

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, NOVEMBER 24, 2008**

This Town Board Meeting was opened at 7:36 p.m. Supervisor Kleiner presided and called the Roll. Present were:

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

Also present: Charlotte Madigan, Town Clerk
John S. Edwards, Town Attorney
Teresa M. Kenny, First Deputy Town Attorney
Suzanne Barclay, Exec Asst. to Supervisor
Charles Richardson, Director of Finance
Mike Yannazzone, Highway Maintenance Supervisor III
Ron Delo, Director, Dept. Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Zimmerman, Police Captain
Robert Simon, Receiver of Taxes
John Giardiello, P.E., Director, OBZPAE
Rich Rose, Superintendent of Parks, Recreation and Buildings
Mark Alberts, Senior Recreation Leader
Judi Smith, Recreation Information Clerk Typist

Charlotte Madigan, Town Clerk, led the Pledge of Allegiance to the Flag.

Supervisor Kleiner spoke about the federal military property located in Tappan. The plan for this property is to provide housing for disabled veterans.

Supervisor Kleiner met with the Town Attorney regarding STEJ's indoor sports complex. A presentation is planned for December 15, 2008.

The Town Board and the Town Clerk thanked Rich Rose for his dedication and service to the Town of Orangetown and congratulated him on his new position as Orange County Commissioner of Parks. Rich has overseen the expansion of our parks and recreation system, the dedication of the Joseph B. Clarke rail trail and the adoption of Broadacres golf course, as well as many other issues.

Catherine Dodge, Orangetown Parks Development Advisory Committee, said "Rich has gone above and beyond the duties that he was hired to do and his accomplishments are amazing". She congratulated him and presented him with a picture of the committee.

Rich Rose thanked the Town Board for their appreciation and support. He thanked his staff and feels he has been very fortunate for their stability and dedication. He also thanked the residents for their advice and input.

Public Comment

Terry O'Keeffe, Youth Recreation Assessment Advisory Committee, said the committee agrees with the proposed field fees schedule except the college fees. These should be increased to \$100 per use without lights and \$150 per use with lights.

Esta Baitler, Sparkill, feels the housing for disabled veterans should include direct care workers. She requested the sewer odors and sidewalks on Route 340 be addressed.

Eliot Tozer, Tappan, asked for help to control the deer population because they are destroying vegetation and are a safety hazard. If elimination is the only answer, then the deer meat can be used for who knows what.

Eileen Larkin, Palisades, suggested the following ways to increase revenues and reduce the budget: change the policy of waiving fees except for our volunteer ambulance and fire departments and veteran groups, all non-CSEA employees should contribute to health insurance, waive funding for community groups, freeze job hiring, and there should be no pay increases to appointed employees. She is concerned that the growth in Clarkstown and Ramapo will increase sewer odors and affect the sewer treatment plant.

Genevieve Coffey, Pearl River, said the residents look forward to STEJ's proposal because of the lost of revenue. She is against any budget increase and she is concerned with new Town vehicles. She asked when the Town Board positions will be changed back to part-time.

Chris Sanders, Mayor of Piermont, thanked Rich Rose for his contribution to the Town. He spoke regarding a sewer easement along the Erie path, which causes unpleasant odors. He is looking forward to working with Ron Delo to correct this issue.

Shawna & Jim O'Flynn, Pearl River, would like to know where the Town stands regarding their sewer backup and if they can start the clean up and the repairs that are needed.

Andrew Wiley, Pearl River, said last week's Audit Meeting was not properly noticed and a vote on such a high amount should not have been taken at a workshop. He believes the change order for the force main should be looked into further. He asked why the position in the Police Department is being filled. He suggested looking at Ramapo field use fees. He hopes the Town Board will vote on a resolution that results in Clarkstown and Ramapo paying a host fee for sewerage.

Joann DeLorenzo, Pearl River Chamber of Commerce, thanked Rich Rose for all his help and patience and wished him good luck in his new position.

RESOLUTION NO. 762

CLOSE PUBLIC PORTION

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

RESOLVED, that the public comment portion is hereby closed.

Ayes: Councilpersons Low-Hogan, Maturo, Troy
Supervisor Kleiner

Noes: None

Absent: Councilwoman Manning

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RESOLUTION NO. 763

**APPOINT/ACTING SUPERINTENDENT
OF PARKS/RECREATION/BUILDINGS
MARK ALBERTS**

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

RESOLVED, that Mark Albert is hereby appointed acting Superintendent of Parks, Recreation and Buildings, effective December 1, 2008.

