

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JUNE 23, 2008**

This Town Board Meeting was opened at 7:37 p.m. Supervisor Kleiner presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy
Councilwoman Marie Manning
Councilwoman Nancy Low-Hogan
Councilman Michael Maturo

Also present:

Charlotte Madigan, Town Clerk
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.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
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.

Public Comment

Donald Sullivan, Tappan, is against the O & R sub-station on Oak Tree Rd. because this area is wetlands and is close to a park. He is concerned that O & R did not have a public hearing and the building height appears to be five-stories. He requested elected officials to find a more suitable location.

Cynthia Moloney, Tappan, is also against the sub-station. This is poor development for a residential area and she has information that indicates this could cause health issues.

Eileen Larkin, Palisades, agrees with comments made by Donald Sullivan regarding the sub-station. She said the EAF form should be changed and Cablevision has removed channels but the cost remains the same.

Joe Luke, Tappan, is against the sub-station because EMF's and radiation could cause health issues and the sub-station will decrease real estate values.

Wendy Lee MacDowell, Sparkill, said a sub-station should not be built on property in a residential area.

Andrew Wiley, Pearl River, is against the sub-station and is concerned about the Town's \$80 million debt.

Carmel Reilly, Pearl River, asked about the progress of the ad hoc committee to develop recommendations for new land use boards notifications and looks forward to the Town Board voting on the new recommendations.

Robert Mennello, Tappan, is against the sub-station.

Nick Sfraga, Tappan, asked if his zone change could be put back on the agenda. He is also against the sub-station because of health issues.

Ed Stewart, Pearl River, said Hillside Park is swampland, which has been repeatedly filled in, which causes flooding to spill over into the neighbor's yards. This type of proposed development will decrease market value.

Mary Dress, Tappan, said this is a very serious problem and she has spoken with the Federal Army Corp of Engineers, who said O & R should have requested a permit and cannot proceed without one. She believes the combination of microwaves, antennas in the area and O & R gases mixing with the flooding is dangerous and unhealthy.

Rick Rubauo, Tappan, agrees with Mary Dress. He also said the proposed sub-station is in a flood area and will cause more flooding.

Frank Carlson, Pearl River, is concerned about the deterioration of Pearl River, especially along Route 304. Hillside will exacerbate problems in Pearl River and the Town Board needs to be conscious of the problems.

Carol Baxter, Tappan, said Oak Tree Road connects historic areas and the sub-station will be an eye sore. The rail trail promotes healthy lifestyles, which the sub-station will be against.

Ben Roujansky, Orangeburg, has concerns about the sub-station and spoke about flooding and notification of continued public hearings.

RESOLUTION NO. 429**CLOSE PUBLIC PORTION**

Councilwoman Low-Hogan 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 Low-Hogan, Manning, Troy, Maturo
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 430**OPEN PH/ZONE CHANGE/LIO TO R-15
380 OAK TREE RD/PALISADES**

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

RESOLVED, that the continuance of the public hearing from May 12, 2008 to consider a proposed local law amending Chapter 43, Article II of the Town Code entitled Zoning Districts, and the Town Zoning Map, to change the zoning district classification for property located at 380 Oak Tree Road, Palisades, NY, bearing Tax Map Designation S/B/L 77.16-1-22 on the Tax Map of the Town from Light-Industrial-Office to R-15 Medium-Density Residence District is hereby opened.

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

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Public portion:

Jan Degenshein, Architect, presented the plans to change the zoning from LIO to R-15. This plan provides a 100 ft buffer to protect the wetlands. He said the owner, Ms. Price, believes a R-15 would be more suitable than the present LIO zoning. As presented, 4 homes would be the total number of homes allowing the historic home to remain as is and dividing the remaining half into 3 parcels.

Ben Roujansky, Orangeburg, asked the following questions: Will the developer absorb any of the public improvement costs; will there be adequate parking; and what will the impact be on the school district?

Alexis Stark, Tappan, said since this is an environmentally sensitive area directly affecting the Sparkill Creek, why not a R-40?

Andrew Wiley, Pearl River, advised the Town Board, if R-15 is granted, the town then will not be able to limit the number of houses the builder puts on this property. He believes notification was not sufficient.

Eileen Larkin, Palisades, said the home is from the late 1800's and she believes the proposal is an up zone, which should be granted.

John S. Edwards, Town Attorney, recommended the Town Board reserve its decision.

