

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, APRIL 14, 2008**

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

Absent: Councilman Denis Troy  
Councilwoman Marie Manning  
Councilwoman Nancy Low-Hogan  
Councilman Maturo

Also present: Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
John S. Edwards, Town Attorney  
Teresa M. Kenny, First Deputy Town Attorney  
Suzanne Barclay, Exec Asst. to Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Ron Delo, Director, Dept. Environmental Mgt. & Eng.  
Robert Simon, Receiver of Taxes  
Brian Kenney, Assessor  
John Giardiello, P.E., Director, OBZPAE  
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

On Monday, April 21<sup>st</sup> at 7:00 p.m. there will be a meeting regarding the Tappan Downtown area and on Wednesday, April 30<sup>th</sup> at 7:00 p.m. and Saturday, May 10<sup>th</sup>, at 10:00 a.m. there will be Scoping Meetings regarding RPC.

The Town Board presented the following resolution intending to demand the Public Service Commission to order O & R to stop any further tree removal except for diseased or dying trees that would come into physical contact with any towers or wires. The resolution also states that O & R should clean up the debris and replant appropriate trees and bushes, at their expense.

Public Comment (tree cutting)

Joe Moehrle, Blauvelt, is very upset with O & R's tree cutting. He will not see replacement of these beautiful trees in his lifetime.

Bob Altelio, Blauvelt, said his property value has decreased because of this clear cutting and he asked for help with cleaning up the debris and replanting.

Jo Ciglia, Blauvelt, said every four years O & R trims tops of her trees and asked why couldn't the tops just be cut instead of total tree cutting?

Maureen O'Neill, Blauvelt, said the damage is done by O & R and the beauty of the trees is destroyed forever. The Town should not stop fighting O & R until it is resolved.

Richard Lucat, Blauvelt, said the damage is already done and asked when clean up and replanting will be done.

Martin Shanley, Blauvelt, asked when will this be corrected and feels safety is now an issue.

Anthony Marchese, Blauvelt, said his property was clear-cut; landscaping and survey markers were destroyed with disrespect and disregard.

Rich Mohr, Blauvelt, said his property hasn't been clear-cut yet. O & R wants to take down his Cherry and Pear trees, which are not in any right-of-way and feels residents should be reimbursed.

Marie Flynn, Blauvelt, said she only has 3-ft high buffer trees, which O & R said should be cut down. O & R's corporate business practice is poor. They never gave her full disclosure.

William O'Connor, Blauvelt, said O & R told him his full-grown trees must be removed. He pays taxes and O & R should not be able to do what they want.

Bernard Fegan, Blauvelt, asked the Town Board not to allow O & R to return, because of the devastation that they caused to the neighborhood.

Vera Carolan, Blauvelt, said her Cherry Blossoms are not near or in any right-of-way and should not be touched.

Mr. & Mrs. Ralph DeBenedetto, Blauvelt, said O & R overstepped their bounds and the Town should fight this devastation and this should be rectified by O & R.

John Hickey, Blauvelt, said privacy is lost. O & R is a disgrace and they should clean up the clear cutting.

Marvin Baum, Valley Cottage, presented photos of devastation to private property. He said all the trees that have been removed are actually not what cause outages. Trees and stress on transmission (telephone) lines cause blackouts.

Jim Schutz, Blauvelt, said 100-year old oak trees and bushes were all taken down, which has now created safety concerns. O & R unhooked his gas grill and he now has a gas leak from his natural gas line.

Bonnie Rindner, Blauvelt, said bushes that O & R gave her 15-years ago were removed by a bulldozer. The junkyard look near her property has decreased her property value.

Stephen Redican, Blauvelt, asked the Town to make an agreement with O & R concerning future clear cutting and believes residents should receive restitution from O & R or the Shade Tree Commission.

Alice & Ted Pons, Blauvelt, moved here for the greenway, which O & R destroyed. O & R workers are not supervised, do not speak English and left garbage behind. The residents of Orangetown deserve restitution.

Billy Oettinger, Blauvelt, said he is fortunate that they stopped before his property. The tree cutting looks worse than a junkyard and it's amazing that this only took six weeks while other good projects take longer.

Rory Tinston, Blauvelt, is concerned about drainage and erosion.

James Casey, Blauvelt, said he has never seen a power failure caused by these trees. O & R plays by their own rules, which are not good for the Town.

Bob O'Neil, Blauvelt, said the destruction to properties needs to be stopped, the drainage ditch near his home is now a safety problem and that common sense has to prevail at some point.

Henry Wemmer, Blauvelt, said O & R uses illegal people that are out of control and show zero respect. He asked if O & R is coming back to cleanup.

#### **RESOLUTION NO. 246**

#### **RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ORANGETOWN, RELATING TO ORANGE & ROCKLAND UTILITIES' IMPLEMENTATION OF THE N.Y.S. PUBLIC SERVICE COMMISSION'S "ENHANCED TRANSMISSION RIGHT-OF-WAY MANAGEMENT PRACTICE" RULES**

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

WHEREAS, the Town Board has received numerous complaints from property owners on whose property, or adjacent to whose property, Orange & Rockland Utilities, Inc. ("Orange & Rockland ") has an easement for the erection and maintenance of high voltage towers and wires, concerning the cutting / removal of trees thereon by Orange & Rockland and/or by a contractor hired by Orange & Rockland for that purpose; and

WHEREAS, the Town Board is aware of complaints made to the other Towns and Villages within and throughout Rockland County where similar such work has been, or is being, performed; and

WHEREAS, the Town Board has had the opportunity to view the properties within the Town thus far affected by Orange & Rockland's recent activities; and

WHEREAS, the Town Board is aware that Orange & Rockland claims that its tree clearing activities are mandated by the rules recently adopted by the N.Y.S. Public Service Commission ("PSC"), "Requiring Enhanced Transmission Right-of-Way Management Practices By Electric Utilities," issued and effective June 20, 2005; and

**Resolution No. 246 - Continued**

WHEREAS, the Town Board is of the view that, given the size and location of many of the trees being removed, they do not now, nor, in the future, are they likely to reach or otherwise interfere with the Orange & Rockland's transmission assets; and

WHEREAS, the Town Board believes that either or both (1) the PSC's rules, to the extent they actually mandate the "scorched earth" practice being employed by Orange & Rockland, far exceed those steps reasonably required to protect Orange & Rockland's wires and other structures, and the legitimate public interest in maintaining an uninterrupted flow of power to, and throughout, the region; or (2) Orange & Rockland's interpretation of the management practices actually mandated by the PSC misconstrues the tree clearing practices authorized and required by the latter's rules; and