Ayes: Councilpersons Troy, Maturo, Low-Hogan
Supervisor Kleiner

Noes: None

Absent: Councilwoman Manning

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RESOLUTION NO. 764

**OPEN CONTINUANCE PH
CABLEVISION/ROCKLAND/RAMAPO**

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

RESOLVED, that the continuance of a public hearing from November 10, 2008 to hear comments concerning the renewal of Cablevision of Rockland/Ramapo, LLC's franchise agreement with the Town of Orangetown is hereby opened.

Ayes: Councilpersons Maturo, Low-Hogan, Troy
Supervisor Kleiner

Noes: None

Absent: Councilwoman Manning

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Public portion:

Eileen Larkin, Palisades, would like to know who is Cablevision's consumer public relations person. She believes any changes to programming should be advertised.

RESOLUTION NO. 765

**CLOSE PUBLIC PORTION
CABLEVISION/ROCKLAND/RAMAPO**

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

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

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

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RESOLUTION NO. 766

**DESIGNATION LEAD AGENCY
CABLEVISION/ROCKLAND/RAMAPO**

Councilman Troy 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 Troy, Maturo, Low-Hogan
Supervisor Kleiner
Noes: None
Absent: Councilwoman Manning

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RESOLUTION NO. 767

**NEGATIVE SEQRA DECLARATION
CABLEVISION/ROCKLAND/RAMAPO**

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

RESOLVED, that that a negative SEQRA Declaration is hereby adopted.

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

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John S. Edwards, Town Attorney, feels the Town is well protected without the performance bond and does not believe that it is necessary to collect a \$25,000 Performance Bond. He reminded the Town Board that this agreement will not become effective until the FSC approves it.

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RESOLUTION NO. 768

**APPROVE CABLEVISION
AMENDMENT/PERFORMANCE
BOND**

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

RESOLVED, that the Cablevision Franchise Agreement is hereby amended to include a \$25,000 Performance Bond.

Ayes: Councilpersons Low-Hogan, Maturo, Supervisor Kleiner
Noes: Councilperson Troy
Absent: Councilwoman Manning

RESOLUTION NO. 769**ADOPT/CABLEVISION
ROCKLAND/RAMAPO**

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

RESOLVED, that the Town Board hereby adopts the Cablevision of Rockland/Ramapo, LLC franchise agreement.

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

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RESOLUTION NO. 770**APPROVE/SHARP COPIERS LEASE
AGREEMENT/HIGHWAY/PARKS
BUILDING**

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

RESOLVED, that the lease of three Sharp copiers for the Highway, Parks and Building departments at a cost of \$711.00 per month is hereby approved.

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

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RESOLUTION NO. 771**POLICE/APPOINT/SENIOR CLERK
STENOGRAPHER/FULL-TIME
PATRICIA D. QUINN**

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

RESOLVED, that upon the recommendation of the Chief of Police, Patricia D. Quinn, is hereby appointed from Rockland County Civil Service List # 08077 to the position Senior Clerk Stenographer-full-time/permanent, within the police department, effective December 1, 2008, at a salary consistent with the terms of the labor agreement between the Town of Orangetown and Orangetown C.S.E.A. bargaining unit.

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

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RESOLUTION NO. 772**ACCEPT MINUTES**

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

RESOLVED, that the November 10, 2008 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

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

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RESOLUTION NO. 773

**STACEY CONTRACTING/CHANGE
ORDER NO 1/FORCE MAIN (FS-06-3C)
RECEIVED AND FILED**

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

RESOLVED, that the fully executed Change Order No. 1 between Stacey Contracting and the Town for the Force Main and Sewer Improvements (FS-06-3C) is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 774

**SPDES PERMIT (FINAL)/NYSDEC
RECEIVED AND FILED**

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

RESOLVED, that the final modified SPDES Permit from the NYSDEC is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 775

ADJOURNED RTBM/ENTERED AUDIT

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

RESOLVED, that the Town Board adjourned the Regular Town Board Meeting and entered the Audit Meeting at 8:45 p.m.

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

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RESOLUTION NO. 776

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 General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Trust and Agency, Special District, Special Parking and Capital Projects Funds for a total amount of \$432,891.89.

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

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RESOLUTION NO. 777

ADJOURNED AUDIT/ENTERED EXECUTIVE SESSION

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

RESOLVED that the Town Board adjourned the Audit Meeting and entered the Executive Session at 8:53 p.m. to discuss particular Police litigation.

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

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RESOLUTION NO. 778

ADJOURNMENT

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

RESOLVED, that the Town Board adjourned this meeting at 10:35 p.m.

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

Charlotte Madigan, Town Clerk