RESOLUTION NO. 431**CLOSE PUBLIC PORTION/PH
380 OAK TREE RD/PALISADES**

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

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

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

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RESOLUTION NO. 432**TOWN BOARD DECISION/ZONE
CHANGE/380 OAK TREE RD
PALISADES/RESERVE**

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

RESOLVED, that the Town Board reserves their decision until July 21, 2008 at 8:15 p.m.

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

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RESOLUTION NO. 433**OPEN PH/SHIFT OF OPERATION
CASABELLA HOLDING/EMPIRE ZONE**

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

RESOLVED, that the public hearing pursuant to the General Municipal Law Article 18-B, Section 959(a)(iii) to solicit comments regarding the relocation of Casabella Holding LLC located at 400 Corporate Road, Blauvelt, into the Clarkstown Development Zone, which is part of the Rockland Empire Zone's designated area is hereby opened.

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

* * *

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 6-B-08 and made a part of these minutes.

Public portion:

Eileen Larkin, Palisades, requested an explanation of this public hearing.

Ben Ostra, representing Bradley Corporate Park, said Bradley Corp Park will be the chief victim, if this resolution is approved. Since Orangetown does not have an Empire-receiving zone, this Shift is not a benefit to the Town. He respectfully requested the Town Board to deny this Shift, until Bradley Park obtains Empire Zone status.

Andrew Wiley, Pearl River, asked if the school district has been advised of the loss of taxes?

Steve Corath, REDC representative, explained the establishment of an Empire Zone and how it operates with the input from the Town, County and State. He said currently, they are trying to take 45 acres from the Mercedes property, and transfer this Empire Zone to Bradley Park. The State, Town and County recommend the zone boundaries and then the Governor would have to approve the boundaries. He hopes this will happen by the end of the year.

Bob Ryan, representing Casabella, said they are expanding from 47,000 sq ft. to 100,000 sq ft. and have looked for larger space over the past four years. This type of expansion is exactly the reason for a Shift resolution and why the Empire Zone was created.

A lengthy discussion took place between the Town Board, the Town Attorney and the petitioners. The Town Attorney asked if there was any current place at Bradley Park that could accommodate 100,000 sq. ft. and eliminate the need for the shift. Councilman Troy asked if there was any possibility that they could relocate within Bradley Park. He would prefer to vote no at this time and hoped that by the end of this year we would have the Empire Zone brought into Bradley Park. Councilwoman Low-Hogan inclination is to support this but on a case-by-case basis. Councilman Maturo also preferred to vote no at this time. He indicated his concern to put pressure on the State to make sure Orangetown could be competitive with an Empire Zone. Councilwoman Manning expressed her concern of being unfair to Orangetown and to any business that wants to improve themselves.

RESOLUTION NO. 434**CLOSE PUBLIC PORTION/PH SHIFT
OF OPERATION/CASABELLA
HOLDING/EMPIRE ZONE**

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

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

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

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RESOLUTION NO. 435**LEAD AGENCY/SHIFT OF
OPERATION/CASABELLA
HOLDING/EMPIRE ZONE**

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

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

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

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RESOLUTION NO. 436**SEQRA DECLARATION/SHIFT OF
OPERATION/CASABELLA
HOLDING/EMPIRE ZONE**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

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RESOLUTION NO. 437**TOWN BOARD DECISION/SHIFT OF
OPERATION/EMPIRE ZONE
CASABELLA HOLDING**

Councilwoman Low-Hogan offered the following resolution, which was seconded by Councilwoman Manning and on a roll call was adopted:

WHEREAS, Casabella Holdings, LLC, a company that has imported and distributed a variety of house wares products from its Town Of Orangetown, Rockland County, facility from 1998 to the present, and

WHEREAS, Casabella Holdings, LLC, employed 54 people in 2008, and

WHEREAS, physical space limitations and other market conditions prevented Casabella Holdings, LLC from remaining at 400 Corporate Drive, Blauvelt, Town of Orangetown, NY beyond 2008, and

WHEREAS, Casabella Holdings, LLC met with economic development officials from the States of New Jersey, Ohio and Texas prior to receiving a proposal to remain in New York State in close proximity to the Town of Orangetown, and

Resolution No. 437 - Continued

WHEREAS, the Town Board has heard public comments that extraordinary circumstances existed to warrant the relocation of Casabella Holdings, LLC to the Clarkstown Development Zone, which is part of the Rockland Empire Zone's designated area.

