

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, MARCH 12, 2007**

This Regular Town Board Meeting was opened at 7:32 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Denis O'Donnell (arrived 7:50 p.m.)
Councilman Denis Troy
Councilwoman Marie Manning
Councilman Thomas A. Morr

Also present: Charlotte Madigan, Town Clerk
Teresa Kenny, Town Attorney
John S. Edwards, First Deputy Town Attorney
Suzanne Barclay, Exec Asst. to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Ron Delo, Director of Dept. Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardiello, P.E., Director, OBZPAE

The Pledge of Allegiance to the Flag was led by Charlotte Madigan, Town Clerk.

James Dean, Superintendent of Highways, Mike Yannazzone, Highway Maintenance Supervisor III, and Stephen Munno, Administrative Assistant, explained and presented the following awards:

Summer Youth Employment Program

Students of Summit School

Work Supervisors - Shulton Whitley, Kyle Hassell, and Sy Samuals

Students:

Benjamin Cannon	Daniel Casanova	Patrick Dore	Aaron Gittens
Zoe Grodnick	Christopher Hamilton	Christine Mister	Sean Murtaugh
Justin Rella	Elisha Terrana	Volunteer – Estefany Polanco	

Pedestrian Advocate Award: Esta Baitler

Newest Adopt-A-Spot Locations: Sgt. Bollinger Ct., Reynolds Construction, Northern NY Korean FDA Church and Robin's Nest at Robin Street.

Highway Perfect Attendance Award: Christopher Feroldi and Mike Yannazzo.

Highway 99% Attendance Award: Steve Elmendorf, Duane Henthorn, Anthony Limandri, Mike Maiorano and Mike O'Sullivan.

Road Master I Award: Anthony Limandri

Supervisor Kleiner said Rich Rose, Superintendent of Parks, Recreation and Buildings, was recognized by the Rockland County Department of Health for all his work on the "Young Lungs at Play" program. He congratulated everyone who established the Dennis P. McHugh Piermont Library and he recognized Boy Scout Troop 37, who were at the meeting to observe.

RESOLUTION NO. 161

**OPEN PH/VERIZON NEW YORK, INC.
CABLE TELEVISION FRANCHISE**

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

Resolution No. 161 - Continued

RESOLVED, that the public hearing to afford all interested parties an opportunity to be heard concerning the application of Verizon New York, Inc. for an initial cable television franchise is hereby opened.

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

The Town Clerk presented the affidavit of publication and the notice of posting, copies are labeled Exhibit 3-A-07 and made a part of these minutes.

Richard Windram, Verizon's Governmental Affairs for the State of New York Office, said this would be a 15-year franchise agreement to provide fiber-optic cable service, broadcast television, high-definition TV, digital video recorders, an interactive programming guide and pay per view to Town residents.

John Harrington, Telecommunications Insight Group's Sr. Consultant said Verizon has been providing telephone service to Orangetown for more than 100 years. He said competition causes prices to be kept low and provides for better service.

Pamela Goldstein, Verizon's outside Counsel, said both companies pay franchise fees but the terms for the fees are different in each contract.

Mark Weingarten, Cablevision's outside Counsel, said the terms set by Verizon will also determine the terms with Cablevision. He asked the Town Board to postpone their vote for two weeks, so that Cablevision would have a chance to review any changes.

Paul Jamison, Cablevision's Sr. Counsel, compare some of the different language, conditions and restrictions in each proposal.

John S. Edwards, First Deputy Town Attorney, said there were no substantial changes, only wording and clarification and that some of the comments reflected the battle for subscribers and were taken to the extreme. He said both proposals cover the same services and exclude the same items.

The public portion was opened and the following people spoke:

Michael Mandel, Pearl River, is in favor of Verizon and is against a monopoly. He believes competition helps reduce costs and increases better quality products.

Eileen Larkin, Palisades, said the last agreement with Cablevision was in 1989. She is against a 15-year contract but in favor of a 10-year contract. A local studio is a good service.

Peter Bohan, Pearl River resident and Verizon employee, is in favor of an agreement with Verizon.

Donald Metzger, Blauvelt, is in favor of Verizon, which will provide the residents of the Town with a choice of service.

Irwin Stelzer, Pearl River, is in favor of Verizon. His Internet service, which is with Verizon, is faster and he has never experienced uninterrupted service.

Dan Miran, Pearl River, has underground utilities and needs help setting up a timetable with Verizon for service.

Tim Finn, Orangeburg, asked if the costs will be higher?

Gail Raffaele, Tappan, said Verizon does not cover 15% of the Town. She asked what money does the Town receive from Cablevision and requested the Board to take a vote correctly by waiting.

Greg Mooney, Pearl River resident and Verizon employee, is in favor of Verizon.

Bill O'Hara, Pearl River, has experienced poor service from Cablevision.

Michael Brown, Verizon employee, is in favor of Verizon.

