

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, JANUARY 24, 2017**

This meeting was opened at 7:30 p.m. Supervisor Stewart presided and Charlotte Madigan, Town Clerk, called the roll. Present were:

Councilman Denis Troy  
Councilman Thomas Diviny  
Councilman Gerald Bottari  
Supervisor Andrew Stewart

Absent: Councilman Paul Valentine

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, Deputy Town Attorney  
Jeff Bencik, Finance Director  
James Dean, Superintendent of Highways  
Joseph Moran, Commissioner of DEME  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.  
Kevin Nulty, Police Chief  
Donald Butterworth, Police Captain  
James Brown, Police Captain

Pledge of Allegiance to the Flag of the United States of America was led by Chris Day and Esta Baitler.

**RESOLUTION NO. 26**

**APPROVE DETAIL/BRIAN DOMITROVITS  
DETECTIVE/YOUTH OFFICER**

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

RESOLVED, that upon the recommendation of the Chief of Police, and in accordance with the terms of Section #13 of the Rockland County Police Act of 1936, as amended, detail Brian Domitrovits to the duties of Detective/Youth Officer, effective January 25, 2017, at a salary consistent with the terms of labor agreement between the Town of Orangetown and the Orangetown PBA Bargaining Unit.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

Summary of Public Comments:

Esta Baitler, Sparkill, thanked the Board for new sidewalks and bus shelter along Route 303.  
Mike Mandel, Pearl River, the new website is steps backwards. Searching and navigating are complicated and very difficult. Is the Grounds Equipment Repairer & Groundworker a new position?  
David Englander, Pearl River Cemetery, supports the Town to convey the Pearl River Cemetery to the Pearl River Cemetery Corp.  
Eileen Larkin, Palisades, opposes Gov. Cummo's share services legislation. The Town Board should hold a public hearing and vote on a resolution opposing this legislation.  
Nick Manganiello, Orangeburg, has young children and is concerned about the odors from Aluf. He asked for the results of the air and soil testing around that area.  
Barbara Delo, Blauvelt, agrees it is important to be alert regarding health issues and safety concerns.  
Liz Dudley, Orangeburg, commented there were extreme odors near Cottage Lane School. She asked if the Environmental Engineer has been hired.  
Heather Hurley, Pearl River, agrees with Mrs. Larkin regarding the share services legislation.  
Lynn Teger, Haverstraw, spoke about HUD Community Block Grant funds and compliance.  
Chris Day, Palisades, spoke about the strings that are attached to HUD Community Development Block Grant funds. This funding would be signing away the Town's ability to control zoning.

**RESOLUTION NO. 27**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 28**

**OPEN PH/CDBG-COMMUNITY  
DEVELOPMENT BLOCK GRANT**

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

RESOLVED, that the 8:05 P.M. public hearing to consider the 2016 CDBG Grant Applications is hereby opened.

- a. Maggie Conway House – replacement of flooring
- b. Summer Camp Scholarship Program

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

Summary of Public Comments:

Ingrid Watzka, Maggie Conway House, this is a rooming house with a support system for patients with mental health issues. They are requesting \$25,000 to replace the floors.

Barbara Delo, Blauvelt, grant federal and state money is not free. There are strings attached to accepting these grants.

Heather Hurley, Pearl River, is in favor of a Summer Camp Scholarship Program and is against receiving grant money from the HUD Community Development Block Grant program.

Robert Tompkins, Pearl River, the Housing Authority is not eligible for these funds to do capital improvements.

Mike Mandel, Pearl River, is against applying for any HUD money.

Councilman Diviny - is not voting to accept any money from the CDBG. This grant money has changed since 2015. If you look at the language for the primary reason, the primary objective of the act is the development of viable urban communities. There are a lot of strings attached and we do not know what those strings are. You should not apply for anything unless you know what the consequences are.

Supervisor Stewart – as far as the CDBG goes it is a dead issue. We do not have the votes to move forward. The Town’s relationship to external funding is very important to understand. We are not stopping to find Federal, State or any other way of paying for things that are very expensive but we do need to keep a careful eye on exactly what are the nature of those funding strings.