NOW THEREFORE be it hereby

RESOLVED, that the Town of Orangetown consents to the relocation of Casabella Holdings, LLC from the Town of Orangetown to the Clarkstown Development Zone, which is part of the Rockland Empire Zone's designated area.

Ayes: Councilpersons Low-Hogan, Manning, Supervisor Kleiner
Noes: Councilpersons Troy, Maturo

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RESOLUTION NO. 438

**OPEN PH/SHIFT OF OPERATIONS
REMAINS LIGHTING
(AESTENETONICS)/EMPIRE ZONE**

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

RESOLVED, that the public hearing pursuant to the General Municipal Law Article 18-B, Section 959(a)(iii) to solicit comments regarding the relocation of Remains Lighting ("Aestenetonics") located on Oak Tree Road, Tappan, into the Brooklyn Navy Yard/North Brooklyn Empire Zone is hereby opened.

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

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting; copies are labeled Exhibit 6-C-08 and made a part of these minutes.

Public portion:

David Callizeron, owner of Remains Lighting, said the company is moving because the Brooklyn property would better fit his business needs.

Andrew Wiley, Pearl River, said if the Town Board approved a Shift to the first applicant then they should approve it for the second applicant.

Eileen Larkin, Palisades, said this is a flood area and a company should be allowed to move because it's a free market. She is against any Empire Zone in Orangetown because this type of zoning is meant for a blighted area.

RESOLUTION NO. 439

**CLOSE PUBLIC PORTION/PH SHIFT
OF OPERATIONS/REMAINS
LIGHTING (AESTENETONICS)
EMPIRE ZONE**

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

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

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

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RESOLUTION NO. 440**LEAD AGENCY/SHIFT OF
OPERATIONS/REMAINS LIGHTING
(AESTENETONICS) EMPIRE ZONE**

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

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

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

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RESOLUTION NO. 441**SEQRA DECLARATION/SHIFT OF
OPERATION/REMAINS LIGHTING
(AESTENETONICS)/ EMPIRE ZONE**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

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RESOLUTION NO. 442**TOWN BOARD DECISION/SHIFT OF
OPERATIONS/EMPIRE ZONE REMAINS
LIGHTING/(AESTENETONICS)**

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

WHEREAS, the New York State Empire Zones Program (the "Program") authorizes, under certain qualifying facts and circumstances, the certification of companies for benefits under the Program if located within New York City, but outside the boundaries of the eleven areas designated as the New York City Empire Zone;

WHEREAS, such companies are referred to under the Program as "Regionally Significant Projects" and in order to qualify must meet certain application and qualification requirements, including County and municipal legislative approvals, environmental confirmations, and approvals by New York State Empire State Development Corporation ("ESDC") and this Board;

WHEREAS, Aesthetonics, Inc. is a manufacturer and distributor of lighting fixtures;

WHEREAS, Aesthetonics, Inc. will be located at 21-29 Belvidere Street, Brooklyn, NY and plans to create over 60 full-time equivalent positions over the next 5 years and projects a total investment of \$4.3 million;

WHEREAS, this board and the Brooklyn Navy Yard/North Brooklyn Empire Zone staff have reviewed the operations and plans of Aesthetonics, Inc. and have concluded that it meets all of the requirements for the Program and that the expansion and increased employment at Aesthetonics, Inc. would be in the best interest of the Brooklyn Navy Yard/North Brooklyn Empire Zone and the local community;

NOW, THEREFORE, be it hereby resolved that the Application of Aesthetonics, Inc. as a Regionally Significant Project be continued and pursued through all necessary and appropriate requirements and phases, in coordination with all necessary governmental entities in order to qualify Aesthetonics, Inc. as a Regionally Significant Project and to include within the acreage of

Resolution No. 442 - Continued

the Brooklyn Navy Yard/North Brooklyn Empire Zone is that property located at 21-29 Belvidere Street, Brooklyn, NY, it being expressly acknowledged and understood that the final determination and certificates of Aesthetics, Inc. as a Regionally Significant Project shall be made by this Board at a subsequent meeting following completion of all such action.