WHEREAS, the Town Board believes that the manner in which the PSC's rules have been, and are being, implemented in Rockland's densely populated suburban communities violates the real property rights of the immediately affected property owners, and otherwise adversely affects the legitimate land use interests of the Town, resulting in unsightly visual impacts, unnecessary and uncontrolled erosion, and the virtual decimation of carefully planned and considered buffers,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orangetown calls upon the N.Y.S. Public Service Commission to direct Orange & Rockland Utilities to immediately cease its enhanced right-of-way management practices, as currently being implemented, and to refrain from the further removal of any trees within its high voltage power transmission rights-of-way, other than those that are determined to be diseased and dying, or which otherwise would actually come into physical contact with any towers, wires or other structures were they to fall, until such time as there has been a full, open public examination by the PSC, within the communities affected, as to the conditions that exist, and the management steps required to be taken, to ensure the reliable transmission of power throughout the state and region; and

BE IT FURTHER RESOLVED, that Orange & Rockland Utilities should further be directed to implement a restitution plan, a proper plan of notification of future work, a management plan that requires it to properly remove and dispose of all debris generated by its clearing and/or cutting activities, including but not limited to the remnants of any tree cut or cleared from its easements or other right-of-ways, as well as to develop a replanting plan, replacing any tree removed as undesirable with a more desirable and compatible species. Such replanting plan should apply both going forward and, as well, to those areas already affected by Orange & Rockland's clearing activities; and

Ayes: Councilpersons Troy, Low-Hogan, Manning  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

**Public Comment (RTBM)**

Michael Mandel, Pearl River, spoke regarding STEJ's sports complex and double taxing if the Town helps with the South Orangetown pool repairs.

Mike Casey, Pearl River, again asked when will he be paid prevailing wages for his work on the athletic fields.

Andrew Wiley, Pearl River, asked about the increase from \$223,000 to \$500,100 to HDR and who is paying for this increase, which was ordered by SOLL.

John Buonadanna, Custom Gardens, said Mike Casey's case was to be settled at a meeting on Tuesday with the state.

Elayne Armeniaco, Greenbush Road Coalition, asked that the John Palladino Subdivision property be preserved as open space due to the presence of dinosaur tracks.

Kerry Beckman, Jerry Shorr, Frank Payne, and Mark Alexander of OMM, gave a presentation about the league. They also said the Men's league was given permission to play their opening game on the nearly finished turf field because of scheduling complications. A roster of their names was requested, the Police were called to the field and residents are questioning the league's right to sell advertisement.

Bill Hahn, Orangeburg Library Trustee, is against changing the library district law. Libraries should not be able to petition individually for tax increases.

Eileen Larkin, Palisades, is against all the clear cutting and against the increase to HDR. Large expense items should be workshopped.

Fran Oldenburger, Blauvelt, spoke of the importance of preserving the dinosaur property.

Andrew Wiley, Pearl River, said he was concerned about insurance liability of the Town because the fields were not completed and could be dangerous since it's still under construction.

Mike Casey, Pearl River, said no one was dissatisfied with his work on the fields until he started speaking about prevailing wages.

**RESOLUTION NO. 247**

**CLOSE PUBLIC PORTION**

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

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

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 248**

**POLICE/APPOINT POLICE OFFICER  
BRANDON L MEYERS**

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

RESOLOVED, that upon the recommendation of the Chief of Police, Brandon L. Myers is hereby appointed to the position of "Police Officer", from Rockland County Civil Service List No. (OC) "04200 Police Officer", effective April 24, 2008, at a salary consistent with the terms of the PBA Labor Agreement.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 249**

**DEME/ESTABLISH/MOTOR  
EQUIPMENT OPERATOR II**

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

RESOLOVED, that the position of Motor Equipment Operator II in the Department of Environmental Management and Engineering (reclassification of Laborer position # 0483 by Rockland County Personnel Office), grade 12, effective April 15, 2008 is hereby established.

Ayes: Councilpersons Manning, Troy, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 250**

**DEME/APPOINT/MOTOR EQUIPMENT  
OPERATOR II/FERNANDO SEMINELLI**

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

**Resolution No. 250 - Continued**

RESOLVED, that Fernando Seminelli, is hereby appointed to the position of Motor Equipment Operator II, permanent with a six month mandatory probationary period, grade 12-4, annual salary \$56,217 (2008 rate), effective April 15, 2008.

Ayes: Councilpersons Troy, Low-Hogan, Manning  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 251**

**RESOLUTION OF THE TOWN BOARD  
OF THE TOWN OF ORANGETOWN,  
DECLARING THE TOWN BOARD TO BE  
LEAD AGENCY UNDER THE STATE  
ENVIRONMENTAL QUALITY REVIEW  
ACT, FOR THE ZONING TEXT  
AMENDMENT ESTABLISHING THE  
RPC-H ZONING DISTRICT APPLICABLE  
TO A PORTION OF THE LANDS  
FORMERLY A PART OF ROCKLAND  
PSYCHIATRIC CENTER AND THE  
PROPOSED REDEVELOPMENT OF THE  
LANDS WITHIN THAT ZONING  
DISTRICT**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

WHEREAS, at a regular meeting of the Town Board held on the 25th day of February 2008, the Town Board adopted a resolution, declaring its intention to be Lead Agency in connection with environmental review process to be conducted under the State Environmental Review Act ("SEQRA") for the proposed zoning text amendment, creating a new RPC-H zoning district encompassing a portion of the lands formerly a part of the Rockland Psychiatric Center and the eventual re-development of the lands in and about the newly created zoning district; and

WHEREAS, in accordance with the aforesaid resolution the Town Board caused to be circulated a Lead Agency coordination letter to and among the various involved and/or interested agencies, together with the distribution package, including the proposed zoning text amendment, Environmental Assessment Form, a location map, boundary survey, proposed conceptual plan and such other information as has been submitted in connection with the proposed action; and

WHEREAS, more than thirty (30) days having passed since the adoption of such resolution and the circulation of such coordination letter, and each such involved or interested agency which received such notice either has consented to the Town Board assuming Lead Agency status, or has failed to respond thereto (and none having objected to the Town Board assuming such status),

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares itself to be Lead Agency in connection with environmental review process to be conducted under the State Environmental Review Act ("SEQRA") for the proposed zoning text amendment, creating a new RPC-H zoning district encompassing a portion of the lands formerly a part of the Rockland Psychiatric Center and the eventual re-development of the lands in and about the newly created zoning district; and

