

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, NOVEMBER 13, 2012**

This Town Board Meeting was opened at 7:35 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
Ann Maestri, Supervisor of Fiscal Services
James Dean, Superintendent of Highways
Joseph Moran, Commissioner of DEME
Robert Simon, Receiver of Taxes
John Giardiello, Director of OBZPAE
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

The Town Board recognized Captain Wayne Werner, of the Tappan Fire Department, for his heroic actions in administering CPR, on September 29, 2012, to Chief Engineer Fire Fighter, Robert De Temple and saving his life.

Jim Dean, Superintendent of Highways, said in 2008, Assemblywoman Jaffee was able to secure a \$1.2 million grant for the Town of Orangetown. This grant is to replace the Oak Tree Road Bridge, over the Sparkill Creek. McLaren Engineering was hired to design the new bridge, which would include Flood Mitigation for the Sparkill Creek and the replacement of the Oak Tree Road Bridge (Exhibit 11-E-12). Charlotte Madigan, the Town Clerk said this would be available for review in her office.

Summary of Public Comments (RTBM)

Eileen Larkin, Palisades, asked has the Siemens' contract resulted in any savings and what are they? She is concerned about the flow of water under the bridges in Tappan and Palisades. Mike Mandel, Pearl River, said an email update from Town Hall to the Media stated that the two scheduled public hearings on November 7th will be continued on November 13th; however the Blauvelt Fire contract public hearing was closed and voted on the night of the 7th. Habib Hasan, urged the Town Board to make sure the FEMA money comes to Orangetown. Carol Silverstein, Orangeburg, questioned the transparency of the Town Board. She is concerned that the Town Board voted to add a captain and promoted Donald Butterworth to that additional position, without letting the public know or voice their opinions.

RESOLUTION NO. 546

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

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RESOLUTION NO. 547**OPEN CONTINUANCE OF PH/2013
PRELIMINARY BUDGET**

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

RESOLVED, that the 8:00 p.m. continuance of a public hearing to consider the 2013 Preliminary Budget is hereby opened.

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

Noes: None

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Summary of Public Comments:

Mike Mandel, Pearl River, opposes any funding for CANDLE, and funding for Broadacres. He questioned the lack of notice for the creation of an additional Police Captain followed by the promotion to that position. He also questioned the libraries budgets, their large fund balances and the increase in Worker's Comp. He's in favor of cutting the use of Town vehicles, a \$10.00 annual resident fee and \$100.00 annual business fee for the drop-off center.

Doran Tunnell, Palisades, said we have the third highest taxes in the Country. In 1998 his taxes were \$4,500 now they are \$15,000.

Paul Goldman, Palisades, said the median household income has decreased by 3% and we pay property taxes that are 10 times the national average. He requested the Town Board to fight in Albany to get the pension legislation overturned.

Eileen Larkin, Palisades, asked what the new budget line is and the proposed increase. She opposes taking money from the reserve fund, is against a stipend for the Commissioner of DEME, against creating a second Police Captain and funding Broadacres.

Bill Hahn, Orangeburg Library Board of Trustees, said the Orangeburg Library offers wonderful opportunities to the community. It has not had a budget increase in a few years. The fund balance covers one-year of expenses.

Ed Doolan, Blauvelt Library Board of Trustees, has enjoyed the benefits of the library. A 20% cut is not realistic. The library should not be penalized for taking care of their judicial responsibility and spending wisely.

Annamarie Uhl, Sparkill, believes the budget can stay within the 2% tax cap. She suggested, the Town makes goals, including plans and budgets. The slashing and band aid fix has to stop.

Jonathan Plowe, Palisades, said incomes and property values have fallen. Larger budgets have been passed and taxes have increased. He asked the Board to fight for legislation changes.

Carol Silverstein, Orangeburg, wants the Town Board to follow-up on the resolution sent to Albany, regarding the Taylor Law. She opposes funding for Broadacres and any increases in the budget.