Andrew Wiley, Pearl River, asked where the \$100,000 revenue is going, which schools and how much money will the schools receive? He prefers a 10-yr contract and believes Verizon should put up a Performance Bond.

Watson Morgan, Blauvelt, agrees the Town needs a level playing field and that both proposals should have been posted on the Town's website.

James Gu, Pearl River, lives on Gatto Lane and asked when this will be available in his area?

RESOLUTION NO. 162**CLOSE PH/VERIZON NEW YORK, INC.
CABLE TELEVISION FRANCHISE**

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

RESOLVED, that the public hearing to afford all interested parties an opportunity to be heard concerning the application of Verizon New York, Inc. for an initial cable television franchise is hereby closed.

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

RESOLUTION NO. 163**DESIGNATION OF LEAD AGENCY
CABLE TELEVISION FRANCHISE**

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

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

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

RESOLUTION NO. 164**NEGATIVE TYPE II ACTION SEQRA
DECLARATION/ CABLE TELEVISION
FRANCHISE**

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

RESOLVED, that a negative Type II action SEQRA Declaration is hereby adopted.

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

RESOLUTION NO. 165**RESOLUTION OF THE TOWN BOARD
OF THE TOWN OF ORANGETOWN,
APPROVING A FRANCHISE
AGREEMENT WITH VERIZON NEW
YORK INC. TO PROVIDE CABLE
SERVICE TO THE TOWN OF
ORANGETOWN, AND AUTHORIZING
THE SUPERVISOR TO EXECUTE
SUCH AN AGREEMENT**

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

WHEREAS, the Town of Orangetown (the "Town") is a franchising authority in accordance with Title VI of the Communications Act of 1934 (the "Communications Acts"), and is authorized to grant one or more cable television franchises pursuant to Article 11 of the New York State Public Service Law, (the "Cable Laws"); and

WHEREAS, VERIZON NEW YORK INC. ("Verizon") is upgrading its existing telecommunications and information services network through the installation of what Verizon refers to as "Fiber to the Premises Telecommunication Network" (the "FTTP Network") within the Town and elsewhere, which existing network transmits Non-Cable Services (as defined in the

proposed Verizon Franchise Agreement) pursuant to the authority granted by Section 27 of the New York Transportation Corporations Law, and Title II of the Telecommunications Act, which Non-Cable Services are not subject to the Cable Law or to Title VI of the Communications Act; and

WHEREAS, the FTTP Network occupies public rights-of-way (as defined in the proposed Verizon Franchise Agreement) within the Town, and Verizon desires to use portions of the FTTP Network now or hereinafter installed within the Town to provide cable service (as defined in the proposed Verizon Franchise Agreement); and

WHEREAS, Verizon has submitted a written application for a cable television franchise to the Town on February 28, 2007 (the "Verizon Application"), which the Town has had an opportunity to thoroughly review; and

WHEREAS, due negotiations between the Town and Verizon have resulted in a proposed agreement entitled "Cable Franchise Agreement between the Town of Orangetown and Verizon New York Inc.," which proposed agreement was filed with the Town on February 28, 2007 ("Verizon Franchise Agreement"); and

WHEREAS, on March 5, 2007, at a regularly scheduled Workshop meeting of the Town Board, and on March 12, 2007 at a regularly scheduled meeting of the Town Board, that were duly and reasonably advertised to the public, Verizon made a presentation to the Town Board in favor of the proposed Verizon Franchise Agreement, including an outline of the cable television services proposed to be provided to the Town pursuant thereto, and members of the Town Board, the public, and representatives of Cablevision, the existing franchise, were given notice and the opportunity to comment on Verizon's presentation and ask questions to be addressed by Verizon's representatives; and

WHEREAS, the Town has identified the cable-related needs and interests of the residents of the Town and has exercised due diligence in considering the technical ability, financial conditions, character and legal qualifications of Verizon to meet such needs and interests;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Orangetown hereby establishes itself as the lead agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA), and makes the following finding, and alternative determination with respect to the environmental impact of the proposed Verizon Franchise Agreement:

(a) In order to provide the equipment necessary to support its proposed Cable Franchise Service in the Town, Verizon will complete the installation of a fiber optic network, which work is already in progress. Even without the proposed use for Cable Television Transmissions, this ongoing network conversion would continue to occur so as to service Verizon's existing telecommunications operations, although the pace of the conversion is expected to be accelerated if the pending application is approved;

(b) That the Town Board's execution of the proposed Franchise Agreement is a TYPE II Action under the State Environmental Quality Review Act (SEQRA). Specifically, this action is covered under 6 NYCRR §617.5(20): "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment." Accordingly, it has been predetermined that adoption of the proposed Franchise Agreement requires no further review under SEQRA;

