

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JUNE 11, 2007**

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

Councilman Denis O'Donnell
Councilman Denis Troy
Councilwoman Marie Manning
Councilman Thomas A. Morr

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
Dennis Michaels, 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.
Lt. Terence Hutmacher, Police Department
Michael Manzare, Building Department
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

Julie and Alan Trumpler were recognized by The Friends of the Orangetown Museum for their efforts as Town Curator and Chief Curator Museum Supporter. They will be deeply missed and the Town Board wished them well in their move to Colorado. Supervisor Kleiner congratulated Catherine Dodge and Mary Cardenas, The Friends of the Orangetown Museum, for their hard work with the museum's annual fundraiser.

Public Comment

Michael Mandell, Pearl River, asked the status of development on the RPC site, which is important to reduce taxes. He suggested the Town website be used for updates.
Carol Silverstein, Orangeburg, is concerned about the delay of tax relief for the Pearl River School District and asked would there be a rebate on taxes.
Sal Valenza, Orangeburg, said he has not heard from the Town regarding flooding and a water situation on his property.

RESOLUTION NO. 398

CLOSED PUBLIC COMMENT

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

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

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

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RESOLUTION NO. 399

**POLICE/RETIREMENT
RESIGNATION/ADDY DUCEY**

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

RESOLVED, that with regret the retirement/resignation of Addy Ducey, Police Department, effective June 30, 2007 is hereby accepted.

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

RESOLUTION NO. 400

**PERFORMANCE BOND/RELEASE
GRIFFITH SUBDIVISION 71.13-1-25**

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

RESOLVED, that upon the approval of the Planning Board (PB# 07-29), DEME, Highway, and the Town Attorney, the Performance Bond and passbook savings account for Griffith Subdivision in the amount of \$12,000.0 for property designated S/B/L 71.13-1-25 is hereby released.

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

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RESOLUTION NO. 401

**TAX CERTIORARI SETTLEMENT
CHARABOT & COMPANY, INC**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, Dennis D. Michaels, Deputy Town Attorney, is hereby authorized to sign the Stipulation of Settlement, and Consent Order and Judgment, regarding the tax certiorari proceeding Charabot & Company, Inc. vs. Brian Kenney, et, ano, Tax Map designation 73.19-1-2 for the tax assessment year 2005 through 2006, for a total refund by the County of \$3,769, and for a total refund by the Town of \$16,543. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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RESOLUTION NO. 402

**TAX CERTIORARI SETTLEMENT
GLORIA FIXELL 66.39-1-3/502-503**

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, Dennis D. Michaels, Deputy Town Attorney, is hereby authorized to sign the Stipulation of Settlement, and Consent Order and Judgment, regarding the tax certiorari proceeding Gloria Fixell vs. The Assessor for the Town of Orangetown, et al, Tax Map designation 66.39-1-3/502; 66.39-1-3/503 for the tax assessment year 2003 through 2006, for a total refund by the County of \$158, and for a total refund by the Town of \$588. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

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

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RESOLUTION NO. 403

**HIGHWAY/AWARD BID/COMPACT
UTILITY LOADER/GRASSLAND EQUIP**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for one compact utility loader, which were received and publicly opened on March 21, 2007. The

Resolution No. 403 - Continued

Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 6-A-07, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Grassland Equipment, Latham, NY, the only qualified bidder, in the amount of \$20,887.55 to be charged to Account No. D5130052/50200.

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

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RESOLUTION NO. 404**HIGHWAY/REJECT ALL BIDS
CAST IRON CURB INLETS**

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

RESOLVED, that all the bids received January 25, 2007 for cast iron curb inlets are hereby rejected.

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

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RESOLUTION NO. 405**HIGHWAY/SURPLUS EQUIPMENT**

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

RESOLVED, that the following equipment is hereby declared surplus, which then will be sold by auction.

# 7	1999	Crown Victoria	2FAFP71W1XX201831
#50	1989	International	1HTLCCFN9KH625092
#60	1986	FWD	1F9AR28R6GCFT1033
#72	1979	FWD	RB4418196L71T
#78	1983	FWD	1F9AL28R0DCFT1154
#79	1985	FWD	1F9AL28R9FCFRT1012

(will be dismantled/used for parts)

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

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RESOLUTION NO. 406**ACCEPT MINUTES**

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

RESOLVED, that the May 29, 2007 Regular Town Board, Audit Meeting and Executive Session minutes are hereby accepted.

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

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RESOLUTION NO. 407**AUTHORIZE ATM AGREEMENT
LOPEZ AND SAMMI TECHNOLOGY**

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

Resolution No. 407 - Continued

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Lopez and Sammi Technology for the location of an automatic teller machine in Town Hall with space rental payments to the Town of \$50 per month with no minimum transaction amount.

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

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RESOLUTION NO. 408**LETTER OF SUPPORT/GRANT
APPLICATION/HISTORIC TAPPAN
REFORMED CHURCH**

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

RESOLVED, that the Supervisor is hereby authorized to send a letter of support for a grant application to the New York State Office of Parks, Recreation and Historic Preservation for the restoration of the Historic Tappan Reformed Church.

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

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RESOLUTION NO. 409**AID/LAURA MUNNO LODGE
ITALIAN FESTIVAL**

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

RESOLVED, that upon satisfaction from the Town Attorney's Office of not for profit status of the Laura E. Munno Lodge, the request for three yards of sand, trash receptacles and clean up of the field, barricades and four portable toilets (two handicapped accessible) for an Italian Festival, July 2 – 5, 2007, to be charged to Account No. A7550/50457 is hereby approved.

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

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RESOLUTION NO. 410**ADJOURNMENT/MEMORY
ENTER AUDIT**

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

RESOLVED, that the Town Board adjourned the Regular Town Board Meeting in memory of Patricia McDowell, Upper Nyack and entered the Audit Meeting at 8:15 p.m.

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

Charlotte Madigan, Town Clerk