

## Resolution 15 of 2011

### **Motion to Authorize Supervisor to Sign Agreement Entering Orange & Rockland Rate Increase Lawsuit-**

Supervisor Brabenec introduced the Consideration of the Orange and Rockland (O & R) Rate Increase Lawsuit, which was introduced last November by the local association of towns who had hired an attorney to start a class action suit due to the proposed increased rates. Street Lighting by almost 40%, residential was about 25% and the board approved a motion to contribute in the O & R Litigation with a contingency of a minimum of 20 towns and villages for the maximum contribution of \$3,000. Mr. Bavoso advised them to consider an acceptable retainer agreement with that attorney stipulating what is being paid for and clarifies what the \$3,000 will provide the town. He assumed that amount would pay for the attorney to oppose the O & R rate proposed by the Public Service Commission. The attorney called confirming that they do have 20 towns and villages. This Resolution would authorize the Supervisor to go ahead and sign the paper work to file this suit against O & R.

**Motion by Gary Spears, 2<sup>nd</sup> by David Dean to authorize the Supervisor to sign the agreement to enter the lawsuit against the Orange and Rockland Rate Increase with a limit of \$3,000 as Resolution 15 of 2011.**

Roll Call: 5 Ayes:

Councilman: Gary Spears  
Councilman: David Dean

Councilman: David Hoovler  
Supervisor: Karl Brabenec

Absent: Councilman: Art Trovei

**MOTION CARRIED**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Deerpark this 16<sup>th</sup> day of May 2011.

---

Florence T. Santini, Town Clerk

---

Town Seal