(c) That even if the said action on the part of the Town Board approving the grant of a Cable Television Franchise were an unlisted action, the Board, having taken a hard look at same, and in possession of all information reasonably necessary to make the determination as to the environmental significance of the proposed Verizon Franchise Agreement concludes that such action will not result in a significant impact on the environment;

and be it,

FURTHER RESOLVED, that the Town approves the character of Verizon; and be it

Resolution No. 165 - Continued

FURTHER RESOLVED, that the Town concludes that Verizon is legally (pursuant to Public Service Commission Rules and other statutory requirements), technically, and financially and otherwise qualified to meet the cable-related needs and interests of the Town, which needs and interests were ascertained by the Town; and be it

FURTHER RESOLVED, that the Town concludes that Verizon will be required to provide adequate public, educational, governmental access capacity, either through channels dedicated to same, or through interconnection between cable operators as permitted by law; and be it

FURTHER RESOLVED, that the Town concludes that Verizon will meet all statutory and regulatory non-discrimination requirements; and be it

FURTHER RESOLVED, that the Town concludes, based on the presentation by Verizon, that the cable service offered by Verizon will include competitive offerings with its existing completion; and be it

FURTHER RESOLVED, that the Town concludes that although the terms of the proposed Verizon Franchise Agreement are not identical to those of the expired franchise agreement with Cablevision, the terms of both agreements are reasonably comparable in their totality and contain no economic or regulatory burdens which when taken as a whole are greater or lesser than those burdens placed upon another cable television franchise operating in the same franchise area, therefore, neither agreement provides either franchise with any unfair competitive advantage, or subject either franchise to any unfair competitive disadvantage; and be it

FURTHER RESOLVED, that the Town Board determines that it serves the public interest to award Verizon a franchise to own, construct, operate and maintain a cable system along the public rights-of-way within the Town, in order to provide cable service; and be it

FURTHER RESOLVED, that the Town Board authorizes the award of a non-exclusive franchise to Verizon to own, construct, operate and maintain a cable system along the public rights-of-way within the Town, in order to provide cable service, which authorization is made in accordance with the applicable provisions of Title VI of the Communications Act and the cable laws; and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a franchise agreement with VERIZON NEW YORK INC., in a form approved by the Town Attorney, and to execute any other documents necessary to effectuate the granting of the franchise on behalf of the Town of Orangetown.

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

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Public Comment (RTBM)

Esta Baitler, Sparkill, thanked the Town Board for the sidewalks and lights on Route 340.

Eileen Larkin, Palisades, has concerns about the new museum curator and Environmental Capital as the Town's financial advisor.

Gail Raffaele, Tappan, asked if the Engineer II (DEME) position is a new position or an upgrade? She spoke about the Cablevision tape for December 11, 2006 and Route 340 being a State Road.

Andrew Wiley, Pearl River, asked if a public hearing date regarding rental laws will be set? He believes all parties should be notified and currently there are existing laws, which could be utilized to cover health and safety issues.

RESOLUTION NO. 166**CLOSED PUBLIC COMMENT**

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

Resolution No. 166 - Continued

RESOLVED, that the public comment portion of this meeting is hereby closed.

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

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RESOLUTION NO. 167

**FINANCE/TRANSFER FUNDS
GENERAL FUND/DEPEW HOUSE**

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

RESOLVED, that \$25,100 from the General Fund is hereby transferred to the Depew House due to lapsed encumbrances.

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

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RESOLUTION NO. 168

**APPOINT CURATOR/MUSEUM
ELIZABETH SKRABONJA**

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

RESOLVED, that Elizabeth Skrabonja is hereby appointed as the Curator of the Orangetown Historical Museum & Archives as a contract employee at a salary of \$36,000 per year, effective April 16, 2007.

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

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RESOLUTION NO. 169

**SET PH DATE/CHAPTER 41B
RENTAL DWELLING UNITS**

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

RESOLVED, that a public hearing date of May 14, 2007, at 8 p.m. is set to consider amending the Town Code of the Town of Orangetown to add Chapter 41B entitled "Rental Dwelling Units – Rental Occupancy Permits and Rental Registrations".

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

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RESOLUTION NO. 170

**SET PH DATE/CHAPTER 6-BUILDING
CONSTRUCTION ADMINISTRATION
CHAPTER 15-FIRE PREVENTION
CODE/CHAPTER 24C-PROPERTY
MAINTENANCE**

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

Resolution No. 170 - Continued

RESOLVED, that a public hearing date of April 23, 2007, at 8 p.m. is set to consider amending Chapter 6 "Building Construction Administration," Chapter 15 Fire Prevention Code," and Chapter 24C "Property Maintenance of the Town Code of the Town of Orangetown so that same are in accord with new State regulations derivative of 19 NYCRR 1203 et al concerning minimum standards for the administration and enforcement of the State Uniform Fire Prevention and Building Code (Uniform Code).

