

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
AUGUST 12, 2002**

The Regular Town Board Meeting was opened at 7:47 P.M. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Edward Fisher
Councilman Denis O'Donnell
Councilman Denis Troy
Councilwoman Marie Manning

Also present:

Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
Veronica Murphy, Deputy Town Clerk
Suzanne Barclay, Executive Assistant to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir., Dept. Environmental Mgt. & Eng.
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardiello, Director, OBZPAE
Richard L. Rose, Jr., Supt., Parks-Recreation & Bldg. Maint.

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The Pledge of Allegiance to the Flag was led by the Town Board.

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Supervisor Kleiner noted the September 11th Memorial Concert with Tom Chapin and Terri Fails.

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Councilman Fisher inquired as to what constitutes the need for a public hearing.

James K. Riley, Town Attorney, said an example would be a zone change.

Councilman Fisher re school property.

James K. Riley, Town Attorney, said that the public entity easement of land to Pearl River School District does not require a public hearing, nor the purchase of land at Rockland Psychiatric Center, only the signing of the contract.

John Saccardi, Saccardi & Schiff, and the Town Board had a lengthy discussion regarding memos and FGEIS, PUD (Planned Unit Development), and the Town of Orangetown as Zoning Tool Floating Zone. R80 would remain as in Kaufman Camp Grounds or PUD Zoning. PUD would allow the Town Board to grant additional incentives for example forty (40) houses, Town of Orangetown could allow fifty (50) houses. PUD should be included in order to have use of it only if the Town wishes because PUD makes it clearer. PUD keeps the applicant and Town working together, it's a better tool for the Town regarding development. When you draft PUD the Town Board would put a ceiling or a maximum on what they want. One Hundred (100) acres is not always the criteria, usually this is for particular properties, twenty five (25) acres that would be typical.

Supervisor Kleiner re environmental acceptance then what would be going into a plan? Tonight the decision should include the PUD plan because of the reasons stated by John Saccardi. PUD is something the Town Board can use at their discretion.

John Saccardi said that when the final plan is being done then the PUD could be worked on to stipulate exactly what the Town Board wants.

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The public portion was opened and the following spoke:

Ellen McCarty, Tappan, Local Law of 2002 need for wording to be included to protect the homeowners from the builders, Orange & Rockland and difficulty moving poles.

Elizabeth Werner, Pearl River, opposed to restricting parking on Franklin Avenue. She lives in a multi-family home and needs street parking.

The Town Board suggested removing from the agenda the item on limiting the parking to four hours on Franklin Avenue until reviewed by the Traffic Advisory Board.

Shelly Morgan, Tappan, discussed Rockland Psychiatric Center and trading of property.

Reginald Thayer, Palisades, forty five year resident, bond for Rockland Psychiatric Center property, "General Municipal Purposes", language is too restrictive, remediation costs, \$15,000,000 to remediate the buildings, and \$1,000,000 for open space. He asked how this would be paid? FGEIS went to Town Board and Planning Board, asked how Donald Brenner got report earlier than anyone else did.

Supervisor Kleiner advised that the Town Board, as a union, agrees that the Town should not incur the \$15,000,000 cost.

Kathy Demopoulos, Orangeburg, re Orangeburg Road paved but not painted correctly and causes a dangerous situation.

John Leichter, Orangeburg, County needs to make buffer line larger on Orangeburg Road.

Angie Demopoulos, Orangeburg, Orangeburg Road needs to be corrected.

Eileen Larkin, Palisades, September Workshop Palisades wells, guard rail on Kings Highway, purchase of Rockland Psychiatric Center property, Master Plan before November election, homeowners community meetings to be specific re plans.

Audrey Schneider thanked Saccardi for their Comprehensive Plan, concerned that Oak Tree Road was not addressed, all north side is not LIO but residential.

Carol Silverstein, Orangeburg, wants dollar impact purchase of Rockland Psychiatric Center will have on each homeowner.

Mr. Alexander, Pearl River, opposed to easement agreement between Pearl River School District and the Town of Orangetown without having a public hearing. Any land offered should have a public hearing first.