BE IT FURTHER RESOLVED, following a careful review of the Full Environmental Assessment Form in the light of the criteria for determining significance in the SEQRA Regulations (6 N.Y.C.R.R. § 617.7[c]), the Town Board concludes that the proposed action will, or may, have a significant impact on the environment, and adopts and issues a Positive Declaration with respect to the proposed action, for the reasons more fully set forth in the form of Positive Declaration annexed hereto, and expressly made a part hereof, and further directs that

**Resolution No. 251 - Continued**

there shall be prepared a Generic Environmental Impact Statement (Exhibit 4-A-08) in connection with this action; and

Ayes: Councilpersons Low-Hogan, Manning, Troy  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**TOWN OF ORANGETOWN ZONING TEXT AMENDMENT AND  
REDEVELOPMENT OF PROPERTY FORMERLY A PART OF THE  
ROCKLAND PSYCHIATRIC CENTER**

**STATE ENVIRONMENTAL QUALITY REVIEW ACT**

**POSITIVE DECLARATION**

**April 14, 2008**

**Lead Agency:**

The Town Board of the Town of Orangetown  
Orangetown Town Hall  
26 Orangeburg Road  
Orangeburg, New York 10962

This Notice has been prepared, and is issued, in accordance with Article 8 of the Environmental Conservation Law of the State of New York (State Environmental Quality Review), and pursuant to Part 617 of the implementing regulations of said Article of the Environmental Conservation Law.

The Town Board of the Town of Orangetown, acting as Lead Agency, has determined that the proposed action described below will likely have a significant effect on the environment and that a Draft and Final Generic Environmental Impact Statement shall be prepared.

**Title of Action:**

Zoning Text Amendment Creating a New RPC-H Zoning District and the Eventual Redevelopment of Properties Within the Said Zoning District.

**SEQR Status:**

Type I Action

**Description of the Action:**

The proposed action consists of (1) the adoption of a zoning text amendment, creating the Rockland Psychiatric Center Housing ("RPC-H") zoning district, encompassing portions of the property formerly a part of the N.Y.S. Rockland Psychiatric Center, in the Town of Orangetown, County of Rockland, state of New York, consisting of approximately 148 acres; (2) and the eventual remediation and re-development of the said property, consistent with the Town's Comprehensive Plan, with a mixture of age restricted and non-age restricted housing, recreation amenities and open space.

The presently contemplated area affected by the action includes lands improved with existing buildings and other structures that will have to be removed, as well as a Town owned golf course portions of which may be reconfigured in redevelopment.

**Location:**

The proposed action will affect property located predominantly on the northern, southern and eastern portions of the lands formerly a part of the Rockland Psychiatric Center acquired by the Town of Orangetown from the State of New York on or about January 22, 2003. The said property is located largely to the north of Old Orangeburg Road and to the south of Convent Road, with portions bordering on Lake Tappan, and shown on the Tax Map of the Town of Orangetown as a part of SBL 73.12-1-3, 73.08-1-1 and 74.05-1-1, as well as other lands located to the south of the above referenced lands between Old Orangeburg Road and Veterans Memorial Drive, adjacent to, or in the vicinity of, Blaisdell Road, and shown on the Tax Map of the Town of Orangetown as a part of SBL 73.12-1-7 and 73.12-1-5.

**REASONS SUPPORTING  
THIS DETERMINATION**

After considering, among other things, the Full Environmental Assessment Form for the action, prepared by the Town's Planning Consultant, Saccardi & Schiff, Inc., as well as past traffic studies conducted for other actions in, about and along the existing road system that will service the property, or that may be impacted by, the action; past water quality and management studies; past environmental analyses; and cognizant of the continuing presence of an active psychiatric facility in the immediate area of the proposed action; all in the light of the criteria for determining significance in the SEQRA Regulations (6 N.Y.C.R.R. § 617.7[c]), the Town Board concludes that the proposed action will, or may, have a significant impact on the environment, based upon the following findings:

The proposed zoning amendment:

- Will allow development, resulting in a physical change to the site, including the potential for construction on slopes of 15% or more;
- Will allow development that would affect the quantity and/or quality of open space or recreational opportunities;
- Will allow development in a manner obviously different from current surrounding land use patterns; and
- Will allow development in a manner that will affect the character of the existing community, providing for an increase in density of land use and may result in the need for additional community services to varying degrees.

The re-development of the area authorized by the proposed zoning text amendment, and presently contemplated by the Town and a private preferred developer, in addition to the above impacts:

- Would likely entail construction over a period of more than one year;
- Would likely impact water resources in the area, among other things, requiring a discharge permit, as well as result in water use in excess of 20,000 gallons per day;
- Would likely alter existing drainage patterns;
- Would likely result in visual impacts, relative to existing vistas;
- Might have an impact on existing transportation systems that service the area;
- Would likely have an impact of the volume of traffic in and about the location of the action;
- Would likely require the extension of an energy transmission system to serve more than 50 residences;
- Would likely involve noise impacts that exceed existing local ambient noise levels, at least during construction, as well as entail the removal of some existing natural noise barriers;
- Might result in excavation or other disturbance within 2,000 feet of a waste site;
- Would likely involve construction in near proximity to Lake Tappan, a public water source, as to which water quality is an issue;
- Might result in other economic impacts on the community in which the action is undertaken.

Different and/or additional impacts may be identified in the public scoping process to be undertaken by the Lead Agency.

**For Further Information, Contact:****Lead Agency:**

Town Supervisor Thom Kleiner  
Town Hall, Town of Orangetown  
26 Orangeburg Road  
Orangeburg, New York 10962  
(845) 359-5100

**Copies of this Notice Sent to:**

Salvatore Corallo, Commissioner  
Rockland County Department of Planning  
Building T  
50 Sanatorium Road  
Pomona, New York 10970

Robert Dell, Chair  
Town of Orangetown Planning Board  
Greenbush Road  
Orangeburg, New York 10962

Joan H. Facelle, M.D., M.P.H., Commissioner  
Rockland County Health Department  
Robert L. Yeager Health Center  
Building D-Sanatorium Road  
Pomona, NY 10970

Charles H. Vezzetti, Superintendent of Highways  
Rockland County Highway Department  
23 New Hempstead Road  
New City, New York 10956

Joseph F. Durkin, Director, Real Property  
Dormitory Authority of the State of New York  
515 Broadway  
Albany, New York 12207-2864

Mary Ann Miller  
U.S. Army Corps of Engineers  
26 Federal Plaza, Room 1937  
New York, NY 10278

Edward J. Killeen  
Director, Administrative Support Services Group  
N.Y.S. Office of Mental Health  
CDPC - Unit Q  
75 New Scotland Avenue  
Albany, NY 12208

Willie Janeway, Regional Director, Region 3  
NYS Dept. of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, NY 12561-1696