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

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RESOLUTION NO. 171**RESCHEDULE PH DATE/SECTION 37-9
OBZPAE DIRECTOR/UNSAFE
BUILDINGS/REPAIR/SECURE ETC**

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

RESOLVED, that the public hearing to consider a proposed local law amending existing Local Laws in Section 37-9 of the Town Code to permit the Director of the Office of Building, Zoning and Planning Administration and Enforcement to repair, secure and/or demolish unsafe buildings in emergency situations, without a Town Board resolution has been rescheduled to April 23, 2007 at 8:05 p.m.

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

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RESOLUTION NO. 172**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items seven (7) through fifty-six (56), except items 1, 12, 25, 51 and 52 are hereby combined.

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

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RESOLUTION NO. 173**AID/EMPIRE HOSE CO
SHOWMOBILE/RC FIREMAN'S
PARADE/PIERMONT**

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

RESOLVED, that the request of the Empire Hose Co., #1, for the use of the Showmobile for the 2007 Rockland County Volunteers Firemen's Association Parade in Piermont on Saturday, September 8, 2007 at a cost of \$250 to be charged to Acct. # A7550/50013 is hereby approved.

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

RESOLUTION NO. 174**AID/TRASH RECEPTACLES
BARRICADES/PORTABLE
TOILETS/JOHN BELLEW 5K**

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

RESOLVED, that the request of John Sullivan, organizer, for the provision of trash receptacles, barricades, and two portable toilets for the John Bellew 5K Fun Run/Walk to be held on April 7, in Pearl River to be charged to Acct. # A7550/50013 is hereby approved.

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

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RESOLUTION NO. 175**AID/PORTABLE TOILETS/DENNIS
MCHUGH FOUNDATION RUN**

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

RESOLVED, that the request of the Dennis P. McHugh Foundation for provision of six portable toilets (two accessible) for the 4th Annual Run for Fun and Family Fair to be held on April 21, at Fly Wheel Park in Piermont to be charged to Acct. # A7550/50013 is hereby approved.

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

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RESOLUTION NO. 176**APPOINT/SENIOR CITIZEN ADVISORY
COMMITTEE/ROSE VAN BRUNT**

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

RESOLVED, that Rose Van Brunt is hereby appointed to the Orangetown Senior Citizen Advisory Committee.

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

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RESOLUTION NO. 177**APPOINT/SHADE TREE COMMITTEE
REBECCA GMUCS/JOY MACY**

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

RESOLVED, that Rebecca Gmucs and Joy Macy are hereby appointed to the Shade Tree Committee.

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

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RESOLUTION NO. 178**APPROVE/STREET LAMPS
BLASIDELL & OLD ORANGEBURG RD**

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

Resolution No. 178 - Continued

RESOLVED, that approval is hereby given to add five street lamps to existing poles on Blaisdell Road between Veterans Highway and Old Orangeburg Road.

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

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RESOLUTION NO. 179**APPROVE/2007 CERTIFICATE OF REGISTRATION FOR SEWER WORK**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for 2007 Sewer work is hereby approved to the following:

MRJ Excavating, Inc., 7 Beaver Court, New City, NY 10956
W. Harris & Son, Inc., 37 West Washington Avenue, Pearl River, NY 10965
A. Sasso Plumbing Corporation, 468 Haverstraw Road, Montebello, NY 10901
Dutra Excavating & Sewer, Inc., 10 Stone Hollow Rd, Montvale, NJ 07645
R R Plumbing Services Corp/Roto-Rooter, 525 Waverly Ave., Mamaroneck, NY 10543

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

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RESOLUTION NO. 180**DEME/PERMISSION GRANTED/SOLID WASTE & RECYCLING CONFER**

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

RESOLVED, that permission is hereby granted to Ron Delo to attend the Solid Waste and Recycling Conference from May 6-9 at Bolton Landing, NY, at a cost of \$810.00 to be charged to Account No. A1440/5044/50480.

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

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RESOLUTION NO. 181**DEME/OUT-OF DISTRICT SEWER CONNECTIONS/SICKLETOWN RD**

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

RESOLVED, that out-of-district sewer connections to Rockland County Sewer District #1 for Douglas C. Grando at 275 Sickletown Road, and Michael O'Sullivan at 277 Sickletown Road, Orangeburg are hereby authorized.

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

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RESOLUTION NO. 182**DEME/INTERMUNICIPAL AGREEMENT
SANITARY SEWER SERVICE/VILLAGE
OF UPPER NYACK**

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

RESOLVED, that the Intermunicipal Agreement between the Town of Orangetown and the Village of Upper Nyack for sanitary sewer service to be provided by the Town to properties with the Village of Upper Nyack is hereby approved and authorized. A copy of the Intermunicipal Agreement is labeled Exhibit 3-B-07 and made a part of these minutes.

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

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RESOLUTION NO. 183**AWARD BID/CONTRACT NO. FS-06-3C
FORCE MAINS/GRAVITY
SEWER/STACEY CONTRACTING**

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

WHEREAS, the Director of the Dept. Environmental Mgt. & Eng., duly advertised for sealed bids for Contract No. FS-06-3C, Pearl Street and Better Brands; Force Mains and Gravity Sewers, which were received and publicly opened on February 14, 2007. The Director made this recommendation to the Town Board; a copy is labeled Exhibit 3-C-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Stacey Contracting Inc., Clifton, NJ, the lowest qualified bidder, in the amount of \$3,672,820.40 to be charged to Account No. H8132513/50200.