Councilman Troy – one of things that HUD is saying is if the area is not diversified, we should take a place like New Square and spread it around the rest of the County, which, to me, is a concern. Why HUD would even give money to a community that is not diverse, like New Square or Kaiser, is totally mind boggling to me. I know on the demographic they are poor, but giving to New Square and Kaiser, all you are doing is perpetuating the type of community they have. They are strictly the same that is all they are going to be is their own. HUD would not give money to a Pearl River or Blauvelt because we do not meet their demographics and HUD would want us to be embarrassed by that. I am very proud of Orangetown and a matter of fact; it is the best town in Rockland County. I’m concerned about the rest of Rockland County, in terms of the direction it is heading in. I am not supporting taking money from the CDBG. We have taken money in the past, like \$15,000 for Thorpe Village, Dowling Gardens and housing that the nuns run (Sparkill). We have gotten peanuts and every year \$2 million plus goes to the

rest of the County. I do not believe that all that money going to the rest of County makes us a better County. Again, I am against it.

**RESOLUTION NO. 29**

**CLOSE PH/CDBG-COMMUNITY DEVELOPMENT BLOCK GRANT**

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

RESOLVED, that the public portion is hereby closed.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

The Town Board thanked Maggie Conway House and the Town’s Park and Recreation Department for their applications. Collectively, the Town Board decided not to vote to request money from the Community Development Block Grant.

**RESOLUTION NO. 30**

**RESCIND RESOLUTION NO. 13 /2017 AND REAPPOINT/ GERALDINE ORLIK/ RITA MCCABE/DEPUTY TOWN CLERKS/DEPUTY REGISTRARS OF VITAL STATISTICS**

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

RESOLVED, that Geraldine Orlik, and Rita McCabe are hereby re-appointed Deputy Town Clerk(s) and Deputy Registrar(s) of Vital Statistics, effective January 10, 2017; and

RESOLVED, that the Town Board hereby rescinds Resolution No. 13/2017.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 31**

**APPOINT/REAPPOINT LIAISONS LAND USE BOARDS/COMMITTEES**

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

RESOLVED, that the following Town Officials are hereby reappointed/appointed liaisons to the following land use boards and committees for 2017:

- ACABOR Troy
- Blue Hill Golf Course Advisory Valentine
- Board of Assessment Review Diviny
- Board of Ethics Ryff
- Bureau of Fire Prevention Diviny/Bottari
- Environmental Committee Stewart
- HAVOR Bottari
- Orangetown Housing Authority Troy
- Orangetown Emergency Mgt. Comm. Diviny
- OPDAC Stewart
- Planning Board Bottari
- Project Review Committee Valentine
- Shade Tree Commission Stewart

- Senior Citizen Advisory Committee      Troy
- Substance Abuse Committee              Troy
- Traffic Advisory Board                      Valentine
- Volunteer Health Advisory Committee      Bottari
- Youth Recreation Assess Adv Comm.      Diviny
- Zoning Board of Appeals                    Diviny

Ayes:    Supervisor Stewart  
           Councilpersons Bottari, Troy, Diviny  
 Noes:    None  
 Absent:  Councilperson Valentine

\*\*\*

**RESOLUTION NO. 32**

**REAPPOINT/BUREAU OF FIRE PROTECTION COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members to the Bureau of Fire Protection Committee for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017.

Michael Bettmann	John Ahlf, Jr.	Robert Morrison
Paul Raso	Tom Bade	Pieter Grosbeck
Liaison: Councilmen Diviny and Bottari		

Ayes:    Councilpersons Troy, Bottari, Diviny  
           Supervisor Stewart  
 Noes:    None  
 Absent:  Councilperson Valentine

\*\*\*

**RESOLUTION NO. 33**

**REAPPOINT/ORANGETOWN PARKS DEVELOPMENT ADVISORY COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Parks Development Advisory Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

Watson Morgan	Mary McCloskey	Micki Leader
James Castagna	Kimball Parker	Brian Terry
Anne Byrne	Liaison: Supervisor Stewart	

Ayes:    Supervisor Stewart  
           Councilpersons Diviny, Troy, Bottari  
 Noes:    None  
 Absent:  Councilperson Valentine

\*\*\*

**RESOLUTION NO. 34**

**REAPPOINT/PROJECT REVIEW COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Project Review Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

John Giardiello, Director of OBZPAE as Chairman  
James Dean, Superintendent of Highways  
Michael Bettmann, Fire Prevention  
Liaison: Councilman Valentine