Joan DuPont, P.E., Region 8 Director  
New York State Department of Transportation  
4 Burnett Boulevard  
Poughkeepsie, NY 12603-2594



Edward Devine, Executive Director  
Rockland County Drainage Agency  
23 New Hempstead Road  
New City, NY 10956

Mary Campbell, Esq.  
United Water  
360 West Nyack Road  
West Nyack, NY 10994

James Hall, Executive Director  
Palisades Interstate Parkway Commission  
Bear Mountain, NY 10911-0427

Jane McLaughlin  
Taconic Regional Director  
N.Y.S. Office of Parks, Recreation and Historic Preservation  
P.O. Box 308  
Staatsburg, NY 12580

James Bopp, Director  
Rockland Psychiatric Center  
140 Old Orangeburg Road  
Orangeburg, NY 10962

Stephanie Bortnyk, Esq.  
K. Hovnanian Companies of New York Inc.  
110 Fieldcrest Avenue  
Edison, NJ 08818

Environmental Notice Bulletin  
50 Wolf Road, Room 538  
Albany, New York 12233-1750

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**RESOLUTION NO. 252**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ORANGETOWN, AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, DIRECTING THE CONDUCT OF PUBLIC SCOPING, IN CONNECTION WITH THE ZONING TEXT AMENDMENT ESTABLISHING THE RPC-H ZONING DISTRICT APPLICABLE TO A PORTION OF THE LANDS FORMERLY A PART OF ROCKLAND PSYCHIATRIC CENTER AND THE PROPOSED REDEVELOPMENT OF THE LANDS WITHIN THAT ZONING DISTRICT**

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

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act, for the proposed zoning text amendment, creating a new RPC-H zoning district encompassing a portion of the lands formerly a part of the Rockland Psychiatric Center and the eventual re-development of the lands in and about the newly created zoning district, by resolution of this date, has concluded that the proposed action will, or may, have a significant impact on the environment, and, therefore, has adopted and issued a Positive Declaration with respect to the proposed action, and has further directed that there shall be prepared a Generic Environmental Impact Statement in connection with this action; and

**Resolution No. 252 - Continued**

WHEREAS, the Board, upon careful consideration of the potential significant adverse environmental impacts that may exist or arise in connection with, or as a result of, the action, as identified in the said Positive Declaration, the Town Board believes that the public scoping of such potential impacts, as authorized under 6 N.Y.C.R.R. § 617.8 (the "SEQRA Regulations"), would result in the most thorough and comprehensive review and analysis thereof; and

WHEREAS, based on the Positive Declaration adopted and issued by the Town Board, and the items identified at 6 N.Y.C.R.R. § 617.8(f)(1)-(5) of the SEQRA Regulations, the Town Board's Planning Consultant, Saccardi & Schiff, Inc., has prepared a Draft Scope of the potential impacts to be examined on the environmental review of the action, which document shall be deemed a part of this resolution and expressly incorporated herein by reference,

NOW, THEREFORE, BASED ON THE AFORESAID, BE IT RESOLVED,

(1) that the Town Board, acting as Lead Agency, and pursuant to 6 N.Y.C.R.R. § 617.8 of the SEQRA Regulations, shall conduct public scoping sessions in connection with the preparation of a Generic Environmental Impact Statement, said scoping sessions to be conducted on April 30, 2008, at 7:30 p.m., and May 10, 2008 at 10:00 a.m. at the Town Hall, 26 Orangeburg Road, Orangeburg, New York 10927, and at such other time and date as the Town Board may direct at the close of such session, if and as the Town Board shall deem necessary;

(2) that the Town Board hereby adopts the Draft Scope prepared by Saccardi & Schiff, and shall accept written comments on such document from all interested parties, including all interested and involved agencies, and interested members of the public, by 5 p.m., on April 30, 2008;

(3) that the Town Clerk is hereby directed to circulate a copy of the Draft Scope, together with a copy of this resolution setting the times and dates of the public scoping sessions, to all interested and involved agencies that received a copy of the Lead Agency coordination letter, more specifically, the following:

Rockland County Department of Planning  
 Town of Orangetown Planning Board  
 Rockland County Health Department  
 Rockland County Highway Department  
 Dormitory Authority of the State of New York  
 U.S. Army Corps of Engineers  
 N.Y.S. Office of Mental Health  
 NYS Dept. of Environmental Conservation  
 New York State Department of Transportation  
 Rockland County Drainage Agency  
 United Water  
 Palisades Interstate Parkway Commission  
 N.Y.S. Office of Parks, Recreation and Historic Preservation  
 Rockland Psychiatric Center  
 K. Hovnanian Companies of New York Inc.

(4) that the Town Clerk shall further cause to be published in the Town's Official newspaper (official/legal wording to come from the Supervisor's Office), notice of the times and dates of the public scoping sessions; as well as a brief statement of the purpose of the said scoping sessions, the fact that the Draft Scope is available for review at the Office of the Town Supervisor (as well as in each of the libraries in the Town, and in the Villages within the Town), the time and date through which written comment on the Draft Scope will be received by the Town Board, and an invitation to all interested persons to attend the public scoping session.

Ayes: Councilpersons Low-Hogan, Troy, Manning  
 Supervisor Kleiner  
 Noes: None  
 Absent: Councilperson Maturo

**PROPOSED SCOPE FOR A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS), Rockland Psychiatric Center, Town of Orangetown, Rockland County, NY, 4/4/08**

The Town of Orangetown proposes to sell approximately 150± acres of Town-owned land at the Rockland Psychiatric Center (RPC) site to K. Hovnanian Companies for the development of a residential community that will consist of 575 dwelling units, including approximately 481 townhouse/condominium age-restricted (55±) units; 32 single family age-restricted units, 30 affordable units; 20 units for community volunteers; and 12 single family homes. The land includes former psychiatric center building and roads, vacant land and a portion of the Broad Acres Golf Course.

This site is located in the central portion of Orangetown, between the Pearl River and Orangeburg hamlets. It has access to two Rockland County roads: Veteran's Memorial Drive and Convent Road. The site is to the east of Lake Tappan and to the west of the Palisades Interstate Parkway.