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

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RESOLUTION NO. 184**AWARD BID/CONTRACT NO. WWTP-06-1C
HUNT RD FORCE MAIN & SIPHON**

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

WHEREAS, the Director of the Dept. Environmental Mgt. & Eng., duly advertised for sealed bids for Contract No. WWTP-06-1C, Hunt Road Force Main and Siphon, which were received and publicly opened on February 22, 2007. The Director made this recommendation to the Town Board; a copy is labeled Exhibit 3-D-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Montana Construction Corp., Inc., Lodi, NJ, the lowest qualified bidder, in the amount of \$4,322,717.10 to be charged to Account No. H8132513/50200.

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

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RESOLUTION NO. 185**AWARD BID/CONTRACT NO. WWTP-06-1E
ELECTRICAL/WWTP & HUNT RD
PUMPING STATION**

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

WHEREAS, the Director of the Dept. Environmental Mgt. & Eng., duly advertised for sealed bids for Contract No. WWTP-06-1E, Electrical work at the WWTP and Hunt Road pumping station, which were received and publicly opened on February 22, 2007. The Director made this recommendation to the Town Board; a copy is labeled Exhibit 3-E-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to All Bright Electric, West Nyack, NY, the lowest qualified bidder, in the amount of \$3,257,760.00 to be charged to Account No. H8132513/50200.

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

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RESOLUTION NO. 186**REJECT BIDS/CONTRACT NO (S). WWTP-06-1G GENERAL CONTRACT/WWTP-06-1HV HEATING VENTILATING AIR CONDITIONING/WWRP-06-1P PLUMBING CONTRACT**

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

RESOLVED, that the bids for Contract No(s). WWTP-06-1G, General Contract, WWTP-06-1HV, Heating, Ventilating and Air Conditioning Contract and WWTP-06-06-1P, Plumbing Contract for the Wastewater Treatment Plant and Hunt Road Pumping Stations Improvement, received February 22, 2007, by recommendation from Ron Delo, Director, Dept. Environmental Mgt. & Eng., in conjunction with Sterns & Wheler in memo dated March 5th, 2007 are hereby rejected and approved to rebid.

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

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RESOLUTION NO. 187**RESCIND RESOLUTION NO. 130/2007
MAINTENANCE MECHANIC I AND
ENCUMBERED POSITION/ROBERT
SPINOSA/DEME**

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

RESOLVED, that Resolution No. 130/2007 is hereby rescinded per the request of employee, Robert Spinosa, and it is approved to return to his encumbered position of Maintenance Mechanic I, effective February 21, 2007.

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

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RESOLUTION NO. 188**AUDITOR'S 2006 BUDGET TRANSFERS
APPROVED**

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

Resolution No. 188 - Continued

RESOLVED, that the Auditor's budget transfers for 2006 as shown in Exhibit 3-F-07 are hereby approved.

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

Noes: None

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RESOLUTION NO. 189**APPROVE CONTRACT/C.A.N.D.L.E.
SUBSTANCE ABUSE PREVENTION**

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

RESOLVED, that a contract with C.A.N.D.L.E. in the amount of \$30,000 for the provision of substance abuse prevention services to the Town youth for 2007 to be charged to Account No. A4210/50457 is hereby approved.

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

Noes: None

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RESOLUTION NO. 190**AMEND RESOLUTION NO. 14/2007
GALLAGHER BASSETT**

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

RESOLVED, that Resolution No. 14/2007 is hereby amended to increase the contract for Gallagher Bassett services from \$75,937 to \$77,526.

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

Noes: None

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RESOLUTION NO. 191**APPOINT TOWN'S FINANCIAL
ADVISOR/ENVIRONMENTAL CAPITAL
LLC**

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

RESOLVED, that Environmental Capital LLC of New York, NY is hereby appointed as the Town's financial advisor.

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

Noes: None

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RESOLUTION NO. 192**APPROVE HIGHWAY FUNDS DIRECT
LIQUID APPLICATION & SALT
LEACHATE COLLECTION**

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

RESOLVED, that the use of \$55,080 in the Townwide Highway fund balance is hereby approved to fund the purchase of the direct liquid applicator and salt leachate collection system.

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

Noes: None

RESOLUTION NO. 193**HWY/AWARD BID/DIRECT LIQUID
APPLICATOR/REED SYSTEMS**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for a direct liquid applicator, which were received and publicly opened on February 15, 2007. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 3-G-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Reed Systems Limited, Ellenville, NY, the sole bidder, in the amount of \$12,390 to be charged to Account No. 5142/50449.