Ayes: Councilpersons Manning, Low-Hogan, Supervisor Kleiner
 Noes: Councilpersons Troy, Maturo

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RESOLUTION NO. 443**APPROVE/RESCHEDULE PUBLIC HEARING/DEMAPPING FIRST STREET BETWEEN CARROLL AND CROOKED HILL ROAD**

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

RESOLVED, that the June 23, 2008 public hearing to consider demapping a portion of First Street, between Carroll Street and Crooked Hill Road, Pearl River, NY is hereby rescheduled to July 21, 2008, 8:15 p.m.

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

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RESOLUTION NO. 444**REAPPOINT/YOUTH RECREATION ASSESSMENT ADVISORY COMM**

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

RESOLVED, that the following members are hereby reappointed to the Town Youth Recreation Assessment Advisory Committee.

Jeff McNichol Robert Iorio Terry O'Keeffe Conrad Fitzpatrick

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

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RESOLUTION NO. 444A**APPOINT/YOUTH RECREATION ASSESSMENT ADVISORY COMM**

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

RESOLVED, that the following members are hereby appointed to the Town Youth Recreation Assessment Advisory Committee.

Tom Morr Neil Lynady Stephen Unger Mark Alexander

Ayes: Councilpersons Troy, Manning, Low-Hogan
 Supervisor Kleiner
 Noes: Councilperson Maturo

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RESOLUTION NO. 445**APPROVE/RESCHEDULE TOWN BOARD WORKSHOP/RTBM**

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

Resolution No. 445 - Continued

RESOLVED, that the Town Board workshop and Regular Town Board Meeting scheduled for August 11 and 18th respectively is hereby rescheduled to August 4 and 11th.

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

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RESOLUTION NO. 446**COMBINE AGENDA ITEMS**

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

RESOLVED, that items nineteen (19) through forty-six (46), except items 20, 24, 25, 26, 29, 38 and 39, are hereby combined.

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

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RESOLUTION NO. 447**APPROVE/INTERNATIONAL
COUNCIL FOR LOCAL
ENVIRONMENTAL INITIATIVES
MEMBERSHIP**

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

RESOLVED, that upon the recommendation of the Environmental Committee's, it is hereby approved for the Town of Orangetown join The International Council for Local Environmental Initiatives (ICLEI) with the annual membership fee not to exceed \$600, to be charged to Account No. A1010004/50457.

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

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RESOLUTION NO. 448**SET PUBLIC HEARING/ZONE
CHANGE/283 N MIDDLETOWN RD**

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

RESOLVED, that a public hearing is scheduled for September 8, 2008, 8:00 p.m. to consider a petition to consider a zone change from MFR district to an RG district for property located at 283 N. Middletown Road, Pearl River (68.12-3-24) and it is hereby approved to circulate the petition to appropriate agencies.

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

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RESOLUTION NO. 449**DEME/PERMISSION GRANTED
WATER ENVIRONMENT FEDERAL
TECHNICAL EXHIBITION/CONFER**

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

Resolution No. 449 - Continued

RESOLVED, that DEME Director Ronald C. Delo to attend the 81st Annual Water Environment Federal Technical Exhibition and Conference, October 18-22, 2008, in Chicago, IL at a cost of \$2,625.00 to be charged to Acct. No. G811004/50440/50480.

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

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RESOLUTION NO. 450

**APPROVE BUDGET TRANSFERS
 CSEA/OTHER ADJUSTMENTS**

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

RESOLVED, that the budget transfers for the CSEA agreement and other adjustments as shown below are hereby approved.

