TOWN OF ORANGETOWN REGULAR TOWN BOARD MEETING MONDAY, NOVEMBER 23, 2009

This Town Board Meeting was opened at 7:10 p.m. Supervisor Kleiner presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy Councilwoman Marie Manning Councilwoman Nancy Low-Hogan Councilman Michael Maturo

Also present: Charlotte Madigan, Town Clerk Eliot Tozer, Deputy Supervisor John Edwards, Town Attorney Teresa Kenny, First Deputy Town Attorney Charles Richardson, Director of Finance Robert Zimmerman, Police Captain James Dean, Superintendent of Highways Ron Delo, Director of the Dept. of Envtl Management & Engineering John Giardiello, Director of OBZPAE Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

RESOLUTION NO. 703

ENTER EXECUTIVE SESSION

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

RESOLVED, that the Town Board entered Executive Session at 7:15 p.m.

Ayes: Councilpersons Maturo, Manning, Troy, Low-Hogan Supervisor Kleiner Noes: None

Resolution Nos. 704 and 705 see Executive Session.

Brian Quinn from Montalbano, Condon and Frank, attorneys for Orange and Rockland, presented an application for a special use permit to construct a 40 foot high "H" transition structure near Orangeburg Road and Fern Oval. This structure is needed to connect overhead lines with underground lines to carry electricity to the proposed substation near Verizon on Corporate Drive.

RESOLUTION NO. 706

INTENT TO BE LEAD AGENCY/O & R "H" TRANSITION TOWER STRUCTURE ORANGEBURG ROAD

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

RESOLVED, that the Town Board declares its intention to be Lead Agency for the propose of the issuance of a special permit for Orange & Rockland "H" Tower Transition Structure to be located near Orangeburg Road and Fern Oval and simultaneously refer this matter to the Orangetown Planning Board for their consideration.

Ayes:Councilpersons Manning, Low-Hogan, Troy, Maturo
Supervisor KleinerNoes:None

Summary of Public Comments

Esta Baitler, Consumer Advocate for Cathy Lukens Home, spoke about the need to increase the Police patrols and street lighting along Route 340.

Eileen Larkin, Palisades, asked that the new board make the decision regarding the carbon sequestration and the information be made available to the public. Serious consideration should be given to selling Blue Hill or having it investigated by the State Comptroller. Shelly Morgan, Tappan, said the Town should receive revenue from any separate entity that uses our fields.

RESOLUTION NO. 707

CLOSE PUBLIC COMMENTS

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

RESOLVED, that the public portion is hereby closed.

Ayes:Councilpersons Troy, Maturo, Manning, Low-Hogan
Supervisor KleinerNoes:None

RESOLUTION NO. 708

JACK BURNS WAY/PEARL RIVER LIONS CLUB/AUTHORIZED

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

RESOLVED, that the request of the Pearl River Lions Club to honor Jack Burns by designating North John Street, Pearl River as "Jack Burns Way" and installing a memorial street sign on the corner of North John Street and East Central Avenue is hereby authorized.

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| Ayes: | Councilpersons Troy, Maturo, Manning, Low-Hogan |
|-------|-------------------------------------------------|
| | Supervisor Kleiner |
| Noes: | None |

RESOLUTION NO. 709

APPROVE/2010 PARKS AND RECREATION FEE SCHEDULE

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

RESOLVED, that the 2010 Parks and Recreation Fee Schedule, for use of Parks and Recreation facilities, are hereby approved as follows:

Town of Orangetown Department of Recreation and Parks 2010 Fee Schedule

| Orangetown Youth Groups | and Leagues |
|---------------------------------|-------------|
| Field/Courts/Rink w/o Light Use | No Charge |
| Softball Fields/Courts w/Lights | \$20.00 |
| Baseball Fields w/Lights | \$30.00 |
| In-Line Rink w/Lights | \$20.00 |

| Orangetown Adult Groups/Leagues | |
|-----------------------------------|----------|
| Location | 2010 Fee |
| Softball Fields w/o Lights | \$40.00 |
| Softball Fields w/Lights | \$60.00 |
| Baseball Fields w/Lights | \$50.00 |
| Baseball Fields w/Lights | \$75.00 |
| Athletic Fields/Courts w/o Lights | \$40.00 |
| Athletic Fields/Courts w/Lights | \$60.00 |
| College Field Use w/o Lights | \$110.00 |
| College Field Use w/Lights | \$135.00 |
| In-Line Rink Use w/o Lights | \$40.00 |
| In-Line Rink Use w/Lights | \$60.00 |