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

Noes: None

* * *

RESOLUTION NO. 194**HWY/AWARD BID/SALT LEACHATE
COLLECTION/REED SYSTEMS**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for installation of a salt leachate collection system, which were received and publicly opened on February 15, 2007. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 3-H-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Reed Systems Limited, Ellenville, NY, the sole bidder, in the amount of \$42,690 to be charged to Account No. 5142/50449.

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

Noes: None

* * *

RESOLUTION NO. 195**ADOPT-A-SPOT COMMITTEE
BLAUVELT & SICKLETOWN RD
JOHN REYNOLDS/APPROVED**

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

RESOLVED, that the Adopt-A-Spot Committee, a volunteer organization with John Reynolds as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at the landscaped intersection of Blauvelt Road and Sickletown Road, otherwise known as the "SPOT", by performing necessary and /or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Reynolds Construction" Adopt-A-Spot Committee, Dated March 12, 2007" is hereby approved and authorized.

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

Noes: None

* * *

RESOLUTION NO. 196**ADOPT-A-SPOT COMMITTEE/ROBIN STREET/JIM & DOTTIE DEAN C FINCH/CHANIN/BOSCO/APPROVED**

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

RESOLVED, that the Adopt-A-Spot Committee, a volunteer organization with Jim Dean, Dottie Dean, Christopher Finch, Jeff Chanin, Lize Chanin, Michele Bosco, and Michael Bosco as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at the landscaped traffic island at the end of Robin Street, otherwise known as the "SPOT", by performing necessary and /or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Robin's Nest" Adopt-A-Spot Committee, Dated March 12, 2007" is hereby approved and authorized.

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

* * *

RESOLUTION NO. 197**ADOPT-A-SPOT COMMITTEE KINGS HWY/ROUTE 303/W KIM NORTHERN NY KOREAN FDA CHURCH/APPROVED**

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

RESOLVED, that the Adopt-A-Spot Committee, a volunteer organization with William Kim as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at the landscaped intersection of Kings Highway and Route 303, otherwise known as the "SPOT", by performing necessary and /or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Northern NY Korean FDA Church" Adopt-A-Spot Committee, Dated March 12, 2007" is hereby approved and authorized.

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

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RESOLUTION NO. 198**ADOPT-A-SPOT COMMITTEE KINGS HWY/SGT BOLLINGER CT J & M DIMURO/APPROVED**

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

RESOLVED, that the Adopt-A-Spot Committee, a volunteer organization with Joni DiMuro and Mark DiMuro as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at the landscaped intersection of Kings Highway and Sgt. Bollinger Court, otherwise known as the "SPOT", by performing necessary and /or desired clean-up activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and "Sgt. Bollinger Court" Adopt-A-Spot Committee, Dated March 12, 2007" is hereby approved and authorized.

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

* * *

RESOLUTION NO. 199**AUTHORIZE/HIGHWAY OPEN
HOUSE/MAY 19TH**

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

RESOLVED, that the Highway Department is hereby authorized to host their 11th Annual Open House on Saturday, May 19, from 10:00 a.m. to 12:00 p.m. at the Highway Department Facility.

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

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RESOLUTION NO. 200**HWY/AWARD BID/LIGHT-DUTY
TRUCK W/ACCESSORIES/VAN
BORTEL FORD**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for a light-duty truck with accessories, which were received and publicly opened on February 15, 2007. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 3-I-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Van Bortel Ford of Victor, NY, the lowest qualified bidder, in the amount of \$42,895, to be purchased with funds from the 2006 Equipment Bond (Acct. #H5130042/50200).

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

* * *

RESOLUTION NO. 201**PARKS/AWARD BID/3/4 TON FOUR
WHEEL DRIVE PICKUP/ROBERT
GREEN CHEVROLET**

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

WHEREAS, the Superintendent of Parks, Recreation and Buildings duly advertised for sealed bids for a ¾ ton four wheel drive pickup, which were received and publicly opened on March 8, 2007. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 3-J-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Robert Green Chevrolet and Olds, Monticello, NY, the sole qualified bidder, for \$25,875 to be charged to Account No. A7110002/50200.

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

* * *

RESOLUTION NO. 202**APPOINT/GROUNDWORKER/PARKS
JOSEPH GRASSO**

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

Resolution No. 202 - Continued

RESOLVED, that Joseph Grasso is hereby appointed to the position of Groundworker in the Department of Parks, Recreation and Buildings, permanent with a mandatory 6-month probationary period, grade 9-1, at an annual salary of \$40,734, effective March 19, 2007.

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

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RESOLUTION NO. 203

**APPOINT/CLERK/TYPIST/OBZPAE
RIMA DELVECCHIO**

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

RESOLVED, that Rima DelVecchio is hereby appointed to the position of Clerk/Typist in the Office of Building, Zoning, Planning Administration and Enforcement, Permanent from Eligible List No. 06075 (OC), mandatory probationary period of 6 months, grade 2-1, annual salary \$28,877, effective March 13, 2007.