				ORIGINAL		REVISED
				APPROP	TRANSFERS	BUDGET
GENERAL FUND						
SUPERVISOR	A1220001	50011	PERM STAFF	\$ 66,246	\$2,000	\$ 68,246
FINANCE	A1310001	50011	PERM STAFF	\$ 257,812	\$14,000	\$ 271,812
RECEIVER	A1330001	50011	PERM STAFF	\$ 28,877	\$500	\$ 29,377
TOWN CLERK	A1410001	50011	PERM STAFF	\$ 176,986	\$24,000	\$ 200,986
TOWN ATTNY	A1420001	50011	PERM STAFF	\$ 102,159	\$13,000	\$ 115,159
ENGINEER	A1440001	50011	PERM STAFF	\$ 239,066	\$15,500	\$ 254,566
BUILD MAINT	A1620001	50011	PERM STAFF	\$ 246,976	\$17,000	\$ 263,976
HIGHWAY	A5010001	50011	PERM STAFF	\$ 197,968	\$5,000	\$ 202,968
PARKS ADMIN	A7020001	50011	PERM STAFF	\$ 299,000	\$16,500	\$ 315,500
PARKS	A7110001	50011	PERM STAFF	\$ 446,118	\$30,000	\$ 476,118
	A1990994	50500	CONTINGENCY	\$ 356,139	(\$137,500)	\$ 218,639
	NET				\$0	
POLICE	B3122161	50011	PERM STAFF	\$ 298,598	\$11,500	\$ 310,098
	B1910164	50478	INTERFUND CH.	\$ 1,956,000	(\$11,500)	\$ 1,944,500
TOV OTHER						
	B3621171	50011	PERM STAFF	\$ 140,934	\$1,000	\$ 141,934
	B8020171	50011	PERM STAFF	\$ 87,100	\$1,000	\$ 88,100
	B8160171	50011	PERM STAFF	\$ 52,939	\$10,500	\$ 63,439
	B1990174	50500	CONTINGENCY		(\$12,500)	
HIGHWAY PART TOWN						
	D5110041	50011	PERM STAFF	\$ 1,990,384	\$110,000	\$ 2,100,384
	D1990044	50500	CONTINGENCY	\$ 110,000	(\$110,000)	\$ -
HIGHWAY - TOWN WIDE						
	D5140051	50011	PERM STAFF	\$ 928,846	\$90,000	\$ 1,018,846
	D1990054	50500	CONTINGENCY	\$ 90,000	(\$90,000)	\$ -
BLUE HILL GOLF COURSE						
	E7250001	50011	PERM STAFF	\$ 621,785	\$37,500	\$ 659,285
	E1990094	50500	CONTINGENCY	\$ 57,000	(\$37,500)	\$ 19,500
BROAD ACRES GOLF COU						
	ER725101	50011	PERM STAFF	\$ 208,705	\$8,500	\$ 217,205
	ER199004	50500	CONTINGENCY	\$ 17,000	\$8,500	\$ 25,500
SEWER						
	G8110002	50011	PERM STAFF	\$ 456,379	\$47,000	\$ 503,379
	G8130001	50011	PERM STAFF	\$ 1,077,852	\$198,500	\$ 1,276,352
	G1989004	50478	INTERFUND CH.	\$ 168,000	(\$168,000)	\$ -
	G8120001	50011	PERM STAFF	\$ 865,385	(\$77,500)	\$ 787,885
	NET				\$-	
NON CSEA TRANSFERS						
SHARED SERVICES	A1622001	50200	CAPITAL OUTLAY	\$ -	\$ 20,000	\$ 20,000
ENGINEERING	A1440004	50457	CONTRACTS	\$ 2,500	\$ 25,000	\$ 27,500
CONTINGENCY	A1990004	50500	CONTINGENCY	\$ 218,639	\$ (45,000)	\$ 173,639

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

RESOLUTION NO. 451**PARKS/REJECT BID/RE-BID
RESURFACING OF ASPHALT
RECREATIONAL FACILITIES**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation, the bid for resurfacing of asphalt recreational facilities is hereby rejected and the Superintendent is authorized to re-bid the project.

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

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RESOLUTION NO. 452**APPOINT/ASST MAINTENANCE
MECHANIC/JOHN ORFINI/DEME**

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

RESOLVED, that employee, John Orfini is hereby appointed to the position of Assistance Maintenance Mechanic in the Department of Environmental Management & Engineering, permanent with a mandatory six month probationary period, grade 11-5, annual salary \$56,217.00, effective June 24, 2008.

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

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RESOLUTION NO. 453**APPOINT/CODE ENFORCEMENT III
PAUL WITTE/BUILDING**

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

RESOLVED, that provisional employee, Paul Witte is hereby appointed permanent from Eligible List No. 08131, in the title of Code Enforcement III, effective June 24, 2008. (no change in salary or grade)

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

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RESOLUTION NO. 454**APPOINT/REAL PROPERTY DATA
COLLECTOR I/HUGH J DAVIES**

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

RESOLVED, that Hugh J. Davies is hereby appointed to the position of Real Property Data Collector I in the Assessors Office, provisional, grade 4-1, annual salary of \$33,750., effective June 25, 2008.

Ayes: Councilpersons Troy, Manning, Low-Hogan
Supervisor Kleiner
Noes: Councilperson Maturo

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RESOLUTION NO. 455**SURPLUS EQUIPMENT/RECEIVER**

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

RESOLVED, that the following equipment from the Receiver of Taxes office is hereby declared surplus to the Town's needs: HP printer, DeskJet 960C, serial number MY24910R1.

