

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, DECEMBER 15, 2008**

This Town Board Meeting was opened at 7:55 p.m. Supervisor Kleiner presided and called the Roll. Present were:

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

Also present: Teresa Accetta-Pugh, Deputy Town Clerk  
John S. Edwards, Town Attorney  
Teresa M. Kenny, First Deputy Town Attorney  
Robert Magrino, Deputy Town Attorney  
Suzanne Barclay, Exec Asst. to Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Ron Delo, Director of Dept. Environmental Mgt. & Eng.  
Kevin Nulty, Chief of Police  
Robert Zimmerman, Police Captain  
John Giardiello, P.E., Director, OBZPAE  
Mark Albert, Senior Recreation Leader

Supervisor Kleiner led the Pledge of Allegiance to the Flag.

#### Announcements

In January there will be a Sparkill Downtown Meeting regarding the commuter lot. Town Clerk will continue to hold satellite hours at the Pearl River Library on 1/8<sup>th</sup> and 1/9<sup>th</sup>. A revised contract with Stearns & Wheler will be ready in January for the Tier II/III pumping stations.

Benno Van Noort, chairman of Orangetown's Environmental Committee, gave a summary report for the committee. They requested an experienced person in non-toxic ground, lawn and field maintenance be among the qualifications for the position of Superintendent of Parks and Recreation.

Donald Brenner, attorney for STEJ, Liam McDevitt, STEJ's project manager and Gerald Merola, Chief Financial Officer of Amusement Entertainment Management, LLC, gave a presentation of STEJ's revised proposal for a sports and entertainment complex. Mr. Brenner said STEJ has already invested about \$8.2 million. The new plan is for an indoor aquatic center, with a "lazy river", an obstacle course, water slides, water aerobics, surfing and rafting; an ice rink and a bowling center with a lounge, psychedelic lighting and video screens. In addition, there are plans for teen and senior centers, space for basketball leagues, fast-food restaurants and team competitions. In response to concerns, Mr. Merola, said Orangetown residents will be given preferred pricing, the aquatic pavilion water is 100 percent recyclable, and cost effective measures will be taken to optimize energy savings. He believes one ice rink is sufficient without endangering the economic viability of the facility. Groundbreaking will not be before the spring of 2010 and it will take at least 18 months to complete.

#### Public Comment

Esta Baitler, Sparkill, asked if the repairs for the sewer odors could be done sooner.

Michael Mandel, Pearl River, is against the elected officials reducing their health care contributions.

Gail Raffaele, Tappan, feels STEJ's presentation should have been done at a totally separate meeting. She was incorrectly quoted in minutes and she wants them corrected. She asked why the Town Board continues to amend resolutions that were superseded by an agreement. She questioned the Executive Assistant to the Supervisor position because there is no such position. Eileen Larkin, Palisades, objects to the change regarding health insurance premiums for elected officials. She asked for the salaries of the Police Chief, Captain and Administrative Lieutenant and she said the Town Board should demand this information.

Andrew Wiley, Pearl River, said the Town Board can take legal action to put a moratorium on Clarkstown and Ramapo for their sewage. He Foiled for the Police contracts and salaries which he didn't receive. He asked if Stacey Contracting was paid before the amended resolution. He believes Stearns and Wheler should be sued for their mistakes and he spoke about Siemans being fined by Germany and the US for \$1.34 billion.

**RESOLUTION NO. 804****CLOSE PUBLIC PORTION**

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

RESOLVED, that the public comment portion is hereby closed.

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

Noes: None

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**RESOLUTION NO. 805****OPEN PH/VISION-SCIENCES  
RELOCATION/SHIFT RESOLUTION**

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

RESOLVED, that the public hearing to consider the relocation of Vision-Sciences, Inc. from 40 Ramland Road, Orangeburg to One Ramland Road, Orangeburg both of which are within Orangetown's Development Zone, which is part of the Rockland Empire Zone's designated area is hereby opened.

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

Noes: None

\* \* \*

Teresa Accetta-Pugh, Deputy Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 12-E-08 and made a part of these minutes.