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

* * *

RESOLUTION NO. 204

**APPOINT/ENGINEER II/DEME
THOMAS EDATTEL**

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

RESOLVED, that Thomas Edattel is hereby appointed to the position of Engineer II in the Department of Environmental Management and Engineering, provisional, grade 20-2, at an annual salary of \$68,763, effective March 13, 2007.

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

* * *

RESOLUTION NO. 205

**APPOINT/SECRETARIAL ASSISTANT
(LEGAL)/BARBARA DARDZINSKI
TOWN ATTORNEY**

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

RESOLVED, that Barbara Dardzinski is hereby appointed to the position of Secretarial Assistant (Legal) in the Town Attorney's Office, provisional, grade 12-5, at an annual salary of \$54,163, effective March 13, 2007.

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

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RESOLUTION NO. 206

**ESTABLISH WELDER & BODY
REPAIRER/HIGHWAY**

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

Resolution No. 206 - Continued

RESOLVED, that the position of Welder and Body Repairer (a reclassification of Highway Maintenance Mechanic and Body Repairer position No. 0444) in the Highway Department is hereby established.

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

* * *

RESOLUTION NO. 207**APPOINT/WELDER & BODY
REPAIRER/WILHELM BODENSTAB
HIGHWAY DEPT**

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

RESOLVED, that upon the recommendation of the Rockland County Personnel Department, Wilhelm Bodenstab is hereby appointed to the position of Welder and Body Repairer, permanent, grade 15-8, annual salary of \$71,970, effective March 13, 2007.

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

* * *

RESOLUTION NO. 208**ESTABLISH WELDER & BODY
REPAIRER/HIGHWAY**

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

RESOLVED, that the position of Welder and Body Repairer (a reclassification of Highway Maintenance Mechanic and Body Repairer position No. 0229) in the Highway Department is hereby established.

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

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RESOLUTION NO. 209**APPOINT/WELDER & BODY
REPAIRER/JENNETH SCHMIDT
HIGHWAY DEPT**

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

RESOLVED, that upon the recommendation of the Rockland County Personnel Department, Kenneth Schmidt is hereby appointed to the position of Welder and Body Repairer, permanent, grade 15-6, annual salary of \$65,742, effective March 13, 2007.

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

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RESOLUTION NO. 210**SURPLUS ITEMS/RECEIVER OF TAXES**

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

Resolution No. 210 - Continued

RESOLVED, that the following items from the Receiver of Taxes office is hereby declared surplus:

Item	Model No.	Serial No.
Philips Monitor	107EZ1/74H	47428463
Tower CPU	TDN P18200ATXMMT	525318
Microsoft Keyboard	RT941DV55TW	5167704204010
Intel Mouse	3892A378	

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

* * *

RESOLUTION NO. 211**SET PUBLIC HEARING DATE
INSTALLMENTS OF TOWN &
COUNTY TAXES**

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

RESOLVED, that a public hearing is set for April 23, 2007 at 8:10 p.m. to consider amending the Town Code of the Town of Orangetown to permit the payment of Town and County taxes in four equal installments in accordance with the following schedule:

The first installment including a service charge of 5% shall be due January 15 and payable without interest to the Town Receiver of Taxes;
The second installment including a service charge of 5% shall be due April 15th and payable to the County Commissioner of Finance of the County of Rockland,
The third installment including a service charge of 5% shall be due July 15th and payable to the County Commissioner of Finance of the County of Rockland,
The fourth installment including a service charge of 5% shall be due October 15th and payable to the County Commissioner of Finance of the County of Rockland.

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

* * *

RESOLUTION NO. 212**TAX CERTIORARI SETTLEMENT
DIPLOMAT GARDENS/TOWN
ATTORNEY**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, and upon prior approval of the South Orangetown Central School District, the Stipulation and Order and Judgment Reducing Assessments of the tax certiorari proceeding Diplomat Gardens, LP. v. The Town of Orangetown, Its Assessor and Board of Assessment Review of the Town of Orangetown, Tax Map designation: 75.77-1-32 (et al.), for tax assessment years: 2002/03; 2003/04; 2004/05; 2005/06 and 2006/07, for a total refund by the County of \$3,092.00; for a total refund by the Town of \$3,811.00; and for a total refund by the South Orangetown Central School District of \$37,906.00 is hereby approved. Interest on the Town's liability as a result of decrease is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement on the Town.

RESOLVED FURTHER, Dennis D. Michaels, Deputy Town Attorney, is hereby authorized to sign the Stipulation and Order and Judgment Reducing Assessments.