Quinton Van Wynen, Vice President of Pearl River School Board, thanked the Town Board. He said that this has taken over a year and involves the safety of students and school buses. Concerned re Rockland Psychiatric Center tax certioraris and impact this will have on the Pearl River School District and letter to Pataki, Councilmen, etc., on concerns regarding certioraris and closing costs.

James K. Riley, Town Attorney, present position is that the certioraris must be separated from closing costs.

Catherine Dodge, Orangeburg, asked if all the correct steps were taken in order to remove Stephens Road from the Town map.

Mary Kuhner, Blauvelt, asked for meaning of “SEQRA including recognition and affirmance of action of Empire State Development Corporation” on agenda item #3.

Stan Shelofsky, Orangeburg, purchase price of Rockland Psychiatric Center property excellent amount, careful of wording.

Betsy Brenner, Orangeburg, Planned Unit Development should be used, is against this, negotiated price unreasonable for polluted property. Costs not properly studied, needs to be studied further regarding roads, police, sewer, etc., \$6,000,000 can become \$60,000,000.

Tim Hopkins, Blauvelt, Final Impact Statement, feed back, process is validation of Draft Plan. He advised the Town Board not to accept the statement as written.

Donald Brenner, Orangeburg, Attorney for developers, is in favor of this PUD. Variable is that challenge rights are taken away. Reject Comprehensive Plan, and FGEIS should not be accepted without dollar amount included. Traffic study needed.

Hector May, look at design and designation of Rockland Psychiatric Center, 183 acres must be commercially done for tax credits, but any amount if continuous assisted care not commercial. Empire Zone and benefits to the Town should be considered.

David Howe, re Hickory Hill, should move forward and sign bonds on Rockland Psychiatric Center, concerned about designation of an Empire Zone in Orangetown, in favor of accepting and filing the FGEIS for the Comprehensive Plan.

Mary McCloskey, Blauvelt, asked if Empire Zone would eliminate Senior Housing on Rockland Psychiatric Center property. Senior housing is an important issue and should be revisited.

Supervisor Kleiner noted that the Town Board is unified in building Senior Housing.

Al Rossi, Orangeburg, re utilization of site, the Town Board controls use of site through existing zoning, PUD not necessary. He said that one area left to developer is poorest area, and asked what can someone do there that is economically feasible.

Fran Oldenburger, Blauvelt, wants Rockland Psychiatric Center property to go through. FGEIS needs to be accepted. Have Company issue letter to look into water concerns.

Gerald Walsh, Pearl River, spoke on his letter to Governor Pataki asking him to intervene to resolve Rockland Psychiatric Center property tax certiorari against the Town of Orangetown, which will have a potential School rebate of \$1,000,000 and Town and County rebate of \$350,000. He noted the \$750,000 per year tax loss to the Pearl River School District upon sale of the property until occupied by tax ratables. He also noted the cost of remediation of the property and buildings and said that the State has an obligation to remediate the site. He urged the immediate involvement of the Governor in resolving the problems. He congratulated the Town Board on their decision to write to Governor Pataki. He agreed that relief will only come through pressure and he urged the community to speak out.

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RESOLUTION NO. 445

**OPEN/CONTINUE P/H
LL ELECTING RETIREMENT
INCENTIVE CH 69/LAWS 2002**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the public hearing to consider the adoption of a proposed local law electing a Retirement Incentive Program as authorized by Chapter 69, Laws of 2002, for the eligible employees of the Town of Orangetown is hereby opened and continued.

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner
Noes: None

The Town Clerk presented affidavit of publication and notice of posting, copies are labeled Exhibit 8-B-02 and made a part of these minutes.

The public portion was opened and the following spoke:

Charles Richardson, Director of Finance, gave an overview of the retirement incentive.

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RESOLUTION NO. 446

**CLOSE P/H LL ELECTING
RETIREMENT INCENTIVE
CH 69/LAWS 2002**

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

RESOLVED, that this public hearing is hereby closed.