| General I | Fees |
|---------------------------------------|-----------------------------------|
| Location | 2010 Fee |
| Park Permit for General Use | \$35.00 Plus Labor |
| Showmobile Use Fee | \$350.00 per event/day plus Labor |
| Greenbush Auditorium (outside groups) | \$45.00 |
| Court Room (outside groups) | \$45.00 |

| Non-Resident Groups/Organizations/Leagues | |
|-------------------------------------------|--------------------|
| Location | 2010 Fee |
| Softball Fields w/o Lights | \$80.00 |
| Softball Fields w/Lights | \$120.00 |
| Baseball Fields w/o Lights | \$100.00 |
| Baseball Fields w/Lights | \$150.00 |
| Athletic Fields/Courts w/o Lights | \$80.00 |
| Athletic Fields/Courts w/Lights | \$120.00 |
| Park Permit for General Use | \$70.00 plus Labor |
| In-Line Rink Use w/o Lights | \$80.00 |
| In-Line Rink Use w/Lights | \$120.00 |

| Non-Profits/Civic Groups/Fundraisers | | |
|--------------------------------------|--------------------|--------------------|
| Location | Resident | Non-Resident |
| Softball Fields w/o Lights | \$20.00 | \$40.00 |
| Softball Fields w/Lights | \$30.00 | \$60.00 |
| Baseball Fields w/Lights | \$25.00 | \$50.00 |
| Baseball Fields w/Lights | \$37.50 | \$75.00 |
| Athletic Fields/Courts w/o Lights | \$20.00 | \$40.00 |
| Athletic Fields/Courts w/Lights | \$30.00 | \$60.00 |
| Park Permit for General Use | \$15.00 plus Labor | \$30.00 plus Labor |
| In-Line Rink Use w/o Lights | \$20.00 | \$40.00 |
| In-Line Rink Use w/Lights | \$30.00 | \$60.00 |

Ayes:

Noes:

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RESOLUTION NO. 710

None

Supervisor Kleiner

AWARD BID/CHEMICALS AND FERTILIZERS/PARKS

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

Councilpersons Troy, Maturo, Manning, Low-Hogan

WHEREAS, the Superintendent of Parks and Recreation duly advertised for sealed bids for chemicals and fertilizers, which were received and publicly opened on November 12, 2009. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 11-C-09, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to the lowest qualified bidders as follows:

Fert-L Soil, Scotch Plains, NJ for Provaunt totaling \$2,692.55
Lesco, Inc., Cleveland, OH for Start Fer 19-0-19 and Spectator Ultra totaling \$2,957.00
Agrium Tech, North Brunswick, NJ for Chelated Iron totaling \$1,872.50
Harrell's Inc., Lakeland, FL for Merit 75WSP and Daconil-Weath totaling \$8,375.00
Matrix Turf, Warners, NY for Dimension 2EW totaling \$2,143.00
Terre Co., Clifton, NJ for Curalan and Emerald totaling \$22,909.50
Metro Turf, New Paltz, NY for Signature, Insecticide, Naturesafe, Quali-Pro TNEX Foliar Nutrient, Proxy and Tartan and totaling \$64,025.00
Grass Roots, Mt. Freedom, NJ for Soil Amendment, Fairway Fert 19-0-19, Seablend and Leb Pro totaling \$17,951.50
Turf Products, Mountain Lakes, NJ for Instrata totaling \$8,459.00
Councilpersons Maturo, Troy, Manning, Low-Hogan Supervisor Kleiner

Noes: None

Ayes:

RESOLUTION NO. 711

POLICE/PERMISSION GRANTED REDUCING DOMESTIC VIOLENCE COORDINATED STRATEGIES FOR OPERATION IMPACT EXECUTIVES

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

RESOLVED, that permission is hereby granted to one police officer to attend the "Reducing Domestic Violence: Coordinated Strategies for Operation IMPACT Executives," conference to be held November 17, 2009 in Saratoga Springs, NY at a cost of \$35.00 to be charged to Acct. B/3120/50441/0480.

Ayes:Councilpersons Manning, Low-Hogan, Troy, Maturo
Supervisor KleinerNoes:None

RESOLUTION NO. 712

POLICE/PERMISSION GRANTED OCEAN COUNTY FIRE ACADEMY DARE SCHOOL

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

RESOLVED, that permission is hereby granted to one police officer to attend the Ocean County Fire Academy DARE School in Waretown, NJ on November 30 - December 4 and December 7 – 11, 2009 at a cost of \$1,475 to be charged to Acct. B/3120/50441/0480.