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

RESOLUTION NO. 213**TAX CERTIORARI SETTLEMENT
INNOVATIVE PLASTICS
TOWN ATTORNEY**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, and upon prior approval of the South Orangetown Central School District, the Stipulation and Order and Judgment Reducing Assessments of the tax certiorari proceeding Innovative Plastics v. The Town of Orangetown, Its Assessor and Board of Assessment Review of the Town of Orangetown, Tax Map designation: 74.07-1-28, for tax assessment years: 2002/03; 2003/04; 2004/05; 2005/06 and 2006/07, for a total refund by the County of \$3,860.00; for a total refund by the Town of \$20,869.00; and for a total refund by the South Orangetown Central School District of \$53,322.00 is hereby approved. Interest on the Town's liability as a result of decrease is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement on the Town.

RESOLVED FURTHER, Dennis D. Michaels, Deputy Town Attorney, is hereby authorized to sign the Stipulation and Order and Judgment Reducing Assessments.

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

Noes: None

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RESOLUTION NO. 214**TAX CERTIORARI SETTLEMENT
PRODUCTO ELECTRIC CORP
TOWN ATTORNEY**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, and upon prior approval of the South Orangetown Central School District, the Stipulation and Order and Judgment Reducing Assessments of the tax certiorari proceeding Producto Electric Corp. v. The Town of Orangetown, Its Assessor and Board of Assessment Review of the Town of Orangetown, Tax Map designation: 74.11-2-4, for tax assessment years: 2002/03; 2003/04; 2004/05; 2005/06 and 2006/07, for a total refund by the County of \$852.00; for a total refund by the Town of \$4,969.00; and for a total refund by the South Orangetown Central School District of \$13,325.00 is hereby approved. Interest on the Town's liability as a result of decrease is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement on the Town.

RESOLVED FURTHER, Dennis D. Michaels, Deputy Town Attorney, is hereby authorized to sign the Stipulation and Order and Judgment Reducing Assessments.

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

Noes: None

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RESOLUTION NO. 215**ANNUAL FINANCING REPORTS
FIRE DISTRICTS/RECEIVE/FILE**

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

RESOLVED, that the Annual Financing Report Update Documents for the Pearl River Fire District, Orangeburg Fire District, Tappan Fire District, and the Central Nyack Fire District for the 2006 fiscal year are hereby received and filed in the Town Clerk's Office.

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

Noes: None

RESOLUTION NO. 216**INDEMNIFICATION & HOLD
HARMLESS AGREEMENT/ ST THOMAS
AQUINAS COLLEGE/RECEIVE/FILE**

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

RESOLVED, that the Indemnification and Hold Harmless Agreement between the Town of Orangetown and St. Thomas Aquinas College regarding property along Western Highway (74.16-1-1 and 74.12-1-29) is hereby received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 217**ACCEPT MINUTES**

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

RESOLVED, that the February 5, 2007 Executive Session minutes; February 10, 2007 Special Town Board Meeting minutes; February 13, 2007 Regular Town Board Meeting, Audit Meeting and Executive Session minutes; March 5, 2007 Executive Session minutes; March 7, 2007 Audit Meeting and Special Town Board Meeting minutes are hereby accepted.

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

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RESOLUTION NO. 218**RPC/AUTHORIZE/CONTRACT
PATRICK JOSEPH WRAFTER
BROADACRES GOLF COURSE**

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

RESOLVED, that the Supervisor is hereby authorized to renew a contract for Patrick Joseph Wrafter for management of Broadacres Golf Course, for the period March 1 to December 31, 2009 as follows:

\$5,500 per month from March to December 2007 for an annual total of \$55,000,

\$5,750 per month from March to December 2008 and \$1,000 per month for January and February for a total of \$59,500 for 2008 and

\$5,750 per month from March to December 2009 plus \$1250 per month for January and February, for a total of \$60,000 for 2009.

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

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RESOLUTION NO. 219**CLARKSTOWN LANDFILL PRPS'
JOINT DEFENSE AGREEMENT
AUTHORIZED/TOWN ATTORNEY**

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

WHEREAS, the New York State Department of Environmental Conservation ("DEC") has identified the Town of Orangetown as a potentially responsible party in connection with the remediation of the Clarkstown Landfill Site; and

Resolution No. 219 – Continued

WHEREAS, the DEC is seeking to obtain reimbursement from any and all responsible parties toward the costs of the cleanup pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA" or "Superfund"); and

WHEREAS, many of the parties identified by the DEC as potentially responsible parties ("PRP's") have organized ("PRP's") for the purpose of conducting a common response to the DEC claims, allocating among themselves common legal, technical, and administrative costs and resolving, through settlement, NYSDEC's demand for cost reimbursement;

NOW BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the "CLARKSTOWN LANDFILL PRPS' JOINT DEFENSE AGREEMENT" and approves the expenditure of \$15,000.00 to become a participant in the PRP Group.

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

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RESOLUTION NO. 220

ADJOURNMENT/MEMORY

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

RESOLVED, that this meeting hereby adjourned at 11:15 p.m. in memory of Omar Cardenas, Town Historian's Brother-In-Law, Anthony J. Calise, New City, and Arthur M. Rittenberg, Piermont.

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

Charlotte Madigan, Town Clerk