Ayes: Councilpersons O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 447

**TB DEC/LL ELECTING
RETIREMENT INCENTIVE
CH 69 LAWS 2002/ADOPTED**

Councilman Fisher offered the following resolution, which was seconded by Councilman O'Donnell and was unanimously adopted:

RESOLVED, that this Town Board hereby adopts the following law electing a retirement incentive program as authorized by Chapter 69, laws of 2002 for the eligible employees of the Town of Orangetown:

Be it enacted by the Town Board of the Town of Orangetown as follows:

1. The Town of Orangetown hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 69, Laws of 2002.
2. The commencement date of the retirement incentive program shall be October 3, 2002 through December 31, 2002.

(continued on page 5)

RESOLUTION NO. 447 (continued)

- 3. The open period during which eligible employees may retire and receive the additional retirement benefits shall be ninety (90) days in length.
- 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Orangetown for each employee who receives the retirement benefits payment under this local law.
- 5. This act shall take effect immediately.

Ayes: Councilpersons Fisher, O'Donnell, Troy, Manning
 Supervisor Kleiner
 Noes: None

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RESOLUTION NO. 448

**SEQRA DECLARATION/LEAD
AGENCY SURPLUS LANDS
ROCKLAND PSYCHIATRIC
CENTER**

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

WHEREAS, the Town of Orangetown is interested in the proposed purchase of certain surplus lands consisting of 348 acres with buildings and improvements thereon as located at the Rockland Psychiatric Center, which lands are also described in general in Chapter 221 of the Laws of 2001; and

WHEREAS, the New York State Urban Development Corporation D/B/A Empire State Development Corporation (ESDC), acting as representative of the State of New York, is negotiating concerning the proposed terms and conditions of a purchase and sale agreement on behalf of the State of New York with the Town of Orangetown; and

WHEREAS, the New York State Urban Development Corporation D/B/A Empire State Development Corporation has determined that as an "involved agency" it acted as "lead agent" concerning all procedures required under Article 8 of the Environmental Quality Review Act with regard to the sale of the surplus lands in same; and

WHEREAS, the New York State Urban Development Corporation D/B/A Empire State Development Corporation previously communicated to others involved as interested agencies that the Empire State Development Agency would act as lead agent with regard to the sale and conveyance of the surplus lands located at Rockland Psychiatric Center, which lands are also described in general in Chapter 221 of the Laws of 2001 and more particularly as 348 acres in the survey and metes and bounds description set forth in the proposed purchase and sale agreement between the New York State Urban Development Corporation D/B/A Empire State Development Corporation and the Town of Orangetown; and

WHEREAS, the New York State Urban Development Corporation D/B/A Empire State Development Corporation has previously determined (copy dated February 23, 2000 attached as Exhibit "A" hereto with completed Environmental Assessment Form) and continues to hold that the proposed action is the sale and conveyance of approximately 335 acres of land by the New York State Urban Development Corporation D/B/A Empire State Development Corporation to the Town of Orangetown as a third

(continued on page 6)

RESOLUTION NO. 448 (continued)

party purchaser is to be recognized as subject to a negative declaration;

NOW, THEREFORE, the Town of Orangetown hereby acknowledges and determines that the New York State Urban Development Corporation D/B/A Empire State Development Corporation acted as lead agent with regard to those environmental review procedures established pursuant to Article 8 of the Environmental Conservation Law concerning the proposed sale to the Town of Orangetown and affirms, confirms, recognizes, and adopts the findings of fact and conclusions as set forth in the determination of the New York State Urban Development Corporation D/B/A Empire State Development Corporation dated February 23, 2000, together with those findings set forth in the completed Environmental Assessment Form as prepared by the New York State Urban Development Corporation D/B/A Empire State Development Corporation (all attached as Exhibit "A") including but not limited to the following specific findings:

- (i) "There currently exists no specific project plan or proposal for development or a change in the type or intensity of the use of the subject property ("Specific Project Plan"). Thus, no development or change respecting the uses on the property is being considered at this time. Any further development or change respecting the use of the property would be subject to local land use controls and further review under the State Environmental ... before it is undertaken, funded or approved by any agency."

- (ii) "The Proposed Action would result in the disposition of property owned by the State of New York. The portion of the facility proposed to be sold is no longer needed or used for mental health care purposes. No Specific Project Plan for the property currently exists. Thus, no development plan or change in the type or intensity of use of the property is being considered at this time. This action does not authorize, fund or approve any development or change in the type or intensity of the use on the property. ESDC Staff has reviewed all actions leading up to the ..."