Helena Power, Palisades Library Trustee, opposes cutting the library budget. The library is a significant resource to Orangetown and they have not received an increase for the past three years out of four. The library is starting renovations to address parking, drainage and expand the community room space, which will deplete their cash reserve by at least 50%.

Laura Grunweg, Director of the Blauvelt Library, explained that the libraries are more than depositories of books and media, they are refuges for social media, children book groups, Girl Scouts and serves as a reach out center.

Samantha Olds, President of the Orangeburg Library Board of Trustees, said it is imperative that the Town Board does not reduce funding to the hamlet libraries. Their fund balance is only one year of operating funds.

Seta Tunell, Palisades, commented that when the Town Board makes decisions, they cannot think any amount is too small or inconsequential. We are drowning under the pensions and health care costs. There is no place for unions in the public sector.

Alice Buchanan, Palisades, commented that no one here can sustain the current level of spending. She cannot afford to stay here. Something has to be done to stay alive in this Town.

Lucy Charles, Tappan, said a 6% tax increase is too much and employees should contribute. She opposes funding of Broadacres.

Somnath Konduru, Tappan, objects to the proposed tax increase. He spoke about the Pfizer settlement and having a Citizen Task Force, to come up with ideas to cut taxes. He suggested that Broadacres be privatized.

Mario Gonzalez, Treasurer of Orangeburg Library, opposes any cuts to the libraries. Libraries are the backbone of a democratic society and part of the education system.

Roger Hooker, Palisades, said State mandates, pensions, and health care costs are intolerable and have to stop. It is only in the public sector that salaries and benefits are increasing. A deal has to be made with the employees and legislation has to change.

Bill Langham, Director of the Orangeburg Library, has concerns about the proposed cuts to the libraries budgets. There's been legislation proposed to allow the libraries to present their budgets independently, which will enable the libraries to conduct better long-term planning for capital expenditures.

John Buckley, Orangeburg, is against cutting the libraries budgets. He believes the libraries are invaluable to residents of the community.

Keith Brennan, 22-yr Town employee, works 2-3 jobs, as does many employees, to take care of their families. The employees are on the front-line doing their best and are not making a lot of money.

Raleigh Tozer, President of Tappan Library Board of Trustees, spoke about the libraries fund balance. He urged the Board to approve the libraries budgets as recommended.

Devore Richter, Palisades, opposes any budget increase. The Town Board should look at other State communities and follow their lead in reducing costs.

Fran Malfatano, Orangeburg, said her taxes 10 years ago were \$18,000 and are now \$32,000 a year.

RESOLUTION NO. 548

**CLOSE CONTINUANCE PH/2013
PRELIMINARY BUDGET**

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

RESOLVED, that the public portion of this public hearing is hereby closed.

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

Noes: None

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The Town Board took a five minute recess.

RESOLUTION NO. 549

**AMEND/2013 PRELIMINARY
BUDGET/BUILDING PERMIT FEE**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to increase the Building permit fee from \$15/1000 to \$17/1000 sq. ft.

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

Noes: None

RESOLUTION NO. 550

**AMEND/2013 PRELIMINARY
BUDGET/ELIMINATE SEASONAL
EMPLOYEES/ASSESSOR'S OFFICE**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to eliminate seasonal employees in the Assessor's Office.

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

Noes: None

RESOLUTION NO. 551**AMEND/2013 PRELIMINARY
BUDGET/REDUCE PART-TIME
STAFFING/TOWN ATTORNEY**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce part-time staffing, in the Town Attorney's Office.

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

RESOLUTION NO. 552**AMEND/2013 PRELIMINARY
BUDGET/REDUCE FUNDING
TOWN MUSEUM**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce funding for the Town Museum.

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

RESOLUTION NO. 553**AMEND/2013 PRELIMINARY
BUDGET/REDUCE SEASONAL PART-
TIME FUNDING/JUSTICE**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce seasonal part-time funding, in the Justice Department.