**Public portion:**

Gail Raffaele, Tappan, pointed out that the public hearing did not start at the noticed time. Eileen Larkin, Palisades, had hoped a representative from Vision-Sciences was at the meeting to answer questions. She asked who oversees this company as to whether or not they are in total agreement with the Empire Zone's requirements. Orangetown has well educated people and companies should be flocking to Orangetown to employ our people. We should not have to give away our community to bring them into Orangetown. Andrew Wiley, Pearl River, concurred with Eileen Larkin as to who's job is it to verify with the REDC. He asked if this company doesn't live up to their end of the bargain, will this Town Board authorize them to move out again and require them to repay the state for the abatements. John S. Edwards, Town Attorney, gave some background information from the Rockland Economic Development Corporation (REDC). Vision-Sciences is designed to manufacture endoscopes and sheets. Currently operates with 60 employees here in Orangetown and another facility in Massachusetts with 35 employees. At this time they are launching a new product, a video base flexible endoscopes that will substantially increase production demands. They plan to consolidate the Massachusetts facility with the one in Orangetown.

**RESOLUTION NO. 806****CLOSE PUBLIC PORTION/ VISION-  
SCIENCES RELOCATION/SHIFT  
RESOLUTION**

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

**Resolution No. 806 - Continued**

RESOLVED, that the public comment portion is hereby closed.

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

Noes: None

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**RESOLUTION NO. 807**

**DESIGNATION OF LEAD AGENCY  
VISION-SCIENCES RELOCATION  
SHIFT RESOLUTION**

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

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

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

Noes: None

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**RESOLUTION NO. 808**

**NEGATIVE SEQRA DECLARATION  
VISION-SCIENCES RELOCATION  
SHIFT RESOLUTION**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

Noes: None

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**RESOLUTION NO. 809**

**ADOPTS/VISION-SCIENCES  
RELOCATION/SHIFT RESOLUTION**

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

WHEREAS, Vision-Sciences, Inc. is a business enterprise involved in the design and manufacture of endoscopes and sheaths, presently employing 60 individuals at manufacturing facilities located at 40 Ramland Road, in the hamlet of Orangeburg, in the Town of Orangetown, County of Rockland, State of New York, and an additional 35 individuals at a secondary location in Natick, Massachusetts; and

WHEREAS, in connection with the launch of a new product that would result in additional hiring for a total employment of 131 individuals by Fiscal Year 2010 (primarily in manufacturing, but also in R & D, warehouse, administrative and sales and marketing areas), Vision-Sciences, Inc. wishes to consolidate its operations at a new Orangeburg location at One Ramland Road; and

WHEREAS, Vision-Sciences, Inc.'s proposed expansion and consolidation appears to meet all state and local requirements for Empire Zone certification, and conforms to the Rockland County Empire Zone Development Plan, and has recently been approved by the Zone Board as a "Regionally Significant Project", and the County of Rockland has adopted a local law approving such Regionally Significant Project; and

WHEREAS, Vision-Sciences, Inc., is now applying for Empire Zone certification for its operations at the One Ramland Road location, which certification can only be granted with the consent and approval of the Town Board of the Town of Orangetown, the jurisdiction in which the existing facility is located; and,

**Resolution No. 809 - Continued**

WHEREAS, the Town Board has heard public comments that circumstances exist to warrant the relocation of Vision-Sciences to One Ramland Road, Orangeburg, Town of Orangetown, State of New York, which is part of the Rockland Empire Zone’s designated area.

NOW, THEREFORE, be it hereby

RESOLVED, that the Town of Orangetown consents to the relocation of Vision-Sciences, Inc., 40 Ramland Road, Orangeburg, New York, to One Ramland Road, Orangeburg, New York, both of which are within Orangetown’s Development Zone, which is part of the Rockland Empire Zone’s designated area.

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

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**RESOLUTION NO. 810**

**AMEND RESOLUTION NO. 747/2008  
 DCAK ARCHITECTS/TABLED**

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

RESOLVED, that a resolution to amend Resolution No. 747 regarding the proposal amount submitted by DCAK Architects by increasing the total from \$7,663.40 to \$8,612.72 which represents \$7,500 for basic services and \$1,112.72 for reimbursable expenses in accordance with their proposal is hereby tabled.

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

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**RESOLUTION NO. 811**

**SET PUBLIC HEARING DATE  
 AMEND/PLANNED ACTIVE ADULT  
 COMMUNITY LAW**

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

RESOLVED, that a public hearing is scheduled for January 12, 2009, 8:00 p.m. to amend the Planned Active Adult Community Law.

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

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**RESOLUTION NO. 812**

**APPROVE/BUDGET TRANSFERS**

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

RESOLVED, that the Budget Transfers as stated below are hereby approved.