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

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RESOLUTION NO. 456**POLICE/ESTABLISH RULES AND REGULATIONS/EXAMINATION/ HEARING OF CHARGES**

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

Pursuant to Chapter 526, Section 7 of the Lawns of New York (the "Rockland County Police Act"), establish rules and regulations for the examination and hearing of charges made or preferred against any member of the Town of Orangetown Police Department:

1. Any member against whom charges are made or preferred shall have the right to a public hearing and trial and to be represented by counsel. Any such member and/or his or her representative must provide not less than seven (7) days prior notice to the Town Board of the Town of Orangetown (the "Town Board") of such request for a public hearing;
2. No person who shall have made or preferred charges shall sit as a judge at such hearing and trial;
3. The burden of proof in any such hearing and trial shall fall upon the Town Board, or the entity or person designated by the Town Board to make or prefer charges (the "Charging Party");
4. The technical rules of evidence shall not be applicable at such hearing and trial;
5. The Charging Party shall have the right to call witnesses and offer evidence into the Record.
6. The member and/or his/her chosen representative shall have the right in such a hearing and trial to call witnesses and to cross-examine witnesses called by the Charging Party. The member and/or his/her representative is solely responsible for producing witnesses to testify on his/her behalf. The member and/or his/her representative is required to subpoena any witnesses unwilling to voluntarily appear as a witness at the hearing of such charges. The member and/or his/her chosen representative is required to comply with the applicable provisions of the New York Civil Practices Rules and Laws concerning service of subpoenas and appropriate subpoena fees.
7. The Charging Party shall have the right to cross-examine witnesses called by or on behalf of the member.
8. Either party (the member or the Charging party) wishing a transcript at a hearing and trial may provide for one, at its own expense.
9. If a hearing officer is appointed to hear the evidence at the hearing and trial, that hearing officer shall be limited to making recommendations regarding guilt or innocence and the appropriateness of the proposed penalty to the Town Board. The Town Board shall be the final decision making authority regarding guilt or innocence and the appropriate penalty, if any.
10. The Charging Party shall be required to provide a transcript of the hearing and trial to the hearing officer and/or Town Board.

RESOLVED that these rules and regulations shall be applicable to all disciplinary charges presently pending at the time this Resolution is adopted, and all disciplinary charges made or preferred thereafter.

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

RESOLUTION NO. 457**RPC/ADOPT FINAL SCOPING FOR
SEQRA REGULATION/DRAFT
ENVIRONMENTAL IMPACT**

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

Resolution of the Town Board of the Town of Orangetown, Acting As Lead Agency For SEQRA Review in Connection With the Proposed Zoning Text Amendment and Proposed Development of Town Owned Lands Formerly a Part of the Rockland Psychiatric Center, Approving the Final Scope for a Generic Environmental Impact Statement.

WHEREAS, by previous resolution, 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, adopted and issued a Positive Declaration with respect to the proposed action, and further directed that there be prepared a Generic Environmental Impact Statement ("GEIS"); and

WHEREAS, in connection with the preparation of the said GEIS, the Board further directed, and, thereafter, caused to be prepared and circulated a Draft Scope of the potential significant impacts associated with the proposed action, soliciting written comments and conducting two (2) public scoping sessions thereon; and

WHEREAS, the Town Board has carefully considered the said Draft Scope and both the written and oral comments received thereon; and

WHEREAS, on the basis of the aforesaid, the Town Board has caused to be prepared a proposed Final Scope which, in its judgment, identifies all of the potential significant adverse impacts that may result from the proposed action,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the Final Scope, dated as of June 20, 2008, annexed to, and made a part of, this Resolution, a copy of which shall remain available for public inspection in the Office of the Town Supervisor, and further directs that the Town Clerk circulate the said Final Scope to all involved and interested agencies, as well as to K. Hovnanian Companies of New York, Inc., the Town's preferred developer for the re-development of portion of Rockland Psychiatric Center property, and to file copies of same in all of the public libraries throughout the Town including all of the Villages within the Town.