Bruce Peters, DEME  
Guy DeVincenzo, DEME  
Robert Magrino, Deputy Town Atty

Ayes: Councilpersons Bottari, Troy, Diviny  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 35**

**REAPPOINT/SENIOR CITIZENS  
ADVISORY COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Senior Citizens Advisory Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

Josephine Urban, Senior Leader  
Shirley McGowan  
Rosemarie Fornario, Clerk

Kay Ferrara  
Helen Kovarik  
Liaison: Councilman Denis Troy

Tom Williger  
Joe McKiernan

Ayes: Councilperson Troy, Supervisor Stewart  
Councilpersons Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 36**

**REAPPOINT/SHADE TREE  
COMMISSION**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Shade Tree Commission, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

Rebecca Gmucs  
Liaison: Supervisor Stewart

Mary Vail

Joy Macey

Laurie Peek

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 37**

**REAPPOINT/TRAFFIC ADVISORY  
BOARD**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Traffic Advisory Board, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

Paul Raso  
Lisa Shumante  
Guy DeVincenzo (Chair)  
Robert Morrison  
Liaison: Councilman Valentine

Margaret Warren  
Thomas Edattel, DEME  
Sgt. Anthony Palazolo  
P. O. Hugh Johnson

Robert Schelin  
Mike Yannazone, Highway  
Robert Simon, Recr of Taxes  
Rosemarie Fornario, Clerk

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 38**

**REAPPOINT/TV ADVISORY COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown TV Advisory Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

David Chilson                                      Kathleen Troy Maier                                      David Bell  
Anthony Bevelacqua, IT                                      TZHS Faculty Advisor (or designated representative)

Ayes: Councilpersons Diviny, Bottari, Troy  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 39**

**REAPPOINT/OFFICE OF EMERGENCY MANAGEMENT COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Office of Emergency Management Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

P. O. Harold Johnson                                      John Giardiello, Director of OBZPAE  
Captain Donald Butterworth                                      James Dean, Superintendent of Highways  
Mike Yannazone, Highway Dept                                      Karen Jahnes, Highway Dept.  
David Majewski, Building Dept.                                      Peter Byrne, Orangetown Fire Chiefs  
Robert Daly, Orangetown Fire                                      Steve Harris, So Orangetown Ambulance  
Maryanne Portoro, PR Ambulance                                      Mark Albert, Parks and Recreation  
Elizabeth De Cort                                      Liaison: Councilman Diviny

Ayes: Councilpersons Diviny, Troy, Bottari  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 40**

**REAPPOINT/ORANGETOWN ENVIRONMENTAL COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Environmental Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

Alexis Starke                                      Rosemary Raccioppi                                      Fran Oldenburger  
Peggy Kurtz                                      June Starke                                      Larry Soehnel  
Martyn Ryan                                      Eve Millard                                      Deby Turner  
Watson Morgan                                      Don Steinmetz                                      Michael Andrea  
Lawrence Vail                                      Tom O'Reilly                                      Liaison: Supervisor Stewart

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 41**

**REAPPOINT/SUBSTANCE ABUSE COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Substance Abuse Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

- |                                |                                  |
|--------------------------------|----------------------------------|
| Michael Murphy, PRHS Principal | Norma Canals, PRHS Social Worker |
| Jennifer Amos, TZHS Principal  | Jim Andrews, CANDLE              |
| Vickie Shaw, SOCASA            | Sue Maher, SOCASA                |
| Joanne Goodman                 | Scott Salmon                     |
| Stephanie Finucane             | Chief Kevin Nulty                |
| Jean Horan, Rock County DEA    | Detective Joe Sullivan           |
| Capt. Donald Butterworth       | Liaison: Councilman Troy         |

Ayes: Councilpersons Troy, Bottari, Diviny  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 42**

**REAPPOINT/BLUE HILL GOLF COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Blue Hill Golf Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

- |                               |             |                 |
|-------------------------------|-------------|-----------------|
| Lawrence Costello (Chairman)  | Sean Burke  | Joseph Green    |
| Julia Regan                   | Mike Hogan  | Evelyn Beckerle |
| Chris Brauer                  | John Hickey | Bruce Jensen    |
| Liaison: Councilman Valentine |             |                 |

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 43**

**REAPPOINT/HEALTH ADVISORY SERVICES COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Orangetown Health Advisory Services Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