Prior to sale of land and rezoning the property for the proposed residential development, the Town Board of the Town of Orangetown, acting as Lead Agency under provisions of the New York State Environmental Quality Review Act (SEQRA), will undertake a generic environmental assessment of the project, including the conceptual site plan proposed by K. Hovnanian. Subsequent environmental analyses will be undertaken as part of the Town Planning Board's site-specific review of the proposed site plan. The generic environmental review will include the following:

**A. Definition of the Proposed Action**

The Proposed Action would have several components, each of which shall be fully described in the Draft Generic Environmental Impact Statement (DGEIS). Among these shall be a new zoning district for the development entitled RPC-H (Housing). The RPC-H would be patterned after our previously developed and mapped RPC-R (Recreation). The existing Zoning Map for the Town would be amended, changing applicable development areas currently zoned R-80 and RPC-R to the new RPC-H District. The new zoning regulations require submission of a conceptual site plan. The proposed zoning, which is attached hereto, establishes use, lot and bulk, parking and other requirements, along with the housing mix, the minimum number of age-restricted and the affordable units, and the permitted accessory uses.

The proposed conceptual plan calls for a residential development based on traditional neighborhood design concepts. It includes new golf holes that will act as a buffer area, separating housing areas from psychiatric center buildings to remain.

**B. Draft Generic Environmental Impact Statement (DGEIS)**

The DGEIS will include:

1. Executive Summary and Project Description

All components of the Proposed Action shall be described and graphically illustrated. A comprehensive listing of project reviews and approvals by all agencies shall be provided. A summary of project intent and purposes shall be included, addressing the subject development within the context of overall Town planning concepts for the entire RPC site.

2. Impact Analyses

The Impact Analyses shall be presented in the DGEIS through: (1) a description of existing conditions; (2) an assessment of impacts in both the build and no-build conditions, as applicable; and (3) a description of proposed mitigation measures to address adverse impacts.

a. Land Use and Zoning

The DGEIS shall include existing land use maps for an area within ¼ mile of the subject site, including other RPC and non-RPC lands, and review land use and zoning compatibility issues. It shall include a review of the Town and County comprehensive plans and any other relevant studies in terms of their consistency with the subject

proposal. The land use and zoning impacts shall examine how the proposed development fits into the RPC campus in terms of continued operations and its effects on the existing town-operated golf course. Studies shall also consider the impacts on vacant and developed land along Convent Road and Veterans Memorial Highway.

b. Community Character/Visual Impacts

This section of the DGEIS shall include photographs of existing conditions; renderings and/or sketches of the proposed development; and cross-sections evaluating the relationship between proposed development and off-site uses, particularly along Convent Road. It shall include a conceptual landscape plan that could mitigate any adverse impacts. The relationship between proposed development and on-site RPC uses to remain shall also be considered. The chapter shall include a discussion of the likely effects of the proposed use of new golf course holes as a buffer area between existing and proposed land uses. This chapter shall also consider the proposed trail system, including trails along Lake Tappan.

c. Natural Environment

Although most of the site has been previously disturbed, the DGEIS shall consider various on-site features, including topography, soils, water bodies and wetlands.

(1) Wetlands and Water bodies

An on-site wetland assessment for the subject development areas shall be prepared, including a complete field assessment of the existing wetland delineation to determine the direct impacts to wetlands from the proposed project, if any. The delineation review will be completed in accordance with the USACE Wetlands Delineation Manual (January 1987), Routine Determination Method and New York State Department of Environmental Conservation (NYSDEC) Article 24 Freshwater Wetland regulations.

(2) Topography and Soils

This shall include an assessment of existing conditions, including: topography, steep slopes, soils, depth to bedrock and other factors that characterize the site, including a slope analysis map and a soils exhibit indicating SCS soil types and soil information obtained from record information.

Information regarding anticipated impacts shall include the analysis of impacts to slopes within the proposed development area. The analyses shall identify potential areas where rock removal may be required and shall address mitigation measures associated with soil and slope disturbance, including a blasting program and safeguards, an erosion control plan, etc.

(3) Flora and Fauna

A natural resources survey shall identify on-site species, including field surveys utilizing a series of transects through the property. Each transect shall be sampled at intervals for flora, fauna, and representative habitat. Specific assessments shall occur in and adjacent to on-site wetlands. Data shall be collected at different time periods including dawn and dusk when wildlife is often active and readily observed.

A separate analysis shall be developed for potential threatened or endangered species on the site as identified by field observation, NYSDEC - Natural Heritage Database, and US Fish and Wildlife Service records.

d. Stormwater Management

This section shall include a description of the current drainage patterns based on the existing topography and drainage systems. It shall discuss anticipated impacts as a result of additional impervious surface, addressing stormwater quantity and quality. A mitigation plan shall be provided, including the potential location of detention/water quality facilities and the approximate size and types of facilities would be identified.

A Preliminary Stormwater Pollution Prevention Plan (SWPPP), prepared in accordance with requirements of the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-02-01, and Chapter 30C, Stormwater Management, Chapter 30D, Sediment and Erosion Control

and Stormwater Management, and Chapter 14B, Flood Damage Prevention of the Code of the Town of Orangetown. The SWPPP shall include the following: 1) a description and the results of the Stormwater Management analysis for pre- and post-construction conditions; 2) a description and the results of the required Stormwater Quality/BMP facilities, including approximate sizes and potential locations; 3) appendices which would include the supporting calculations for the Preliminary Stormwater Management Analysis; 4) identification of the increase of impervious areas as a result of the project and the requirements for any mitigation. (Detailed design of stormwater management facilities is excluded from the DGEIS and will be developed during site specific Site Plan Approval). This section shall also provide a description of the Best Management Practices that should be implemented during the construction of the components of the project.

e. Utilities (Water, Sanitary, Other)

The DGEIS shall investigate and report on the existing public water system, including capacities, based on information obtained from the United Water Company. It shall address anticipated impacts, such as projected program usage and proposed water mains and improvements. Mitigation shall be recommended as appropriate.

The existing sanitary sewer system shall be described, including locations of facilities, capacities and other information obtained from the Town. The DGEIS shall address anticipated impacts, such as projected program usage and proposed sewer lines and improvements. Mitigation shall be recommended as appropriate.

The DGEIS shall also address the availability of electric and gas service to the site.

f. Community Facilities

(1) Emergency Services

The DGEIS shall include existing information on the Town's police, fire and EMT services that would service the development at the RPC site, including station locations, staffing, response times, etc. The impacts of the proposed development shall be assessed with information obtained through readily available sources and correspondence with the relevant departments.

The Applicant's proposal for the replacement of volunteer housing on the RPC site shall be examined in this portion of the DGEIS.

(2) Schools

The DGEIS shall estimate school-children generation as a result of the inclusion of limited non-age restricted units in the proposed development and the relationship between the additional students and the capacities at various Pearl River Schools. It shall also consider educational costs for the additional enrollment compared to projected school district revenues. The DGEIS shall also discuss the hypothetical impacts associated with school-children generation should some portion of the development be converted to non-age-restricted.