Ayes: Councilpersons Maturo, Troy, Manning, Low-Hogan
Supervisor Kleiner

Noes: None

* * *

**TOWN OF ORANGETOWN ZONING TEXT AMENDMENT AND REDEVELOPMENT
OF PROPERTY FORMERLY A PART OF THE ROCKLAND PSYCHIATRIC CENTER****STATE ENVIRONMENTAL QUALITY REVIEW ACT****FINALPROPOSED SCOPE FOR A DRAFT GENERIC ENVIRONMENTAL IMPACT
STATEMENT (GEIS)**

Dated as of June 20, 2008

Introduction

The Town of Orangetown proposes to rezone approximately 150 acres of Town-owned land, formerly a part of the Rockland Psychiatric Center (RPC), from its current zoning designation of R-80 partially to a new zoning designation to be entitled RPC-H and partially to the existing RPC-R District. The proposed zoning text amendment will be the initial step in a process, envisioned by the Town's Comprehensive Plan, that the Town anticipates will culminate in the

sale of approximately 80+ acres of the newly zoned lands for development with predominantly age restricted housing by a "preferred developer."

This site is located in the central portion of Orangetown, between in the hamlet of Orangeburg and the Pearl River and Orangeburg hamlets School District. 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 (the "Site").

The Town's designated preferred developer, K. Hovnanian Companies of New York, Inc. ("K. Hovnanian"), has prepared a preliminary concept plan showing of a residential community built on 80+ acres that will consist of approximately 575 dwelling units, including approximately 478 townhouse/condominium age-restricted (55±) units; 32 single family age-restricted, affordable units; 33 age-restricted single-family homes, 20 units for community volunteers; and 12 market rate single family homes, as well as a realignment of the existing Broadacres Golf Course to serve as a buffer between the proposed development and the remaining adjacent psychiatric center (the "Project"). The land proposed to be sold and developed includes former psychiatric center property, buildings, roads, vacant land and a portion of the Broadacres Golf Course.

In connection with the proposed rezoning, sale and development of the Site, 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 prepare a draft and final generic environmental impact statement (hereinafter both referred to as the "GEIS") that will include an examination of the significant impacts that might result from the proposed rezoning and the preliminary concept site plan proposed by K. Hovnanian Companies (collectively (the "Proposed Acton"). The GEIS 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 (GEIS). Among these shall be a new zoning district for the development entitled RPC-H (Housing). The RPC-H would compliment the Town's previously developed and mapped RPC-R (Recreation) zoning district. 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 amendment requires submission of a conceptual site plan. The proposed zoning amendment, which is attached hereto, establishes use, density, lot, bulk, parking and other requirements, along with the housing mix, including age-restricted units, affordable units, market rate units and the permitted accessory uses.

The proposed conceptual plan calls for a residential development based on traditional neighborhood design concepts. It includes a reconfiguration of the Broadacres Golf Course to act as a buffer area, separating housing areas from psychiatric center buildings uses, which will remain.

B. Draft Generic Environmental Impact Statement (GEIS)

The GEIS shall include:

1. Cover Sheet

The cover sheet shall contain all of the information required by 6 NYCRR 617.9(b)(3) of the SEQRA regulations. A table of contents for the GEIS shall follow the cover sheet.

2. Executive Summary and Project Description of Proposed Action

All components of the Proposed Action shall be described and graphically illustrated. A comprehensive listing of required reviews and approvals by all agencies shall be provided. A summary of the intent and purposes of the Proposed Action shall be included, addressing the contemplated zoning text amendment and Project within the context of the Town's Comprehensive Plan, generally, and its plan for the RPC site more specifically. The public need and benefits from the Proposed Action shall be discussed including social and economic considerations, and market and demographic factors, including the need for age restricted, affordable and volunteer housing.

3. Impact Analyses

The Impact Analyses shall be presented in the GEIS 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 significant adverse impacts, including the following:

a. Land Use and Zoning

The GEIS shall evaluate the Proposed Action's potential impacts on nearby land uses and existing land use plans. The GEIS shall include existing land use maps for an area within one-half mile of the perimeter of the Site, including other RPC and non-RPC lands, and shall 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 Proposed Action. The land use analysis shall examine how the contemplated Project fits into the existing RPC campus in terms of continued operations, including patient care and police activity. It shall also consider the effects on the existing town-operated Broadacres Golf Course, including the design of the new holes, their walk ability, the timing of construction, lost revenues, the increase in usage from Project residents and other relevant factors. The zoning analysis shall evaluate the appropriateness of the proposed RPC-H regulations as compared to other relevant zoning districts in the Town, in terms of lot and bulk controls, permitted uses and parking. It shall also consider potential precedent aspects of the proposed zoning and the issue of spot zoning. The analysis shall also consider potential impacts, if any, on vacant and developed land along Convent Road and Veterans Memorial Highway.