- |                 |                             |                      |
|-----------------|-----------------------------|----------------------|
| Maryann Portoro | Donna Alise                 | P. O. Harold Johnson |
| Paul Morer      | William McDowell            | Steve Harris         |
| Glen Albin      | Liasion: Councilman Bottari |                      |

Ayes: Councilperson Bottari, Supervisor Stewart  
Councilpersons Troy, Diviny  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 44**

**REAPPOINT/YOUTH RECREATION  
ASSESSMENT ADVISORY  
COMMITTEE**

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

RESOLVED, that the following are hereby reappointed as members of the Youth Recreation Assessment Advisory Committee, for a 1-year term, commencing on January 1, 2017 and expires on December 31, 2017:

Joe Onatavia	Robert Iorio	Kerry Beckmann
Chris Smith	Kevin Powers	Manny Larenas
Frank Payne	Jim Walsh	Tom Morales
Andy DiDomenico	Bob DeRosa	Chris O'Brien
Alex Tencic	Joseph Chiappa	
Liaison: Councilman Diviny		

Ayes: Councilpersons Diviny, Bottari, Troy  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 45**

**RECOGNIZE TENANT/SHARON  
OGDEN/REPRESENTATIVE  
ORANGETOWN HOUSING  
AUTHORITY**

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

RESOLVED, that Sharon Ogden is recognized as a tenant representative of the Orangetown Housing Authority, based on report of elections results. She was elected for a 2-yr term on 6/23/2016 and expires on June 30, 2018.

Ayes: Councilpersons Troy, Bottari, Diviny  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 46**

**RECOGNIZE TENANT/PATRICIA  
BROWN/REPRESENTATIVE  
ORANGETOWN HOUSING  
AUTHORITY**

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

RESOLVED, that Patricia Brown is recognized as a tenant representative of the Orangetown Housing Authority, based on report of elections results. She was elected for a 2-yr term on 6/23/2015 expiring on June 30, 2017.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine



\*\*\*

**RESOLUTION NO. 47**

**APPOINT CHRISTIAN CATANIA  
SENIOR CLERK TYPIST  
PROVISIONALLY/GRADE 5/OBZPAE**

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

RESOLVED, that upon the recommendation of the Director of OBZPAE (Orangetown Building Zoning Planning and Enforcement), appoint Christian Catania to the position of Senior Clerk Typist, provisionally, Grade 5, Step 1 at a salary of \$41,858.00, effective January 17, 2017.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 48**

**CREATE POSITION/(PJ/NC)  
GROUNDS EQUIPMENT REPAIRER &  
GROUNDSWORKER/GRADE 15**

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

RESOLVED, that upon the recommendation of Rockland County Personnel and the Labor Management Committee, create the position of Grounds Equipment Repairer and Groundswoker (PJ/NC), Grade 15, effective January 17, 2017.

Ayes: Councilpersons Troy, Diviny, Bottari  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 49**

**APPOINT ROBERT HANDWERG  
GROUNDS EQUIPMENT REPAIRER  
GROUNDSWORKER/ GRADE 15  
PARKS AND RECREATION**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, appoint Robert Handweg to the position of Grounds Equipment Repairer/Groundswoker, (NC) Grade 15, Step 14/18 at a salary of \$91, 864.00, effective January 17, 2017.

Ayes: Supervisor Stewart  
Councilpersons Bottari, Troy, Diviny  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 50**

**ACCEPT RESIGNATION/RETIREMENT  
P.O. JOHN FITZGIBBONS/POLICE  
DEPARTMENT**

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

RESOLVED, that upon the recommendation of the Chief of Police, accept with regret, that effective January 14, 2017, POLICE OFFICER JOHN FITZGIBBONS will be retired from the Orangetown Police Department as a result of the New York State Police & Fire Retirement System approving his application for a Performance of Duty Disability Retirement.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 51**

**EXECUTION AND DELIVERY OF  
QUITCLAIM DEED / PEARL RIVER  
CEMETERY/SUBJECT TO  
PERMISSIVE REFERENDUM**

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

WHEREAS, the Pearl River Cemetery, is a 2.1202 acre plot of land located between South John Street and Franklin Avenue in the Hamlet of Pearl River, and bearing Tax Map designation 68.20-2-68 on the Tax Map of the Town of Orangetown (the “Cemetery”); and