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

RESOLUTION NO. 554**AMEND/2013 PRELIMINARY
BUDGET/VARIOUS ITEMS**

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

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

Reduce Broadacres vehicle Operations & Repair
Reduce Broadacres Utilities
Reduce Broadacres Uniforms
Reduce Part-time workers in the Parks Dept.
Reduce Blue Hill and Broadacres Overtime
Reduce Blue Hill and Broadacres Doubletime
Reduce Blue Hill and Broadacres chemicals
Increase Broadacres Part-Time

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

RESOLUTION NO. 555**AMEND/2013 PRELIMINARY
BUDGET/RESTORE FUNDING
GROUNDWORKERS**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to restore funding for two full-time groundworker employees, instead of seasonal employees, at Blue Hill.

Ayes: Councilmen Troy, Diviny, Morr, Valentine

Noes: Supervisor Stewart

RESOLUTION NO. 556**AMEND/2013 PRELIMINARY
BUDGET/REDUCE POLICE
RETIRES PAID SICK DAYS**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce Police retirees paid sick days.

Ayes: Councilmen Diviny, Morr, Troy, Valentine

Supervisor Stewart

Noes: None

RESOLUTION NO. 557**AMEND/2013 PRELIMINARY
BUDGET/POLICE VACATION
BUYOUT/POLICE SALARIES**

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

RESOLVED, that no propose changes were made to Police vacation buyouts and the 2013 Preliminary Budget is hereby amended to reduce Police salaries.

Ayes: Councilmen Diviny, Morr, Troy, Valentine

Supervisor Stewart

Noes: None

RESOLUTION NO. 558**AMEND/2013 PRELIMINARY
BUDGET/RAISE POLICE OVERTIME**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to raise Police Overtime.

Ayes: Councilmen Diviny, Valentine, Troy, Morr

Supervisor Stewart

Noes: None

RESOLUTION NO. 559**AMEND/2013 PRELIMINARY
BUDGET/INCREASE RADIO
OPERATORS OVERTIME**

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

Resolution No. 559 - Continued

RESOLVED, that the 2013 Preliminary Budget is hereby amended to increase Radio Operators Overtime.

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

Noes: None

RESOLUTION NO. 560**AMEND/2013 PRELIMINARY
BUDGET/REDUCE POLICE PART-
TIME STAFF HOURS**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce Police Part-Time staff hours.

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

Noes: None

RESOLUTION NO. 561**AMEND/2013 PRELIMINARY
BUDGET/REDUCE TAX RECEIVER
PART-TIME HOURS**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce Tax Receiver's part-time staff hours.

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

Noes: None

RESOLUTION NO. 562**AMEND/2013 PRELIMINARY
BUDGET/INCREASE SEWER
INDUSTRIAL USER FEES**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to increase the Industrial User Fees, in the Sewer Department.

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

Noes: None

RESOLUTION NO. 563**AMEND/2013 PRELIMINARY
BUDGET/SEWER FRIDAY DAY SHIFT**

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

Resolution No. 563 - Continued

RESOLVED, that the 2013 Preliminary Budget is hereby amended to change coverage of the Friday Day shift, in the Sewer Department.

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

RESOLUTION NO. 564**AMEND/2013 PRELIMINARY
BUDGET/TO INSTALL WELL PUMP**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to install a well pump.

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

RESOLUTION NO. 565**AMEND/2013 PRELIMINARY
BUDGET/RESTORE DOUBLE-TIME
FOR LEAF PICKUP/REDUCE RE-
PAVING BUDGET**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to restore double-time for leaf pick-up and reduce the re-paving budget.

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

RESOLUTION NO. 566**AMEND/2013 PRELIMINARY
BUDGET/REDUCE LIBRARIES
BUDGETS**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce Libraries Budgets.

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

RESOLUTION NO. 567**AMEND/2013 PRELIMINARY
BUDGET/REDUCE FUND BALANCES**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to reduce Town's fund balances.

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

RESOLUTION NO. 568**AMEND/2013 PRELIMINARY
BUDGET/FUND IT ASSISTANT
POSITION**

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

RESOLVED, that the 2013 Preliminary Budget is hereby amended to fund an IT Assistant position.