(3) Recreation and Senior Services

The DGEIS shall evaluate the potential impacts of the proposed project on existing recreational facilities and senior services in the Town of Orangetown. Analyses shall be based on available information from the Town, interviews with local officials and representatives of senior organizations and/or online resources. The temporary disruption to the on-site golf course shall be considered as part of this section of the DGEIS. The DGEIS shall also identify the acreage of existing golf courses to be removed and replaced with new golf holes, addressing the functionality of the reconfigured 9-hole course, including its various ancillary facilities. The DGEIS shall also evaluate issues relating to the State approval for the alienation of golf course/parkland.

(4) Solid Waste

The DGEIS shall estimate potential solid waste generation and recycling issues resulting from the proposed development and shall identify the receiving solid waste facility.

## g. Economics, Including Taxes and Jobs

Working in conjunction with the Town Tax Assessor, an estimate of the potential tax generation to each taxing jurisdiction (Town, County, Pearl River School District, Fire, etc.) as a result of the proposed development shall be devised. An analysis of the likely costs to service the development shall focus on the need for capital equipment or additional staff, if any.

The DGEIS shall also estimate the number of jobs generated as a result of the development, primarily in terms of construction jobs.

## h. Traffic and Transportation

## (1) Traffic Data Collection

During this phase, the Traffic Engineer will review the available data provided by the Town, its representatives and/or that obtained from the jurisdictional agencies. In addition, the Traffic Engineer will:

- Arrange for collection of manual pedestrian counts and vehicular turning-movement traffic volume counts to obtain a representative sampling of data for analysis purposes. In that the Site is planned to accommodate residential facilities, two (2) count periods are to be studied. These include the Peak AM and PM Highway Hours at the following seventeen (17) intersections considered by the County Highway Department to be strategically important to define the traffic impacts of the proposed development:
  - o Gilbert Avenue and South Middletown Road;
  - o Gilbert Avenue and Veterans Memorial Drive;
  - o Gilbert Avenue/Convent Road and Sickletown Road;
  - o Convent Road and Blue Hill Road North;
  - o Convent Road and 3rd Avenue;
  - o Convent Road and 2nd Avenue/Van Wyck Road;
  - o Convent Road and Western Highway;
  - o Western Highway and Mountainview Road;
  - o Orangeburg Road and Western Highway;
  - o Orangeburg Road and Dutch Hill Road;
  - o Orangeburg Road and Lester Drive/Edgewood Road;
  - o Orangeburg Road and Blaisdell Road;
  - o Orangeburg Road and Old Orangeburg Road/Hunt Road;
  - o Veterans Memorial Drive and Blue Hill Road North;
  - o Veterans Memorial Drive and Blue Hill Road South; and,
  - o Veterans Memorial Drive and Blue Hill Plaza (2 locations).

It is proposed to conduct the manual turning-vehicle-movement counts from 7:00 until 9:30 a.m. and between 4:00 and 6:30 p.m. on a weekday. Pedestrian count data will be collected simultaneously with vehicular data.

- An Automatic Traffic Recorder (ATR) will be installed on Veterans Memorial Drive and Convent Road in the vicinity of the access road to the Rockland Psychiatric Center and will monitor two-way traffic volumes for a seven-day period. Data collected will include speed, gaps and vehicle classification.
- Visually collect traffic related information about the strategic locations and the roadway system in the near vicinity of the Site as it affects intersection capacities.
- Identify the anticipated traffic growth rate for the area, as well as identify areas of traffic concern.
- Based on discussions with Town, identify planned projects in the area, which may affect traffic flows into the area. These include public roadway improvements and private developments.

- Contact the Orangetown Police Department or the State of New York Department of Transportation (NYS DOT) Using the Town's schedule of development, apply a representative growth rate to the Existing conditions to establish Horizon Year conditions.
- Based on individual traffic studies, determine the traffic volumes of the identified vicinity developments as listed in the County Highway Department letter.
- Also, based on the latest published standards of the Institute of Transportation Engineers (ITE), determine the amount of traffic to be generated by the proposed development.
- Add the Site-generated and the vicinity-development trips to the roadway system to yield the "Cumulative" condition.
- Based on the ITE published standards, ascertain the potential amount of traffic that could be generated by the unoccupied psychiatric center buildings should they be re-occupied.
- Assign these potential volumes onto the roadway system in accordance with existing traffic patterns in the area.
- Subtract the Site-generated trips while adding the re-occupied trips from the Rockland Psychiatric Center to yield the No-Build condition.
- Execute intersection capacity analyses for the Existing, Horizon, Cumulative and No Build conditions during the Peak AM and PM Highway Hours for the Strategic Intersections.
- Should the No-Build and the Cumulative analyses indicate excessive restrictions, identify appropriate measures including signal timing adjustments and possible orientation of Site Traffic to Convent Road as needed to improve conditions. Reanalyze the study locations with the improved geometrics and/or additional traffic control devices.
- Based on the traffic volumes generated by the vicinity developments, ascertain the proportional component of the roadway improvement attributable to each of the individual vicinity developments.
- Perform a safety evaluation of the Strategic Intersections which will involve an analysis of the number of accidents and a determination of a possible causative relationship between the type of collisions and the roadway geometry and/or operational features. Included will be an assessment of the need for streetlights based on the projected pedestrian volumes.
- Form the assembly of available accident data (three years of data will be sought) for the Strategic Intersections as well as for the roadway segments of Gilbert Avenue, Convent Road, Western Highway, Highview Avenue, Orangeburg Road and Veterans Memorial Drive in the vicinity of the proposed Site.

(2) Analyses

This phase of Traffic Engineering Services accounts for the data reduction and the determination of intersection capacities during the peak periods, as follows:

- Categorize the traffic data and determine the flows and the highest periods of adjacent street traffic for the Peak AM and PM Highway Hours (Existing conditions).
- Set up a Synchro network to evaluate the subject roadways and intersections as one entity.

- Review the ATR data to determine whether additional analysis time frames are needed to be conducted. Typically, should the redevelopment plan function effectively during the Peak Highway Hours, when traffic volumes on the adjacent streets are at their highest, the operating conditions during the other 22 hours of the weekday will exhibit better operating conditions. Similarly, the traffic volumes generated by a residential development are at their highest during the journey-to-work time frame and are usually lower during weekends.
- The Traffic Engineer will observe pedestrian and bus operations in the study area and will comment on areas where improvements can be made. These include the need for additional bus stops and the need and location of crosswalks and other traffic control devices to improve the safety of the pedestrian.
- The Traffic Engineer will conduct spot "gap" studies to determine the need for signalization on the County roadways.
- The Traffic Engineer will investigate whether the conversion of Old Orangeburg Road in parallel to Veterans Memorial Drive/Orangeburg Road as a one-way couplet will provide improved operations and reduce congestion along these arterials. The implications of the roadway work necessary to effectuate a proper one-way couplet will be discussed
- The Traffic Engineer will review the recommendations of earlier studies in association with the STEJ/Orangetown Recreation Complex development. Mitigation measures proposed will be reviewed and their implications with respect to necessary road widenings will be addressed.
- The Traffic Engineer will perform a cursory review of a possible realignment of the intersection of Old Orangeburg Road, Hunt Road, and Veterans Memorial Drive.

i. Cultural Resources

The following tasks shall be conducted to complete the Phase 1A Cultural Resource Study, providing a detailed sensitivity assessment of the subject site.