WHEREAS, the Cemetery has been an active operating cemetery for almost 200 years, with the earliest internment thereat believed to date back to 1821; and

WHEREAS, the Cemetery is presently operated by a diligent volunteer group, now known as the “Restoration Committee for Pearl River Cemetery” and/or the “Pearl River Cemetery Association” (hereinafter, collectively, the “Committee”), who maintain the Cemetery in meticulous fashion, and in accordance with established rules and regulations and by-laws; and

WHEREAS, although privately operated and maintained, pursuant to N.Y.S. Town Law § 291(1), title to the Cemetery, in fact, may presently be vested in the Town; and

WHEREAS, pursuant to N.Y.S. Town Law § 292, the Town may convey and transfer its right, title and interest, if any, in the Cemetery to a cemetery corporation authorized to hold and maintain the property for cemetery purposes; and

WHEREAS, the Committee is in the process of incorporating as a not-for-profit corporation, *to wit*, the “Pearl River Cemetery Corp., pursuant to Article 15 of the Not-for-Profit Corporation Law, allowing it to take title to the Cemetery, and to continue to operate the Cemetery in a sustainable fashion, under the supervision and guidance of the New York State Cemetery Board; and

WHEREAS, the Town Board believe it to be in the best interests of the Town, the Cemetery, and all those who otherwise have an interest in the Cemetery were it to be owned and operated by a qualified Not-for-Profit entity, rather than by the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the conveyance by the Town of the Town’s interest, if any, in the Cemetery to the Pearl River Cemetery Corp., and the execution of a Quitclaim Deed by the Supervisor, subject to delivery by the Corporation of a certified or other verified copy of the Certificate of Incorporation of the Pearl River Cemetery Corp., and proof of its filing with the Secretary of State, and such other documents or filings as may be required by the N.Y. Department of State, Division of Cemeteries, approving the operation of the Cemetery by the newly formed corporation; and

BE IT FURTHER RESOLVED, that, inasmuch as this resolution involves the conveyance of an interest in real property by the Town, this resolution is subject to Permissive Referendum.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 52**

**LEAD AGENCY/SEQRA DECLARATION  
1 YEAR CONTRACT EXTENSION**

**APPLIEDGOLF, LLC (BROADACRES GOLF COURSE)**

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

WHEREAS, by resolution 96 of 2014, the Town Board approved a Management Contract for a period of three years with APPLIEDGOLF, LLC (“Applied”) for the private management of the Broadacres Golf Course; and

WHEREAS, the Request for Proposals which led to the Agreement with Applied, authorized, subject to agreement by the parties, up to two (2) one-year extensions; and

WHEREAS, the three year term of the initial Agreement between the Town and Applied expired on December 31, 2016, and Applied has requested that the Town extend the Agreement for one additional year, as proposed in the RFP, at the same fee, subject to adjustment based on related performance goals, as was paid in any one of years 1, 2 or 3 of the recently expired Agreement, at the Town’s option; and

WHEREAS, the Town is satisfied with Applied’s management performance, and, as such, is favorably disposed to extend the Agreement for the same fee (with the same related performance goals) as it paid to Applied for, and during, the second year (2015) of the three year Agreement; and

WHEREAS, any action taken in furtherance of such an extension is subject to review under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board is the only Involved Agency with respect to the action proposed to be undertaken; and

WHEREAS, the Town Board has carefully considered the proposed action, including, among other things, the cost savings that will result from the proposed action; and

WHEREAS, the Town Board has further reviewed and considered the Short Environmental Assessment Form prepared by the Supervisor and Town Attorney relating to the proposed action; and

WHEREAS, having carefully considered all of the above, and having taken a hard look at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impacts or effects caused or occasioned by the execution of a one-year extension of the Agreement for the private management of the Broadacres Golf Course,

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby declares itself to be Lead Agency for the purpose of environmental review of the proposed action; and

BE IT FURTHER RESOLVED, that the Town Board issues a Determination of Non-significance with respect to the referenced action, and authorizes the Town Supervisor, or his designated agent, to execute and circulate same as may be required, and to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency in accordance with the applicable provisions of law.

