

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, MAY 29, 2012**

This Town Board Meeting was opened at 7:35 p.m. Supervisor Stewart presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy  
Councilman Thomas Diviny  
Councilman Thomas Morr  
Councilman Paul Valentine

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, First Deputy Town Attorney  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Joseph Moran, Commissioner of DEMA  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks-Rec & Building Maint.  
Maureen McGrath, Court Clerk

Esta Baitler led the Pledge of Allegiance to the Flag.

Certificates of Recognition were presented to the Pearl River Girls' Basketball Team by the Supervisor and Town Board members. Their coach, Lorraine Moylan, along with the team, were praised for their hard work and dedication to basketball. Mrs. Moylan was thanked by Councilman Troy for bringing out the best in these young women. The certificates were presented to Emma Daly, Samantha Alicandri, Jessica Neugebauer, Maura Sullivan, Jessica Dolan, Amanda DeCoursey, Meaghan DiGiovanni, Marissa Scognamiglio, Christy Carty, Allison Cook, Kerry Sullivan, Christa Scognamiglio, and Nichole Grossbard.

Betsy and Don Brenner were thanked by the members of the Town Board, for their donation of plaques for the Memorial Day Presentation of "Streets Named for Our Fallen Heroes" project, of the Orangetown Highway Department. James Dean said that the WEB site has the names of our Fallen Heroes, and he would appreciate hearing from anyone with a personal bio in conjunction with these names.

**Summary of Public Comments:**

Ester Baitler, Sparkill, spoke about the need for sidewalks along Route 340. When will this project be finished?

Eileen Larkin, Palisades, would like a number for Cortwood Village. She spoke about Memorial Day and our Fallen Heroes.

Shelly Morgan, Tappan, wanted answers for his FOIL regarding a sewer truck on private property. Joseph Moran, Commissioner of DEMA, answered all his questions.

Roman Rywak, Tappan, asked about the Orangeburg pipe and when the cleanup will be done on the Army Barracks property.

**RESOLUTION NO. 259**

**CLOSE PUBLIC COMMENTS**

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

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**RESOLUTION NO. 260****APPROVE AID/RELAY FOR LIFE**

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

RESOLVED, that aid to the American Cancer Society Relay for Life, at the Central Avenue Field, in Pearl River on June 15, 2012, by providing barricades and trash barrels and four port-o-sans (3 regular and 1 handicapped) for the event is hereby approved.

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

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**RESOLUTION NO. 261****ADOPT/COMPUTER SYSTEM  
SECURITY BREACH NOTIFICATION  
POLICY**

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

WHEREAS, New York State Technology Law Section 208 establishes procedures to be followed to notify affected individuals in the event of a breach of a computer security system and requires municipalities to adopt a notification policy or local law consistent with these procedures;

NOW, THEREFORE, BE IT

RESOLVED, that the attached (Exhibit 05-C-12) "Town of Orangetown Computer System Security Breach Notification Policy" is hereby approved and adopted as the Town's official policy; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to take such actions as may be necessary to implement the Policy; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

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**RESOLUTION NO. 262****CERTIFICATE OF REGISTRATION  
2012 SEWER WORK**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for 2012 Sewer Work is approved to the following:

Dutra Excavating & Sewer, Inc. 10 Stone Hollow Road, Montvale, NJ

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

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**RESOLUTION NO. 263****INCREASE JUSTICE COURT BUDGET  
GRANT FUNDS/FURNITURE**

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

**Resolution No. 263 - Continued**

RESOLVED, that Account Number A.1110.200, of Justice Court's budget is hereby increased by \$15,048, to reflect the receipt of grant funds to be used for the purchase of furniture and file cabinets.

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

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**RESOLUTION NO. 264****AWARD BID/CHESTNUT RIDGE  
TRANSPORTATION**

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

WHEREAS, the Superintendent of Parks and Recreation duly advertised for sealed bids for Bus Transportation for Summer Camp, which were received and publicly opened on May 12, 2012. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 05-A-12, and made a part of these minutes.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the 2012 Bus Transportation for Summer Camp is hereby awarded to Chestnut Ridge Transportation, Spring Valley, New York, the only qualified bidder, at a price of \$348.00 per bus for All Day Transportation, and \$246.00 per bus for Morning and Afternoon Bus Service.