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| Ayes: | Councilpersons Troy, Manning, Low-Hogan, Maturo |
|-------|-------------------------------------------------|
| | Supervisor Kleiner |
| Noes: | None |
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RESOLUTION NO. 713

POLICE/ACCESS CONTROL SYSTEM REJECT/RE-BID

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

RESOLVED, that upon the recommendation of the Chief of Police, the bids for a new Access Control System for the Police Department facility are hereby rejected and the Chief of Police is hereby authorized to re-bid for this project.

| Ayes: | Councilpersons Maturo, Low-Hogan, Troy, Manning |
|-------|-------------------------------------------------|
| | Supervisor Kleiner |
| Noes: | None |
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RESOLUTION NO. 714

ACCEPT MINUTES

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

RESOLVED, that the November 5, 2009 Special Town Board Meeting and Executive Session minutes; the November 9, 2009 Regular Town Board and Audit Meeting; and the November 16, 2009 Executive Session minutes are hereby accepted.

| Ayes: | Councilpersons Manning, Low-Hogan |
|------------|-----------------------------------|
| | Supervisor Kleiner |
| Noes: | None |
| Abstained: | Councilpersons Troy, Maturo |

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RESOLUTION NO. 715

APPROVE FUNDING/PEARL RIVER ROTARY SHARED CHRISTMAS

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

RESOLVED, that funding, in the amount of \$1,250.00 for the Pearl River Rotary Shared Christmas (12/11/09), to be charged to Account No. A7550/50457 is hereby approved.

| Ayes: | Councilpersons Troy, Maturo, Low-H | logan |
|------------|------------------------------------|-------|
| | Supervisor Kleiner | |
| Noes: | None | |
| Abstained: | Councilperson Manning | |
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RESOLUTION NO. 716

APPOINT/BOARD OF ASSESSMENT REVIEW/CHARLES CROSS

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

RESOLVED, that Charles Cross is hereby appointed as a member of the Board of Assessment Review, for the period of November 24, 2009 through November 24, 2014, a 5-year term.

| Ayes: | Councilpersons Low-Hogan, Manning, Maturo |
|-------|-------------------------------------------|
| | Supervisor Kleiner |
| Noes: | Councilperson Troy |
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RESOLUTION NO. 717

AUTHORIZE AGREEMENT/TOWN OF RAMAPO/FIRING RANGE

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

RESOLVED, that a renewal agreement, with the Town of Ramapo for use of their Firing Range is hereby authorized with the same terms and conditions as the previous year and at no cost to the Town.

| Ayes: | Councilpersons Low-Hogan, Troy, Manning, Maturo |
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| | Supervisor Kleiner |
| Noes: | None |
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RESOLUTION NO. 718

ENTER AUDIT

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

RESOLVED, that the Town Board entered the Audit Meeting at 8:40 p.m.

| Ayes: | Councilpersons Low-Hogan, Manning, Troy, Maturo |
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| | Supervisor Kleiner |
| Noes: | None |
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RESOLUTION NO. 719

PAY VOUCHERS

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

Resolution No. 719 - Continued

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, Special Election and Parking Funds for a total amount of \$832,293.53.

| Ayes: | Councilpersons Low-Hogan Manning, Troy, Maturo Supervisor Kleiner |
|-------|----------------------------------------------------------------------|
| Noes: | None *** |

RESOLUTION NO. 720

REENTERED EXECUTIVE SESSION

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

RESOLVED, that the Town Board reentered Executive Session at 8:45 p.m.

| Ayes: | Councilpersons Low-Hogan, Manning, Troy, Maturo |
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| | Supervisor Kleiner |
| Noes: | None |
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Resolution Nos. 721 and 722 see Executive Session.

RESOLUTION NO. 723

AWARD CONTRACT/POLICE CAPTAIN

Councilwoman Manning offered the following resolution, which was seconded by Councilwoman Low-Hogan and <u>on a roll call</u> was unanimously adopted:

RESOLVED, that a contract for 2009 and 2010 is hereby awarded to the Captain of the Orangetown Police Department, on the same terms and conditions as the Police Chief and the Administrative Lieutenant.

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| Ayes: | Councilpersons Manning, Low-Hogan, Troy, Maturo |
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| | Supervisor Kleiner |
| Noes: | None |

RESOLUTION NO. 724

ADJOURNMENT

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

RESOLVED, that the Town Board adjourned, in memory of Margaret Keenan, Pearl River; Kevin Moriarty, Pearl River; and Daniel Moynihan, Blauvelt at 9:29 p.m.

| Ayes: | Councilpersons Troy, Manning, Low-Hogan, Maturo |
|-------|-------------------------------------------------|
| | Supervisor Kleiner |
| Noes: | None |

Charlotte Madigan, Town Clerk