- (iii) "Because the conveyance of title will not have any impact on the environment, no long term, short term, cumulative or other impacts are expected from the Proposed Action, alone or in conjunction with other known actions. The Proposed Action would also not result in any adverse impacts on growth, subsequent development, or related activities."

- (iv) "No Specific Project Plan for the property has been proposed or is currently being considered by ESDC. Thus, the environmental review of the Proposed Action is not being "segmented" from the review of any such Plan."

- (v) "To the extent that it may be found that the environmental review of the Proposed Action is being "segmented", it

(continued on page 7)

RESOLUTION NO. 448 (continued)

may be “permissibly segmented” pursuant to 6 NYCRR Part 617.3(g). ESDC finds that the following circumstances warrant a “segmented” review of the Proposed Action should ...”

- (vi) “The act of changing the titleholder without authorizing, funding or approving any physical changes at the property has no environmental impact;”

- (vii) “ESDC’s approval of the Proposed Action does not commit ESDC or any other agency to undertake, fund or approve any other action respecting the property. Moreover, the discretion of any agencies which must approve any future use or development on the property is unaffected by ESDC’s approval of the Proposed Action;”

- (viii) “Any significant change respecting the use of the property or proposal for development would have been subject to complete land use and environmental review before it is undertaken, funded or approved. As State owned property, it was not subject to any local land use laws and regulations. Upon conveyance to a private party, the property would be subject to such laws and regulations, including comprehensive environmental review.”

as and to be applicable to three proposed resolutions under consideration by the Town Board of the Town of Orangetown, which resolutions are as designated as follows:

- (1) Resolution under the provisions of Chapter 221 of the Laws of 2001 to authorize the Town Supervisor to submit an application to the commissioner of general services to purchase the surplus lands as described in Chapter 221 from the New York State Urban Development Corporation D/B/A the Empire State Development Corporation; and
- (2) Resolution to authorize Town Supervisor to execute and deliver a contract to purchase 348 acres of surplus lands at Rockland Psychiatric Center for the sum of \$5,950,000 (and certain annual sanitary sewer and private road services to be performed by the Town for a period of 25 years after closing); and
- (3) Resolution to acquire approximately 348 acres of land and buildings with related closing costs for an estimated maximum cost of \$6,950,000 and that financing thereof be accomplished by the issuance of bonds of the Town of Orangetown and to levy and collect taxes on the taxable real property of the Town and to pay the principal and interest on said bonds; and

That each of said resolutions shall be expressly subject to all issues concerning physical condition of the premises which issues are to be resolved to the satisfaction of this Town Board, subject to financing and subject to approval by the voters of the Town of Orangetown at a general election to be held on November 5, 2002.

Ayes: Councilpersons Troy, Manning, O'Donnell
Supervisor Kleiner
Abst: Councilman Fisher
Noes: None

RESOLUTION NO. 449

**AUTHORIZE/SUPERVISOR
SUBMIT APPLICATION
PURCHASE SURPLUS LANDS
ROCKLAND PSYCHIATRIC
CENTER/CHAPTER 221/LAWS
OF 2001**

Councilman Troy offered the following resolution, which was seconded by Councilman O'Donnell and on roll call was adopted:

WHEREAS, under the provisions of Chapter 221 of the Laws of 2001, the Town of Orangetown was granted certain rights and entitlements with regard to the proposed acquisition of certain portions of the surplus lands of Rockland Psychiatric Center; and

WHEREAS, by separate previous resolution this Town Board has declared the New York State Urban Development Corporation D/B/A Empire State Development Corporation (ESDC) to be lead agent and has affirmed certain findings of the ESDC including a negative declaration with regard the proposed sale of surplus lands and buildings to the Town;

NOW, THEREFORE, the Town Board of the Town of Orangetown hereby declares that it intends to purchase those surplus lands as generally described in said legislation and the Town Supervisor is authorized and directed to execute and deliver an application to such effect to the commissioner of general services in accordance with Chapter 221 of the Laws of 2001.