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

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**RESOLUTION NO. 265****AWARD RFP MOWING AND  
MAINTENANCE/RPC  
CREATIVE TOUCH LANDSCAPING**

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

WHEREAS, the Superintendent of Parks and Recreation duly advertised for sealed RFPs for Mowing and Maintenance at RPC, which were received and publicly opened on May 18, 2012. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 05-B-12, and made a part of these minutes.

NOW, THEREFORE, BE IT RESOLVED, the RFP for Mowing and Maintenance at RPC is hereby awarded to the lowest qualified bidder, Creative Touch Landscaping of Pearl River, in the amount of \$17,571.78 which includes a spring clean up, monthly mowing and a fall clean up.

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

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**RESOLUTION NO. 266****ACCEPT/RESIGNATION/RETIREMENT  
VINCENT MALFITANO/PARKS**

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

**Resolution No. 266 - Continued**

RESOLVED, that the retirement of Vincent J. Malfitano, from the Orangetown Parks and Recreation Department, effective May 26, 2012, is hereby accepted with regret.

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

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**RESOLUTION NO. 267****APPOINT/HIGHWAY PRINCIPAL  
CLERK TYPIST/KAREN JAHNES**

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

RESOLVED, that Karen Jahnes is hereby appointed to the position of Principal Clerk Typist, in the Highway Department, permanent, from Eligible List Number 12010/70-771, effective May 29, 2012, with no change in salary or grade.

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

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**RESOLUTION NO. 268****ACCEPT/RECEIVE/FILE DOCUMENTS  
TOWN CLERK'S OFFICE**

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

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

- 1) 2012 Agreement with the Blauvelt Volunteer Fire Company, dated April 10, 2012 and the Extract of Minutes of the Blauvelt Volunteer Fire Company Board of Directors, dated April 5, 2012.
- 2) Letter of Extension Agreement with The Noble Ninth, dated March 27, 2012 for the Town's Summer Day Camp.
- 3) Revocable License to Enter upon Town Owned Lands at RPC and the Orangetown Mighty Midgets Athletic Club, dated April 18, 2012 for an Athletic Fields Feasibility Assessment.
- 4) April 10, 2012 Special Town Board Meeting minutes; April 19, 2012 Executive Session minutes; and April 26, 2012 Police Commission and Regular Town Board Meeting.

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

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**RESOLUTION NO. 269****PERMISSION GRANTED/NYWEA  
SPRING TECHNICAL CONFERENCE  
KEN SKIBINSKI/DEME**

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

RESOLVED, that upon the recommendation of the Commissioner of DEME, permission is hereby granted to Ken Skibinski to attend the NYWEA 2012 Spring Technical Conference & Exhibition at the Hyatt Regency, Buffalo, NY, June 4-6, 2012 with \$375.00 to be charged to Account 8810-0441 for registration and \$600.00 to Account No. 8810-0480 for hotels, mileage and tolls, etc.

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

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**RESOLUTION NO. 270****APPOINT/ALTERNATE COURT  
CONSTABLE/ANDREW EANNIELLO**

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

RESOLVED, that Andrew Eanniello is hereby appointed to the position of Court Constable (PT) in the Justice Department, provisionally, effective May 29, 2012, to serve as an alternate when need arises, at a pay rate of \$20.00/hour.

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

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**RESOLUTION NO. 271****ENTERED AUDIT**

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

RESOLVED, that the Town Board entered the Audit Meeting at 8:25 p.m.

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

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**RESOLUTION NO. 272****PAY VOUCHERS**

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds in the amount of \$1,031,388.14.

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

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**RESOLUTION NO. 273****ENTER EXECUTIVE SESSION  
CONTRACT NEGOTIATIONS**

In attendance, at this Executive Session, were Supervisor Stewart, Councilmen Troy, Diviny, Morr and Valentine, Charlotte Madigan, John Edwards, Teresa Kenny, and Charles Richardson.

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

RESOLVED, that the Town Board entered Executive Session to discuss contract negotiations at 8:30 p.m.

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

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**RESOLUTION NO. 274****RE-ENTERED RTBM  
ADJOURNMENT/MEMORY**

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

**Resolution No. 274 - Continued**

RESOLVED, that the Town Board re-entered the Regular Town Board Meeting and adjourned, in memory of Dorothy Fennell, Pearl River; Thomas McLinskey, Pearl River; Michael Kane, Orangeburg; and William J. Neuendorf, Tappan, at 10:15 p.m.

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

Noes: None

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**Charlotte Madigan, Town Clerk**