**Budget Transfers for December 15**

Fund	Type	Department	Line Item	Account Number	Existing	Change	Result	Comment
General	Inc	Town Board	Conferences	A1010004	50441	\$ 1,100	\$ 2,100	Association of Towns
General	Inc	Town Board	Contracts	A1010004	50457	\$ -	\$ 600	
General	Inc	Supervisor	Capital Outlay	A1220002	50200	\$ -	\$ 4,200	File Cabinets
General	Dec	Supervisor	Overtime	A1220001	50440	\$ 1,000	\$ -	
General	Dec	Supervisor	Part Time	A1220001	50011	\$ -	\$ -	

						16,500	(3,000)	13,500	
						\$	\$	\$	
General	Dec	Supervisor	Perm Salaries	A1220001	50200	68,246	(600)	67,646	Too much transferred in
						\$	\$	\$	
General	Inc	Supervisor	Office Supplies	A1220004	50440	2,000	700	2,700	
						\$	\$	\$	
General	Inc	Finance	Postage	A1310004	50442	800	3,000	3,800	Fedex for bond issues
						\$	\$	\$	
General	Inc	Finance	Office Supplies	A1310004	50440	800	1,000	1,800	
						\$	\$	\$	
General	Dec	Finance	Overtime	A1310001	50012	6,500	(4,000)	2,500	
						\$	\$	\$	
General	Inc	Receiver	Part Time	A1330001	50012	20,000	4,000	24,000	
						\$	\$	\$	
General	Inc	Receiver	Appointed	A1330001	50015	54,297	5,000	59,297	CSEA & Step
						\$	\$	\$	
General	Dec	Receiver	Postage	A1330004	50442	18,000	(4,000)	14,000	
						\$	\$	\$	
General	Dec	Receiver	Office Supplies	A1330004	50440	4,000	(2,000)	2,000	
						\$	\$	\$	
General	Dec	Receiver	Contracts	A1330004	50457	16,000	(2,000)	14,000	
						\$	\$	\$	
General	Dec	Receiver	Conferences	A1330004	50440	4,000	(1,000)	3,000	
						\$	\$	\$	
General	Inc	Assessor	Tax Certiorari	A1355004	50485	30,000	1,360,000	1,390,000	
						\$	\$	\$	
General	Inc	Revenue	BAN	A0599900	45732	-	(1,300,000)	(1,300,000)	Preserve fund balance
						\$	\$	\$	
General	Inc	Shared services	Contracts	A1622004	50457	50,000	35,000	85,000	
						\$	\$	\$	
General	Dec	Shared services	Salaries	A1622001	50011	209,632	(25,000)	184,632	
						\$	\$	\$	
General	Dec	Shared services	Part Time	A1622001	50013	21,240	(10,000)	11,240	
						\$	\$	\$	
General	Inc	Traffic Control	Maint Agreements	A3310004	50443	30,000	12,000	42,000	New bid in 08
						\$	\$	\$	
General	Inc	Traffic Control	Utilities	A3310004	50455	37,000	8,000	45,000	Higher rates
						\$	\$	\$	
General	Inc	Progs for Aging	Appointed	A6772001	50457	5,062	200	5,262	CSEA related raise
						\$	\$	\$	
General	Inc	Spec Rec	Capital Outlay	A7110004	50200	-	22,000	22,000	RPC fields play ground
						\$	\$	\$	
General	Inc	Parks	Utilities	A7110004	50455	60,000	11,000	71,000	
						\$	\$	\$	
General	Inc	Youth Rec	PT Salaries	A7310001	50013	325,000	16,000	341,000	Offset by fees
						\$	\$	\$	
General	Inc	Youth Rec	Contracts	A7310004	50457	300,000	13,000	313,000	Offset by fees
						\$	\$	\$	
General	Inc	Celebrations	PT Salaries	A7550001	50012	3,000	1,000	4,000	
						\$	\$	\$	
General	Inc	Celebrations	Contracts	A7550004	50457	15,000	4,500	19,500	
						\$	\$	\$	
General	Inc	Debt Service	BAN Issuance	A9730004	50457	30,000	35,000	65,000	Moody's
						\$	\$	\$	
General	Dec	Debt Service	Interest	A973007	50700	243,369	(35,000)	208,369	
						\$	\$	\$	
General	Inc	Social Security	Fringe Benefits	A9030008	50800	360,081	25,000	385,081	CSEA effect
						\$	\$	\$	
General	Dec	Hospitalization	Fringe Benefits	A9050008	50800	1,206,759	(25,000)	1,181,759	
						\$	\$	\$	
General	Dec	Contingency	Contingency	A1990004	50500	139,639	(139,600)	39	Left over from CSEA
						\$	\$	\$	
General	Dec	Unallocated Ins	Insurance	A1910004	50043	522,000	(10,000)	512,000	
						\$	\$	\$	
						Total	-		
						\$	\$	\$	
Police	Inc	Retirement	Fringe Benefits	B9015168	50800	1,920,000	400,000	2,320,000	Prepayment to reduce outyear costs.
						\$	\$	\$	
Police	Dec	Unclassified Exp	Interfund Charhes	B1989164	50478	1,743,500	(220,000)	1,523,500	
						\$	\$	\$	
Police	Dec	Insurance	Risk Retention Vacation Buy Out	B1910164	50043	388,000	(77,000)	311,000	From saving on policies
						\$	\$	\$	
Police	Dec	Salaries	Out	B31200161	50022	167,538	(100,000)	67,538	
						\$	\$	\$	
Police	Dec	Hospitalization	Fringe Benefits	B9060168	50800	2,320,000	(12,000)	2,308,000	
						\$	\$	\$	
Police	Inc	Unemployment	Fringe Benefits	B9050168	50800	2,500	9,000	11,500	Crossing Guards
						\$	\$	\$	
						Total	-		
						\$	\$	\$	
TOV	Inc	Fire Safety	Utilities	B3621174	50455	-	3,000	3,000	Not budgeted after move
Other	Inc	Fire Safety	Conferences	B3621174	50441	500	1,000	1,500	Additional training
Other	Inc	Safety Inspection Refuse & Garbage	Capital Outlay	B3620172	50200	-	32,000	32,000	Missed 2007 encumbrance
Other	Inc	ACABOR	Appointed	B8089171	50015	21,976	2,000	23,976	New contract
Other	Dec	Unclassified Exp	Interfund Charges	B1989174	50478	301,000	(53,000)	248,000	CSEA effect
Other	Dec	Contgency	Contingency	B1990174	50500	23,500	(23,000)	500	CSEA
Other	Dec	Hospitalization	Fringe benefits	B90-60178	50800	256,000	(2,000)	254,000	
						\$	\$	\$	
						Total	-		
						\$	\$	\$	
Highway	Inc	Hospitalization	Fringe benefits	D9060058	50800	384,000	400	384,400	
						\$	\$	\$	
Highway	Dec	Dental	Fringe benefits	D9061058	50800	31,000	(400)	30,600	
						\$	\$	\$	
						Total	-		
						\$	\$	\$	
Sewer	Inc	Unclassified Exp.	Interfund Charges	G1989004	50478				