- Ayes: Councilpersons Troy, O'Donnell, Manning
Supervisor Kleiner
- Abst: Councilman Fisher
- Noes: None

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RESOLUTION NO. 450

**AUTHORIZE/SUPERVISOR
EXECUTE/DELIVER
CONTRACT/ACQUISITION
SURPLUS LANDS/ROCKLAND
PSYCHIATRIC CENTER**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and on roll call was adopted:

WHEREAS, the Town Board of the Town of Orangetown recognizes the importance to the Town of the acquisition of 348 acres of surplus lands formerly utilized as part of the Rockland Psychiatric Center; and

WHEREAS, by separate previous resolution this Town Board has declared the New York State Urban Development Corporation D/B/A Empire State Development Corporation (ESDC) to be lead agent with regard to this proposed sale of 348 acres of surplus lands and buildings to the Town of Orangetown;

NOW, THEREFORE, BE IT RESOLVED that the Town of Orangetown hereby declares its intention to purchase and acquire 348 acres of lands and buildings for a purchase price of \$5,950,000 (and certain related annual in kind services to be performed by the Town of Orangetown) from the New York State Urban Development Corporation D/B/A Empire State Development Corporation and that an expenditure not to exceed an additional sum of \$1,000,000 for closing related costs, including closing adjustments, surveys, recording fees, title insurance fees, and similar closing items, and the Town Supervisor is authorized to execute and deliver a formal

(continued on page 9)

RESOLUTION NO. 450 (continued)

contract with a downpayment of \$595,000 for the proposed acquisition of such premises, and that the sums necessary to complete such actions in an amount not to exceed \$6,950,000 (including closing costs) be raised by the issuance of bonds on the further condition, however, that the expenditures of such monies and the issuance of the bonds therefore be subject to a referendum to be submitted to the voters of the Town of Orangetown at the general elections to be held on November 5, 2002 and further subject to receipt of final report on physical condition acceptable to this Town Board prior to such acquisition.

Ayes: Councilpersons O'Donnell, Troy, Manning
Supervisor Kleiner
Abst: Councilman Fisher
Noes: None

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RESOLUTION NO. 451

**SET DATE P/H BOND
RESOLUTION/ACQUISITION
LANDS/ROCKLAND
PSYCHIATRIC CENTER**

Councilman O'Donnell offered the following resolution, which was seconded by Councilwoman Manning and on roll call was adopted:

RESOLVED, that September 3, 2002, 8:00 P.M., is hereby set for a public hearing to consider a bond resolution authorizing acquisition of 348 acres of land and buildings at Rockland Psychiatric Center and establishing a plan of financing including the issuance of an amount not to exceed \$6,950,000 in bonds and the levy and collection of taxes to pay the principal and interest thereof.

Ayes: Councilpersons O'Donnell, Manning, Troy
Supervisor Kleiner
Noes: Councilman Fisher

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RESOLUTION NO. 452

**REQUEST EMPIRE STATE
DEVELOPMENT SELL OUR
LADY QUEEN OF PEACE
CHAPEL/RPC TO NEW YORK
DIOCESE**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the Town Board of the Town of Orangetown hereby requests that the Empire State Development Corporation consider selling the Our Lady Queen of Peace Catholic Chapel, located on Rockland Psychiatric Center property, to the New York Diocese at fair market value.

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 453

**ACCEPT/FILE/FINAL FGEIS
COMPREHENSIVE PLAN**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and on roll call was adopted:

RESOLVED, that the Final Generic Environmental Impact Statement (FGEIS) for the Comprehensive Plan for a 10 day public comment period is hereby received and filed, and, Be It

RESOLVED FURTHER that Saccardi and Schiff are hereby authorized to refer the FGEIS to public agencies.

Ayes: Councilpersons O'Donnell, Troy, Manning
Supervisor Kleiner
Noes: Councilman Fisher

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RESOLUTION NO. 454

**APPROVE EASEMENT AGREE
PEARL RIVER SCHOOL DIST
TOWN OF ORANGETOWN**

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

RESOLVED, that the easement agreement between the Pearl River Union Free School District No. 8 and the Town of Orangetown for .6127 acres located south of Gilbert Avenue next to the Pearl River Middle School for construction of a road is hereby approved.