- Re-examine the archeological site files of the New York State Museum and OPRHP for reported archeological sites within the immediate vicinity of the project area.
- Examine and present copies of the historic maps that document the development of the property.
- Conduct a site visit to assess and photograph general conditions of the project area, identify the archeologically sensitive locations, and areas of prior disturbance.

The information gathered during the literature review shall be assembled into a cultural resource sensitivity assessment of the site. Recommendations for a Phase IB archeological field investigation shall be presented.

The preliminary Phase IB field investigation work scope is based on the assumption that 80% of the 150± acre parcel can be eliminated from testing due to prior disturbance. In order to focus archeological testing in undisturbed locations, as-built or construction drawings of the existing golf course and hospital shall be examined to document areas of prior disturbance.

The investigation of the project Area of Potential Effect would require the excavation of approximately 450 shovel tests. Each shovel test will be 40 centimeters (16 in) in diameter and placed at 15-meter (50 ft) intervals. The soil from each test will be screened through 0.64-centimeter (0.25 in) hardware mesh and carefully examined for pre-contact and early historic cultural materials. Artifacts collected will be assigned to the soil stratum from which they were retrieved. The location and stratigraphy of each test will be recorded including depth and description of each soil level. The distribution of shovel tests and artifacts will be shown on a digital version of the project map to be provided by the Town.

Cultural materials collected (maximum of 100 artifacts), will be identified by provenance, counted and incorporated into the artifact catalog. The report will be prepared following New York State Office of Parks, Recreation and Historic Preservation and New York Archaeological Council guidelines.



### 3. Significant Adverse Impacts that Cannot be Avoided

#### a. Long Term

The DGEIS shall discuss those impacts that cannot be avoided as a result of development on the site, such as a potential loss of trees, additional demand on infrastructure, an increase in the Town's population, etc., recognizing, however, that the DGEIS would be designed to identify measures to mitigate all significant adverse impacts to the extent practicable.

#### b. Short Term Construction and Site Remediation

The DGEIS shall address short-term unavoidable impacts associated with construction, such as the generation of construction traffic and noise. It would also address the steps that would need to be taken to deal with building demolition and site remediation, including asbestos removal, based on information provided in the previously prepared Environmental Assessment Reports.

### 4. Alternatives

#### a. No Action

This alternative shall address the scenario in which no development occurs and the site remains in its current condition.

#### b. Other Land Development Consideration

In tabular format, the DGEIS shall estimate and compare the anticipated impacts if portions of the golf course were not utilized and if the area adjacent to Lake Tappan were utilized.

#### c. Other Zoning Approaches

The DGEIS shall discuss alternative means for accommodating the proposed development, through the use of a combination of new and existing zoning districts.

#### d. Alternative Design Treatment

Prior development proposals that included a potential convenience retail component along Convent Road shall be discussed.

#### e. Alternative Access

Alternative access roads and road alignments within the RPC site shall be considered including the potential use of Old Orangeburg Road and the possible realignment of 3rd Avenue.

### 5. Growth Inducement (e.g., effects on neighboring business properties) (S&S)

The DGEIS shall address the potential for effects on neighboring properties as a result of the new development and residential population on the Project Site, including the possible reuse of commercial properties along the north side of Convent Road.

### 6. Future Site Specific Reviews

The DGEIS shall include a description of the parameters for future site-specific reviews following approval of the proposed zoning and conceptual plan, including the key environmental issues that shall require analysis as the site plan approval stage.

### 7. Effects on Energy, Commitment of Resources

The DGEIS shall summarize the potential effects on energy sources (e.g., the consumption of gas and electricity), and the resources that shall be utilized for construction and development (e.g., concrete, brick, steel, etc.)

The DGEIS shall include an Appendix that contains technical reports, including the stormwater management plan, traffic report and capacity analyses, etc. The Appendix shall also include copies of all correspondence and SEQRA documentation.

**RESOLUTION NO. 253****DEME/APPROVE 2008 CERTIFICATE  
OF REGISTRATION/SEWER WORK**

Councilman Troy 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 2008 sewer work is hereby approved for the following:

Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ.  
Vincent J. Travaglini, 48 Phillips Hill Road, New City, NY

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 254****AUTHORIZE SUPERVISOR TO  
PETITION NYS LEGISLATURE  
HOME RULE LEGISLATION/SOUTH  
ORANGETOWN LIBRARIES**

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

RESOLVED, that the Supervisor is hereby authorized to petition the New York State Legislature for home rule legislation regarding libraries in South Orangetown.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 255****POLICE/PERMISSION GRANTED  
EMPIRE STATE LAW  
ENFORCEMENT SAFETY CONF**

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

RESOLVED, that one police officer is hereby authorized to attend the Empire State Law Enforcement Safety Conference, April 29-30, 2008, in Lake George, NY, at a cost of \$640 to be charged to Acct. #B/3120/50441/0480.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 256****POLICE/PERMISSION GRANTED  
LONG ISLAND-NYC EMERGENCY  
MANAGEMENT CONFERENCE**

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

**Resolution No. 256 - Continued**

RESOLVED, that one police officer is hereby authorized to attend the Long Island-NYC Emergency Management Conference, May 28-29, 2008, in, NY, at a cost of \$409 to be charged to Acct. #B/3120/50441/0480.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 257****POLICE/PERMISSION GRANTED  
NATIONAL TECHNICAL  
INVESTIGATORS TRAINING**

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

RESOLVED, that one police officer is hereby authorized to attend the National Technical Investigators Training Conference, April 16-17, 2008, in Atlantic City, NY, at no cost to the Town.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 258****POLICE/ACCEPT RETIREMENT  
DET LT JOHN MCANDREW**

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

RESOLVED, that the Town Board hereby accepts with regrets, Detective Lt. John McAndrews retirement, (Shield No. 67) effective April 4, 2008.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**RESOLUTION NO. 259****TAX RECEIVER/PERMISSION  
GRANTED/NYS ASSOC TAX  
RECEIVERS & COLLECTORS  
ANNUAL TRAINING**