Ayes: Supervisor Stewart  
Councilpersons Bottari, Troy, Diviny  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 53**

**EXTENSION OF MANAGEMENT CONTRACT/APPLIED GOLF BROADACRES GOLF**

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

WHEREAS, by resolution 96 of 2014, the Town Board approved a Management Contract for a period of three years with APPLIEDGOLF, LLC (“Applied”) for the private management of the Broadacres Golf Course; and

WHEREAS, the Request for Proposals which led to the Agreement with Applied, authorized, subject to agreement by the parties, up to two (2) one-year extensions; and

WHEREAS, the three year term of the initial Agreement between the Town and Applied expired December 31, 2016, and Applied has requested that the Town extend the Agreement for an additional year, as proposed in the RFP, at the same fee, subject to adjustment based on related performance goals, as was paid in any one of years 1, 2 or 3 of the Agreement, at the Town’s option; and

WHEREAS, the Town Finance Director, in consultation with the Town Superintendent of Parks, Recreation and Buildings, following a review of the income and revenue statements for the three years of the Agreement, has concluded that the Town’s financial interests would be best served were the Town to extend the Agreement based on the fee/performance goals as applied in the second year (2015) of the Agreement; and

WHEREAS, by extending the Agreement, the Town will continue to receive a \$50,000.00 discount that exists under its Management Agreement with Applied for Applied’s management of the Blue Hill Golf Course, which discount exists for however so long Applied manages both golf courses; and

WHEREAS, the Town Board has determined that it is in the best economic interests of the Town to extend the Agreement between the Town and Applied for an additional one year period on the same terms and conditions as set forth in the recently expired Agreement between the parties at the fee and performance amounts applicable in year 2015,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves an extension of the Management Agreement between the Town and AppliedGolf for the management of the Broadacres Golf Course for the 2017 golf season on the terms set forth in the recently expired Management Agreement between the parties, at the financial terms set forth therein as applicable to the second year of the Agreement, to wit, 2015; and

BE IT FURTHER RESOLVED that the Town Supervisor, or his designated representative, shall be authorized to execute the said Extension Agreement.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 54**

**ADOPT/STREETLIGHT POLICY**

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

WHEREAS, the Town Traffic Advisory Board has recommended that the Town adopt a policy setting forth objective criteria to guide the Town with respect to the location of street lights to be installed on public streets or in the public right of way, so as to ensure the safety of vehicular and pedestrian traffic, as well as the procedure to be followed in connection with requests therefor by public and private persons or entities; and

WHEREAS, the Traffic Advisory Board has proposed such a policy; and

WHEREAS, the Town Board has reviewed the proposed policy, as expressly incorporated in, and made a part of, this resolution (Exhibit 01-B-17),

NOW, THEREFORE, BE IT RESOLVED, on recommendation of the Traffic Advisory Board, the Town Attorney and the Town Superintendent of Highways, that the Town Board hereby adopts the said Town of Orangetown Street Light Policy

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 55**

**ACCEPT/RECEIVE/FILE  
PERFORMANCE BOND  
BRIGHTVIEWLAKE TAPPAN, LLC  
SENIOR LIVING**

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

WHEREAS, pursuant to the aforesaid approvals, the Planning Board required that the applicant post a Performance Bond in the amount of \$359,040.00 to ensure the construction and completion of certain public improvements pursuant to the aforesaid approvals, and

WHEREAS, the applicant has submitted a fully executed Performance Bond dated December 6, 2016, issued by Liberty Mutual Insurance Company as Surety, on behalf of Brightview Lake Tappan, LLC, as principal, in the amount of \$359,040.00 naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "Brightview Lake Tappan Site Plan", which Performance Bond has been approved as to form and substance by the Town Attorney's Office,

NOW THEREFORE BE IT FURTHER RESOLVED THAT, the Town hereby formally accepts, receives and files with the Office of the Town Clerk a Performance Bond dated December 6, 2016 issued by Liberty Mutual Insurance Company as Surety, on behalf of Brightview Lake Tappan, LLC, as principal, in the amount of \$359,040.00 naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "Brightview Lake Tappan Site Plan" no later than December 14, 2018 and said bond to be returned only upon satisfactory completion of said public improvements according to the terms of said Bond and Planning Board decisions 2015-40 and 2016-14, any Town departments having jurisdiction thereof, and formal resolution of the Town Board.