Ayes: Councilpersons Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 455

**REMOVE/STEPHENS ROAD
TAPPAN/ORANGETOWN'S
OFFICIAL MAP**

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

WHEREAS, by Resolution dated April 8, 2002 and pursuant to New York State Town Law §273, the Town Board demapped a portion of Stephens Road, sometimes known as Stephens Lane, measuring 183.74 feet in length by 50 feet in width which exists as part of the back yards in between Lots 55, 56, and 59 at Section 77.10, Block 3 of the Orangetown Tax Map. Said property is presently undeveloped of amended petition. The premises described are unimproved and undedicated and have not been maintained by the Town.

The premises are shown on a filed map dated November 5 as map #510.

WHEREAS, The Town has never accepted a deed to the premises described;

WHEREAS, The Superintendent of Highways, James Dean, has advised that his Department has no interest in accepting or exercising any rights over the parcel.

(continued on page 11)

(RESOLUTION NO. 455 (continued))

WHEREAS, the premises have not been accepted for dedication to, nor improved or maintained by the Town.

WHEREAS, as said demapping was subject to and contingent upon:

1. Referral to the Planning Board pursuant to Town Law §273;
2. Approval by the Town Attorney’s Office of a covenant executed by owners of tax lots 55 and 56 and 58 and 59, and
3. Reimbursement of title charges and filing fees by owners to the Town of Orangetown.

WHEREAS, the application was presented to the Planning Board on May 8, 2002, and no objection or report has been received, or comments made;

WHEREAS, the demapping has been reviewed by the Rockland County Planning Board and approved by it by letter dated May 17, 2002,

WHEREAS, the Town has received reimbursement for title charges and filing fees by the applicant,

WHEREAS, in accordance with the request of the Town Attorney’s Office the application has been amended to include owner of Tax Lot 58 Thomas Meehan and Colleen Meehan of 24 Stephens Road, as a petitioner.

WHEREAS, the Town Attorney’s Office has received the covenant in proper form, and content for filing

RESOLVED THAT, the Town Board

Remove from the Town of Orangetown’s official map and tax map that portion of Stephen’s Road measuring 183.74 in length and fifty feet in width as shown on the tax map of the Town of Orangetown and contiguous to the north side of tax lots 55 and 56 and the south side of lot 59 all in Section 77.10, Block 3.

Ayes: Councilpersons Fisher, Troy, O'Donnell, Manning
 Supervisor Kleiner
 Noes: None

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RESOLUTION NO. 456

RESOLUTION SUPPORTING & CONCURRING IN ROCKLAND COUNTY’S APPLICATION FOR DESIGNATION OF CERTAIN AREAS WITHIN THE TOWN OF ORANGETOWN AS AN EMPIRE ZONE

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

WHEREAS, Section 961 of Article 18-B of the General Municipal Law authorizes application by Rockland County for designation as an Empire Zone within the meaning of said statute; and

(continued on page 12)

RESOLUTION NO. 456 (continued)

WHEREAS, such designation could greatly benefit Orangetown in that new businesses would be encouraged to locate in the zone area, existing businesses would generate new jobs for Orangetown residents; and

WHEREAS, Rockland County intends to authorize the submission of an application for the designation of areas within its borders as an Empire Zone; and

WHEREAS, Rockland County wishes to designate certain areas within the Town of Orangetown as part of the proposed Empire Zone; and

WHEREAS, the Town of Orangetown is desirous of working with Rockland County through the Empire Zone Program to provide enhanced job opportunities for its residents, Now, Therefore, Be It

RESOLVED, by Town Board of the Town of Orangetown, New York, that it fully supports and concurs in Rockland County's actions to authorize and submit an application for an Empire Zone designation in Orangetown.

Ayes: Councilpersons Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 457 Amended by
Resolution 689
12/16/02

**BORROW/TOV & BHGC FUNDS
PURCHASE/ROCKLAND
PSYCHIATRIC CENTER
LANDS**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and on roll call was adopted:

RESOLVED, that \$305,000 from the Town Outside Village fund and \$290,000 from the Golf Course Enterprise fund is hereby borrowed to make the \$595,000 down payment to the State for the Rockland Psychiatric Center land purchase, and, Be It

RESOLVED FURTHER, that monies will be repaid with bond proceeds no later than December 31, 2002, with interest repaid from the General Fund.