Ayes: Councilman Valentine and Supervisor Stewart

Noes: Councilmen Diviny, Morr, Troy

RESOLUTION NO. 569**TOWN BOARD DECISION/2013
PRELIMINARY BUDGET**

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

RESOLVED, that the Town Board adopts the 2013 Preliminary Budget, with the above amendments, as the 2013 Final Budget.

Ayes: Councilmen Troy, Diviny, Morr, Valentine

Supervisor Stewart

Noes: None

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RESOLUTION NO. 570**APPROVE SHOWMOBILE/HOLIDAY
PARADE/ORANGEBURG FIRE
DEPARTMENT**

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

RESOLVED, that use of the Showmobile by the Orangeburg Fire Department for their holiday parade on Saturday, December 15, 2012 at a rental cost of \$350.00 dollars with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured is hereby approved.

Ayes: Councilmen Diviny, Morr, Troy, Valentine

Supervisor Stewart

Noes: None

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RESOLUTION NO. 571**AWARD BID/CHEMICAL AND
FERTILIZER/PARKS & RECREATION**

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

WHEREAS, the Superintendent of Parks and Recreation duly advertised for sealed bids for Chemicals and Fertilizers, which were received and publicly opened on November 2, 2012. The Superintendent made this recommendation to the Town Board; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 11-D-12, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, the bids for Chemicals and Fertilizers for Blue Hill Golf Course, Broadacres Golf Course and the Parks Department are hereby awarded, to the lowest qualified bidders as follows:

Resolution No. 571 - Continued

- Fert-L Soil, Scotch Plains, NJ – Item 5 totaling \$2,375.80
- Agrium Advanced Tech, North Brunswick, NJ – Item 3 totaling \$2,625.00
- Harrell's Inc., Lakeland, FL – Items 7, 12, 16 totaling \$5,300.00
- Terre Co., Clifton, NJ – Items 1, 10, 15, 18 totaling \$33,173.75
- Metro Turf, New Paltz, NY – Items 4, 6, 9, 19, 26 totaling \$25,117.00
- Turf Products, Mountain Lakes, NJ – Items 13, 20, 24, 25 totaling \$20,441.40
- Matrix Turf Solutions, Warners, NY – Items 2, 8, 14, 22, 23 totaling \$21,453.78
- Seeton Turf Warehouse, Mount Laurel, NJ – Items 11, 21 totaling \$3,020.00
- John Deere Landscape, Cleveland, Ohio – Item 17 totaling \$7,816.80

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

Noes: None

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RESOLUTION NO. 572**AMEND BID AWARD/ONE NEW
LIGHT DUTY TRUCK**

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, Town Board Resolution #439/2012 is hereby amended, for one (1) New Light Duty Truck, in the amount of \$49,495.00 to the amount of \$50,039.00, to be awarded to West Herr, Hamburg, New York, and is to be charged to Account No. H5130200.

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

Noes: None

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RESOLUTION NO. 573**APPROVE/CERTIFICATE OF
REGISTRATION/2012 SEWER
WORK/BELLEVILLE LANDSCAPING**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for 2012 Sewer Work is hereby approved to: Belleville Landscaping, Inc., 84 North Route 9W, Congers, NY.

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

Noes: None

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RESOLUTION NO. 574**ACCEPT/RECEIVE/FILE/DOCUMENTS
TOWN CLERK'S OFFICE**

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

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

1. October 9, 2012 Regular Town Board Meeting/Audit and Executive Session minutes and October 16, 2012 Executive Session/Workshop minutes.

Resolution No. 574 - Continued

2. County Flow Control Law and the Authority Board Resolution No. 41 of 2012 and an updated Implementation Schedule.

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

Noes: None

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RESOLUTION NO. 575**ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 11:20 p.m.

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

Noes: None

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RESOLUTION NO. 576**PAY VOUCHERS**

Councilman Troy offered the following resolution, which was seconded by Councilman Valentine 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 \$794,811.35.

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

Noes: None

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RESOLUTION NO. 577**ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned at 11:25 p.m.

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

Noes: None

Charlotte Madigan, Town Clerk