Ayes: Councilperson Diviny, Supervisor Stewart  
Councilpersons Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 56**

**BID/SCHULTZ FORD/TWO (2) SPORT  
UTILITY VEHICLES/HIGHWAY**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Two (2) Sport Utility Vehicles, which were received and publicly opened on December 29, 2016; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 01-C-17, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Highways, this bid be awarded to Schultz Ford, Nanuet, NY, in the amount of \$52,528.00, the lowest qualified bidder, to be charged to account number H.5130.200.90

Ayes: Supervisor Stewart  
Councilpersons Bottari, Troy, Diviny  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 57**

**BID/SCHULTZ FORD/THREE (3) PICK UP TRUCKS/HIGHWAY**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Two (2) Sport Utility Vehicles, which were received and publicly opened on January 5, 2017; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 01-D-17, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation of the Superintendent of Highways, this bid shall be awarded to Schultz Ford, Nanuet, New York, the lowest qualified bidder, in the amount of \$88,440.00, (\$58,960.00 to be charged to Account Number H.5130.200.90, and \$29,480.00 to be charged to Account Number D.S130.200.05).

Ayes: Councilpersons Diviny, Bottari, Troy  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 58**

**AID/ST. PATRICK'S DAY PARADE SUNDAY/MARCH 19, 2017**

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

RESOLVED, that the Town Board hereby authorizes the Highway Department, Parks Department and Police Department to lend assistance, including personnel & equipment (as may be required) the use of trash barrels, barricades, and painting of the green stripe, port-o-sans (cost to be shared with the AOH), and police personnel, for the St. Patrick's Day Parade to be held on Sunday, March 19, 2017, from 1 pm to 4 pm.

Ayes: Councilman Diviny, Supervisor Stewart  
Councilpersons Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 59**

**SURPLUS EQUIPMENT/IT DEPT**

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

RESOLVED, upon the recommendation of Director of Automated Services, declare the following surplus equipment available for auction

Tandberg Data Tape Drive SN- 92409-LTO  
Tandberg Data Tape Drive SN- 92481-LTO

Ayes: Councilpersons Diviny, Bottari, Troy  
Supervisor Stewart  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 60**

**ACCEPT/RECEIVE/FILE/TOWN CLERK'S OFFICE**

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

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

1. Supervisor's Annual Tax Roll Report for 2017.
2. November 29, 2016 Regular Town Board Meeting minutes; November 30, 2016, December 14, 2017, December 16, 2016 and January 18, 2017 Special Town Board Meeting minutes; December 6, 2016 and January 10, 2017 Police Commission minutes; December 6, 2016 and January 10, 2017 Workshop meeting minutes; and January 3, 2017 Re-Organizational/Regular Town Board minutes.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 61**

**ACCESS AGREEMENT/TOWN OWNED LANDS AND BUILDINGS ROCKLAND PSYCHIATRIC CENTER**

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

RESOLVED, that the Town Supervisor, or his designated representative, shall be authorized to sign an Access Agreement with representatives of a prospective purchaser, in a form suitable to the Town Attorney, and subject to insurance and indemnification requirements, allowing such party to enter upon Town owned lands and buildings at the Rockland Psychiatric Center, in order to inspect and to conduct such tests, as may be reasonably be required, in contemplation of a purchase offer.

Ayes: Supervisor Stewart  
Councilpersons Diviny, Troy, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 62**

**PAY VOUCHERS**

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

RESOLVED, upon the recommendation of the Finance Director, Jeff Bencik, 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 for a total amount of \$2,909,526.51.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 63**

**ENTER EXECUTIVE SESSION RFP/ARCHITECTURAL & SPACE PLANNING SERVICES**

In attendance, at this Executive Session, were Supervisor Stewart, Councilpersons Troy, Diviny, and Bottari, Charlotte Madigan, John Edwards, Teresa Kenny, Jeff Bencik, Joseph Moran, and Aric Gorton.

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

RESOLVED, at 8:55 p.m. the Town Board entered Executive Session to discuss the Architectural & Space Planning Services RFP.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

\*\*\*

**RESOLUTION NO. 64**

**RE-ENTERED RTBM/ADJOURNED**

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

RESOLVED, at 9:35 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of Laurel Dell, Tappan; John Rutledge, Tappan and Anna Evangelist, Sparkill.

Ayes: Supervisor Stewart  
Councilpersons Troy, Diviny, Bottari  
Noes: None  
Absent: Councilperson Valentine

---

**Charlotte Madigan, Town Clerk**