Ayes: Councilpersons O'Donnell, Troy, Manning
Supervisor Kleiner

Abst: Councilman Fisher

Noes: None

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RESOLUTION NO. 458

**TRANSFER/POLICE
CONTINGENCY/POLICE
RETIREMENT ACCOUNT**

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

RESOLVED, that \$220,000 in operating budget funds is hereby transferred from the Police Contingency account (#B1990164/50500) to the Police Retirement account (#B9015168/50800) in order to fund costs related to the 384-e pension benefit.

Ayes: Councilpersons Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: None

RESOLUTION NO. 459

**REQUEST FEMA WITHDRAW
APPROVAL/INDIAN POINT
RADIOLOGICAL EMERGENCY
PREPAREDNESS PLAN**

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

RESOLVED, that FEMA is hereby requested to withdraw approval of the Indian Point Radiological Emergency Preparedness Plan (REPP) and, Be It

RESOLVED FURTHER, that FEMA is hereby requested to conduct public hearings to undertake a review of the REPP for Indian Point Nuclear Power Plant.

Ayes: Councilpersons O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 460

**DECLARE/SURPLUS
SUPERVISOR'S OFFICE**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the following equipment is hereby declared as surplus from the Supervisor's office:

- 1 Tally T2060 printer, serial #01131
- 1 printer for checks, serial #131900
- 1 Panasonic KxE700m typewriter
- 1 computer with keyboard

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 461

**DECLARE/SURPLUS/TOWN
CLERK'S OFFICE**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the following equipment is hereby declared as surplus from the Town Clerk's office:

- 1 Monitor DTK Computer
- 1 Mother board Onboard IDE Slots
- 1 Video Card FCC ID - ICUVGA-GW817D
- 2 Power Supply L & C Tech. Inc., Model LC-250ATX
- 1 24 Speed CD-ROM
- 1 Seagate 1.2 GB Hard drive
- 1 IBM Monitor ID #4707

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 462

ACCEPT MINUTES

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

RESOLVED, that Special Town Board/public hearing on Cablevision minutes of July 15, 2002, Special Town Board minutes of July 15 and 22, Regular Town Board and Audit minutes of July 22, 2002 are hereby accepted.

Ayes: Councilpersons Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 463

DECLARE/SURPLUS/PARKS & RECREATION

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the following equipment is hereby declared as surplus from the office of Parks & Recreation:

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>DESCRIPTION</u>	<u>SERIAL ID</u>
1995	Yamaha	J31	Golf Cart	145766
1975	Jacobsen	Mowing Unit	5 Gang Blitzers	N/A
1988	Cushman	Truckster	Utility Cart	564314
1988	Cushman	Truckster	Utility Cart	555639
1973	Toro	Groundmaster	Mower	30781-70105
1985	Dodge	Ram 350	Truck	1B6MD34W7FS718197
1990	Chevrolet	Caprice	Sedan	1G1BL5471LA151733
1991	Chevrolet	Caprice	Sedan	1G1BL5379MW227348
1993	Ford	Taurus	Sedan	1FACP5248PA293601
1977	Cub cadet	1450	Garden Tractor	2050065U579447
Unknown	Fairbanks-Morse	B60LP-4H4	Engine Generator	XX403071

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner
Noes: None

* * *

RESOLUTION NO. 464

AWARD/BLUE HILL GOLF COURSE CART PATH INSTALLATION/REPAIRS

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

Whereas, the Town Clerk duly advertised for sealed bids for Installation and Repairs to Cart Paths at the Blue Hill Golf Course, which were received and publicly opened on August 1, 2002, and

Whereas, these bids were referred to the Superintendent of Parks, Recreation & Building Maintenance for recommendation and report, copy is labeled Exhibit 8-C-02 and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the contract for Installation and Repairs to Cart Paths at the Blue Hill Golf Course is hereby awarded to Tilcon New York Inc., West Nyack, New York the lowest qualified bidder, as follows:

(continued on page 15)

RESOLUTION NO. 464 (continued)

Pines Course-----	\$297,000
Miscellaneous extras--	\$ 23,172
Stated Allowance-----	\$ 20,000
TOTAL-----	\$340,172

and, Be It

RESOLVED FURTHER, that the remainder of the items that were bid is not being awarded at this time.

