepts, receives and files and Amended Letter of Credit No. SDCMTN5532789 dated October 18, 2011 issued by HSBC Bank in favor of the Town of Orangetown in the amount of \$65,294.40.

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

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RESOLUTION NO. 617

**APPROVE/ENDORSE GRANT
 APPLICATION DEWINT HOUSE**

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

WHEREAS, the Tappan Washington Memorial Corporation is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at 20 Livingston Street, Tappan, NY, a site located within the territorial jurisdiction of this Board;

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

Resolution No. 617 - Continued

RESOLVED, upon the recommendation of the Town Attorney, the application of Tappan Washington Memorial Corporation for a grant under the Environmental Protection Fund for a park project known as the DeWint House Revitalization Project for Long Term Sustainability is hereby approved and endorsed.

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

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RESOLUTION NO. 618

**APPROVE/ENDORSE GRANT
 APPLICATION TAPPAN LIBRARY**

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

WHEREAS, the Tappan Free Library is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a project to be located at 93 Main Street and 2 Oak Tree Road in the Hamlet of Tappan in the Town of Orangetown, a site within the territorial jurisdiction of this Board; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”;

NOW, THEREFORE, be it resolved by this august body that the Town Board of the Town of Orangetown hereby does approve and endorse the application of the Tappan Free Library for a grant under the Environmental Protection Fund for a project known as the “Tappan Library Renovation and Expansion Project” and located within this community.

Ayes: Councilpersons Troy, Low-Hogan,
 Supervisor Whalen
 Noes: Councilperson Maturo
 Absent: Councilperson Diviny

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RESOLUTION NO. 619

**APPROVE REVOCABLE LICENSE
 AGREEMENT/INSTALLATION OF
 POWER TRANSMISSION AND
 OTHER UTILITIES/CONVENT ROAD
 TO OUR LADY QUEEN OF PEACE
 CHAPEL AT RPC/TABLED**

Councilman Troy offered the following resolution, which was seconded by Councilman Maturo and was unanimously **TABLED**:

RESOLVED, that the Town Board hereby approves the issuance of a Revocable License to Roman Catholic Archdiocese of New York, in the form annexed hereto and made a part hereof, allowing the temporary installation of electric power transmission and other utilities from Convent Road to Our Lady Queen of Peace Chapel located on the Rockland Psychiatric Center.

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

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RESOLUTION NO. 620

**APPOINT/PT FIRE INSPECTOR
 HUGH DUFFY**

Councilman Maturo offered the following resolution, which was seconded by Supervisor Whalen and was unanimously adopted:

Resolution No. 620 - Continued

RESOLVED, that upon the recommendation of the Chief of the Bureau of Fire Prevention, Hugh Duffy is hereby appointed to the position of P/T Fire Inspector, 2 days a week, not to exceed 28 hours per payroll period, at a rate of \$25.00 per hour, effective November 14, 2011.

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

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RESOLUTION NO. 621**ACCEPT MINUTES**

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

RESOLVED, that the October 11, 2011 Regular Town Board Meeting, Audit Meeting and Executive Session minutes; and October 18, 2011 Workshop Meeting minutes are hereby accepted.

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

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RESOLUTION NO. 622**RECEIVE/FILE/DOCUMENTS/TOWN CLERK'S OFFICE**

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

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

1. Transcript of Bond and Note Closing 9/28/11 for \$1,800,000 to pay the increase cost of the Orangetown Sewer District; to pay the cost of Consent Decree (DEC) payments in connection with hazardous substances at the Clarkstown Landfill; and \$800,000, Public Improvement Refunding (Serial) Bonds -2011B.
2. Employment Agreement between Joseph Moran and the Town, dated 10/13/11.
3. Amended Use Agreement, September 30, 2011, between Orangetown Mighty Midgets Athletic Club and the Town.

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

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RESOLUTION NO. 623**AUTHORIZE HIGHWAY DEPT. TO HIRE OUTSIDE CONTRACTORS TO ASSIST WITH TREE AND BRUSH REMOVAL**

Councilman Troy offered the following resolution, which was seconded by Councilwoman Low-Hogan 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

Resolution No. 623 - Continued

WHEREAS, given the magnitude of the removal, the Town Highway Department does not have the manpower or equipment necessary to provide for 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;

NOW, THEREFORE, BE IT RESOLVED, that the Superintendent of Highways is authorized to retain the services of up to three (3) private contractors having adequate equipment and manpower to assist in the removal of trees and brush at a cost not to exceed \$5,000 per day, per contractor and a total cost not to exceed \$150,000.

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

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RESOLUTION NO. 624

**APPROVE/ADLER CONSULTING
 ORANGEBURG COMMONS/TRAFFIC
 STUDY REVIEW**

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

RESOLVED, that the Town Board approves an agreement with Adler Consulting for review of a traffic study, to be paid by the applicant, Orangeburg Commons.

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

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RESOLUTION NO. 625

ENTERED AUDIT

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

RESOLVED, that the Town Board entered the Audit Meeting at 10:05 p.m.

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

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RESOLUTION NO. 626

PAY VOUCHERS

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

RESOLVED, that 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 in the amount of \$768,934.15.

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

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RESOLUTION NO. 627

ADJOURNMENT/MEMORY

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

Resolution No. 627 - Continued

RESOLVED, that the Town Board adjourned, in memory of Eugene Parsells, Tappan and father of employee Richard Ballard; Michael Carroll, Pearl River and father of Substance Abuse Committee member William Carroll; Patricia Linekin, Pearl River and mother of employee James Linekin; Daniel Sullivan, Stony Point and brother of PO James Sullivan; William Larkin, Palisades and husband of former Councilwoman Eileen Larkin; and Joseph Shea, Pearl River; at 10:13 p.m.

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

Charlotte Madigan, Town Clerk