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

Noes: None

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**RESOLUTION NO. 813**

**AMEND RESOLUTION NO. 811/2007  
WYETH TAX CERTIORARI**

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

RESOLVED, that Resolution No. 811/2007 is hereby amended to reflect that debt related to the Wyeth Tax Certiorari will not be retired in 2009.

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

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**RESOLUTION NO. 814**

**APPROVE/EMPLOYMENT  
AGREEMENT/CHIEF KEVIN NULTY**

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

RESOLVED, that the employment agreement between the Town of Orangetown and Chief Kevin Nulty for the period January 1, 2008 through December 31, 2010 is hereby approved.

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

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**RESOLUTION NO. 815**

**APPROVE/EMPLOYMENT  
AGREEMENT/CAPTAIN ROBERT  
ZIMMERMAN**

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

RESOLVED, that the employment agreement between the Town of Orangetown and Captain Robert Zimmerman for the period January 1, 2008 through December 31, 2008 is hereby approved.

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

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**RESOLUTION NO. 816**

**APPROVE/EMPLOYMENT  
AGREEMENT/ADMINISTRATIVE  
LIEUTENANT DONALD  
BUTTERWORTH**

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

RESOLVED, that the employment agreement between the Town of Orangetown and Administrative Lieutenant Donald Butterworth for the period January 1, 2008 through December 31, 2010 is hereby approved.

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

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**RESOLUTION NO. 817**

**COMBINE AGENDA ITEMS**

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

**Resolution No. 817 - Continued**

RESOLVED, that agenda items sixteen (16) through twenty-three (23) are hereby combined.

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

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**RESOLUTION NO. 818**

**APPROVE/INTERMUNICIPAL  
AGREEMENT/COUNTY OF  
ROCKLAND/NARCOTICS TASK FORCE**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Chief of Police, the Town Board hereby approves an Intermunicipal Agreement between the Town and the County of Rockland, providing for payment by the County to the Town in the amount of SEVENTY-THREE THOUSAND NINE HUNDRED TWENTY DOLLARS and 00/100 (\$73,920.00), as partial reimbursement of the cost of one (1) Town of Orangetown police officer assigned to the Rockland County Narcotics Task Force for the period January 1, 2008 through December 31, 2008, and, by the Resolution, authorize the Town Supervisor to execute such Agreement on behalf of the Town.