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
 Supervisor Kleiner
 Noes: None

* * *

RESOLUTION NO. 465

DECLARE/SURPLUS

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the following equipment is hereby declared as surplus:

Approximately 29 Hard drives
 20 Monitors
 3 Adding Machines
 10 Printers
 1 typewriter
 10 Key boards
 Box of telephones and an assortment of other equipment.

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
 Supervisor Kleiner
 Noes: None

* * *

RESOLUTION NO. 466

APPOINT/SANITATION COMM

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that members are hereby appointed to the Town of Orangetown Sanitation Commission as follows:

1. Fred Chadwick, Piermont, effective August 17, 2002 through December 31, 2004.
2. Thomas Simeiti, Pearl River, effective August 17, 2002 through December 31, 2005.
3. Charles H. Vezzetti, Palisades, effective August 17, 2002 through December 31, 2006.

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
 Supervisor Kleiner
 Noes: None

* * *

New Business:

Supervisor Kleiner noted the public hearing on Tuesday, September 3rd, to consider a bond resolution on the acquisition of Rockland Psychiatric Center property, Cablevision August 20, 2002, and Memorial 911 victims.

Councilwoman Manning re John LaVall, PBA memorial, Rockland Psychiatric Center.

* * *

RESOLUTION NO. 467

ADJOURNMENT

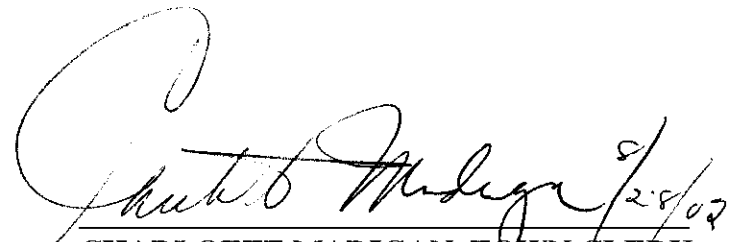
Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that this Town Board meeting is hereby adjourned at 10:40 P.M.

Ayes: Councilpersons O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: None

* * *


CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
AUDIT MEETING
AUGUST 12, 2002**

The Audit Meeting was opened at 10:45 P.M. Supervisor Kleiner presided. The Town Clerk called the roll. Present were:

Councilman Dennis O'Donnell
Councilman Edward Fisher
Councilman Denis Troy
Councilwoman Manning

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
Suzanne Barclay, Executive Assistant to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir. Dept. Environmental Mgt. & Eng.
Robert Simon, Receiver of Taxes
Richard L. Rose, Jr., Supt., Parks-Rec. & Bldg. Maint.

* * *

RESOLUTION NO. 468

PAY VOUCHERS

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Villages, Blue Hill, Highway, Sewer, Capital Projects, and Risk Retention in the amount of \$581,736.28, Utilities and Benefits in the amount of \$393,954.48 for a total amount of \$975,690.76.

Ayes: Councilpersons Manning, Fisher, O'Donnell, Troy
Supervisor Kleiner
Noes: None

* * *

RESOLUTION NO. 469

PAY ESCROW RELEASES

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

RESOLVED, that the Finance Office is hereby authorized to pay Escrow Releases in the amount of \$4,000.00, as per attached schedule.

Ayes: Councilpersons Manning, Fisher, O'Donnell, Troy
Supervisor Kleiner
Noes: None

* * *

RESOLUTION NO. 470

ADJOURNMENT

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

RESOLVED, that this Town Board Audit meeting is hereby adjourned at

(continued on page 2)

RESOLUTION NO. 470 (continued)

10:37 P.M.

Ayes: Councilpersons Manning, Fisher, O'Donnell, Troy
Supervisor Kleiner

Noes: None

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CHARLOTTE MADIGAN, TOWN CLERK