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

RESOLVED, that permission is hereby granted to Robert R. Simon to attend the NYS Association of Tax Receivers & Collectors Annual Training Seminar, June 8-11, 2008, Glens Falls, NY at a cost of \$777 to be charged to Acct. # /0441/0480.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 260**

**NOTTINGHAM ESTATES  
SUBDIVISION/PFC DORSEY CT  
FRIAR TUCK CT/SANITARY SEWER  
EASEMENT/RECEIVED AND FILED**

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

RESOLVED, that upon recommendation of the Town Attorney’s Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, the 20’ wide Sanitary Sewer Easement from Corwick Realty for PFC Dorsey Court and Friar Tuck Court in the Nottingham Estates Subdivision (Tax Lot Section 69.08 Block 1 Lot 4) Orangeburg, NY is hereby accepted, received and filed in the Town Clerk’s Office

RESOLVED FURTHER, the Supervisor is authorized to execute all documents necessary to effectuate the acceptance of these easements.

- Ayes: Councilpersons Low-Hogan, Troy, Manning  
Supervisor Kleiner
- Noes: None
- Absent: Councilperson Maturo

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**RESOLUTION NO. 261**

**PERFORMANCE BOND/RELEASE  
NOTTINGHAM ESTATES  
SUBDIVISION**

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

RESOLVED, that the Town Board authorizes release of the Performance Bond in the amount of \$486,071.00 for the Nottingham Estates Subdivision (Tax Lot Section 69.08 Block 1 Lot 4) based upon the applicant having provided to the Town a total of \$1,500 to be held in escrow to ensure the completion of certain public improvements and dedications as per PB#08-18.

- Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner
- Noes: None
- Absent: Councilperson Maturo

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**RESOLUTION NO. 262**

**PERFORMANCE BOND/RELEASE  
NOTTINGHAM ESTATES  
SUBDIVISION/AMEND RESOLUTION**

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

RESOLVED, that Resolution No. 261/2008 is hereby amend as follows:

RESOLVED, that upon the recommendation of the Town Attorney, the Director of the Dept. of Environmental Management & Engineering, and the Superintendent of Highways, the release of the Performance Bond in the amount of \$486,071.00 for the Nottingham Estates Subdivision (Tax Lot Section 69.08 Block 1 Lot 4) based upon the applicant having provided to the Town a total of \$1,500 to be held in escrow to ensure the completion of certain public improvements and dedications as per PB#08-18 is hereby authorized.

- Ayes: Supervisor Kleiner, Councilpersons Troy, Manning, Low-Hogan
- Noes: None
- Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 263****WYETH HOLDINGS CORP  
DECLARATION OF COVENANT FOR  
THE ANNUAL INSPECTION &  
MAINTENANCE OF STORM WATER  
CONTROL/RECEIVED/FILED**

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

RESOLVED, that upon recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, the Declaration of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities for Wyeth Holdings Corporation Building 241 Site Plan (Tax Lot 68.08 Block 1 Lot 1) in accordance with PB# 06-34 is accepted, received and filed in the Town Clerk's Office.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 264****BUL KWANG MEDITATION CTR  
DECLARATION OF COVENANT FOR  
THE ANNUAL INSPECTION &  
MAINTENANCE OF STORM WATER  
CONTROL/RECEIVED/FILED**

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

RESOLVED, that upon recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, the Declaration of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities for Bul Kwang Meditation Center (Tax Lot 77.07 Block 1 Lot 2), Route 303, Tappan in accordance with PB# 07-29 is accepted, received and filed in the Town Clerk's Office.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 265****ACCEPT MINUTES**

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

RESOLVED, that the Executive Session minutes of March 19, 2008; Regular Town Board Meeting, Audit Meeting; Executive Session minutes of March 24, 2008 and Special Town Board Meeting and Executive Session minutes of April 7, 2008 are hereby accepted.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 266****CLOSING DOCUMENTS/\$21,905,000  
BOND ANTICIPATION RENEWAL  
RECEIVED/FILED**

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

**Resolution No. 266 - Continued**

RESOLVED, that the various closing documents for authorizing the issuance of a \$21,905,000 Bond Anticipation Renewal Note for the cost of the establishment of the Orangetown Sewer District are received and filed in the Town Clerk's Office.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 267****CHERRY BROOK DRAINAGE  
CHANGE ORDERS NOS. 8,9,10  
RECEIVED/FILED**

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

RESOLVED, that the fully executed Change Orders Nos. 8, 9, 10 (originals) regarding the Cherry Brook Drainage Improvements are received and filed in the Town Clerk's Office.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 268****AMEND RESOLUTION No. 120/2008  
JOHN BELLEW 5K FUN RUN/WALK**

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

RESOLVED, that Resolution No. 120/2008 is hereby amended as follows:

RESOLVED, that the request of John Sullivan of 185 Ridge Street, Pearl River, organizer of the John Bellew 5K Fun Run/Walk, for four portable toilets, trash receptacles, barricades and safety cones for the Fun Run on April 19, 2008, to be charged to Account No. A7550/50457.

Ayes: Councilpersons Troy, Manning, Low-Hogan  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

\* \* \*

**RESOLUTION NO. 269****RPC/AMEND PROFESSIONAL  
SERVICES AGREEMENT/HDR/LMS  
ATHLETIC FIELDS AND  
INFRASTRUCTURE IMPROVEMENTS**

Councilwoman Manning offered the following resolution, which was seconded by Councilwoman Low-Hogan and was unanimously adopted:

RESOLVED, that an amendment to the Professional Services Agreement with Henningson, Durham & Richard ("HDR/LMS"), dated January 23, 2006, relating to engineering services associated with the construction of athletic fields and infrastructure improvements on Town owned lands, to increase the not to exceed amount from \$223,000.00 to \$500,100.00, and amending Town Board Resolution No. 104 of 2006 to reflect the increased amount is hereby approved.

Ayes: Councilpersons Manning, Low-Hogan, Troy  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

**RESOLUTION NO. 269**

**ADJOURNMENT/MEMORY  
ENTER AUDIT**

Councilwoman Manning offered the following resolution, which was seconded by Councilwoman Low-Hogan and was unanimously adopted:

RESOLVED, that the Town Board adjourned this meeting at 10:47 p.m., in memory of John Joseph Moriarty, Pearl River and Stanley Troy, Orangeburg and member of OPDAC.

Ayes: Councilpersons Manning, Low-Hogan, Troy  
Supervisor Kleiner  
Noes: None  
Absent: Councilperson Maturo

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**Charlotte Madigan, Town Clerk**