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

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**RESOLUTION NO. 819**

**APPROVE/CERTIFICATE OF  
REGISTRATION/2009 SEWER WORK**

Councilman Maturo offered the following resolution, which was seconded by Councilwoman Manning 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 2009 Sewer work is hereby approved to:

A. Sasso Plumbing Corporation, Suffern, NY  
Phoenix Excavators Corporation, W. Nyack, NY  
Tobar Excavating, Inc., Norwood, NJ

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

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**RESOLUTION NO. 820**

**AMEND RESOLUTION NO. 698/2008  
SETTLEMENT OF CLAIMS/STACEY  
CONTRACTING/DEME/FS-06-3C**

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

RESOLVED, that the Town Board hereby amends Resolution No. 698 of 2008 approving the settlement of claims by Stacey Contracting, Inc. and counterclaims by the Town of Orangetown against Stacey Contracting, Inc. to correct a typographical error. The settlement amount approved should be \$118,486.77, rather than \$117,486.77, regarding Contract No. FS-06-3C.

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

**RESOLUTION NO. 821****RPC/TRAFFIC IMPACT STUDY  
RECEIVED AND FILED**

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

RESOLVED, that the Traffic Impact Study for Rockland Psychiatric Center, prepared by Adler Consulting, dated November 26, 2008 is received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 822****NOTICE TO PROCEED/COPPOLA  
SERVICES INC/TIER II/III PUMPING  
STATIONS (PS-06-3E)/RECEIVED AND  
FILED**

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

RESOLVED, that Notice to Proceed between Coppola Services, Inc. and the Town for Tier II/III Pumping Stations – Phase I General Contract (PS-06-3G) is received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 823****NOTICE TO PROCEED/ALL BRIGHT  
ELECTRIC/TIER II/III PUMPING  
STATIONS (PS-06-3E)/RECEIVED AND  
FILED**

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

RESOLVED, that Notice to Proceed between All Bright Electric and the Town for Tier II/III Pumping Stations – Phase I General Contract (PS-06-3E) is received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 824****BOND ANTICIPATION NOTES, 2008  
\$8,445,000/VARIOUS PURPOSES  
RECEIVED AND FILED**

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

RESOLVED, that the \$8,445,000 Bond Anticipation Notes, 2008, dated December 11, 2008 for various Town purposes are received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 825****AWARD BID/COMPACT UTILITY  
LOADER/MID HUDSON BOBCAT  
HIGHWAY DEPT**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for a compact utility loader with attachments, which were received and publicly opened on December 4, 2008. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 12-F-08, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Mid Hudson Bobcat, Newburgh, New York, the lowest qualified bidder, in the amount of \$20,558.00, to be charged to Account Number D5130/0400.

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

Noes: None

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**RESOLUTION NO. 826****AUTHORIZE/CALLING OF  
PERFORMANCE BOND/GLENGARY  
ESTATES/BRADLEY CORPORATE  
PARK/SGT DEMEOLA RD**

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

RESOLVED, that the Town Board, upon reviewing the subdivision approval by the Planning Board for "Glengary Estates", Sgt. Demeola Road, Blauvelt, NY, granted in Planning Board decisions PB#98-91 and 99-162, and finding that the applicant, Bradley Corporate Park, has failed to complete the subdivision as required by the Planning Board approvals for such project, hereby authorizes the Town Attorney to pursue all available legal remedies to ensure compliance, including but not limited to taking appropriate actions to "call" the Performance Bond posted by the applicant and to commence litigation as necessary to ensure the project is completed in a manner consistent with the Planning Board approvals for the project."

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

Noes: None

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**RESOLUTION NO. 827****ENTERED AUDIT**

Councilwoman Manning 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 11:12 p.m.

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

Noes: None

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**RESOLUTION NO. 828****PAY VOUCHERS**

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

**Resolution No. 828 - Continued**

District, Special Parking and Capital Projects Funds for a total amount of \$563,582.49 and Medicare reimbursement to retirees in the amount of \$97,460.40.

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

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**RESOLUTION NO. 829**

**ADJOURNMENT**

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

RESOLVED, that the Town Board adjourned this meeting at 11:15 p.m. in memory of Patrick (Chuck) C. Dizzine, Tappan, Keith J. Williams, Central Nyack, and M. Constantine Bettelheim, Nyack.

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

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**Teresa Accetta-Pugh, Deputy Town Clerk**