b. Community Character/Visual Impacts

The GEIS shall discuss the Proposed Action's potential impacts on the character of the community in close proximity to the Site and any important aesthetic resources nearby. This section of the GEIS shall include photographs of existing conditions; renderings and/or sketches of the proposed Project; and cross-sections evaluating the relationship between the proposed Project and off-site uses, particularly along Convent Road. It shall include a conceptual landscape plan that could mitigate any significant adverse impacts. The relationship between the proposed Project and on-site RPC uses to remain shall also be considered. This section shall include a discussion of any potential impacts associated with reconfiguring the Broadacres Golf Course to facilitate the Project and the use of the new golf course as a buffer between existing and proposed land uses. The GEIS will evaluate the Proposed Action's potential visual impacts from any important aesthetic resources and public vantage points close to the Site. This section shall also consider any impacts associated with the Project's proposed trail system, including trails along Lake Tappan.

c. Natural Environment

Although most of the Site has been previously disturbed, the GEIS shall consider the Proposed Action's potential impacts to on various on-site features, including topography, soils, water bodies and wetlands.

(1) Wetlands and Water bodies

The GEIS shall discuss the Proposed Action's potential impacts on wetlands and water bodies, including such features that exist on the Broadacres Golf Course. An on-site wetland assessment for the Project areas shall be prepared, including a complete field assessment of the existing wetland delineation and a determination of the direct impacts to wetlands from the proposed Project, if any. The delineation review will be completed in accordance with the US Army Corps of Engineers Wetlands Delineation Manual (January 1987), Routine Determination Method and New York State Department of Environmental Conservation (NYSDEC) Article 24 Freshwater Wetland regulations.

The GEIS shall also discuss the Proposed Action's potential water quality impacts on Lake Tappan, a nearby public water source. The effects of fertilizer and pesticides on the lake shall also be considered. (See also Item (d.) below.)

(2) Topography and Soils

The Proposed Action's potential impacts on topography and soils shall be discussed. This section shall include an assessment of existing Site 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 Project 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 (if necessary) and safeguards, and an erosion control plan, etc.

This section shall also evaluate any impacts relating to proposed excavation or soil disturbance near a known waste site.

(3) Flora and Fauna

The Proposed Action's potential impacts on flora and fauna on the Site shall be discussed. A natural resources survey shall identify on-site species, including field surveys utilizing a series of transects through the Project Site. Each transect shall be sampled at intervals for flora, fauna, and representative habitat. Specific assessments shall occur in and adjacent to on-site wetlands (if any). Data shall be collected at different time periods including dawn and dusk when wildlife is often active and readily observed. The study shall identify migratory animals.

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.

The number of trees that shall be removed from the site will be estimated and compared with replacements as shown on a conceptual landscape plan.

d. Stormwater Management

The Proposed Action's potential impacts on drainage, flooding and erosion shall be discussed. This section shall include a description of the current drainage patterns on the Site based on the existing topography and drainage systems. It shall discuss anticipated impacts as a result of additional impervious surface created by the Project including a comparison of existing and proposed impervious areas. A mitigation plan shall be provided, identifying the approximate size and types of potential detention/water quality facilities and the possible locations of such facilities. The study shall address the impact of Stormwater on Lake Tappan in terms of water quantity and quality. The potential use of pervious materials in lieu of impervious surfaces shall be considered as mitigation.

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 shall be produced. The SWPPP shall include the following, among other analyses: 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; and 5) any other items required by the General SPDES Permit for this Project. (Detailed design of Stormwater management facilities is excluded from the GEIS 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 Project.

e. Utilities (Water, Sanitary, Other)

The GEIS shall discuss the Project's potential impact on utilities such as water, electric, gas and sewer services in the area. The GEIS shall investigate and report on the existing public water system, including capacities, based on information obtained from the United Water New York. It shall address anticipated impacts, such as projected program usage (in excess of 20,000 gallons per day). and proposed water mains and improvements. The likely effects, if any, of the development on- existing on-site wells and wells in the surrounding area shall be considered. Mitigation measures, including water conservation opportunities, shall be recommended as appropriate.

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

The GEIS shall also address the availability and consumption of electric and gas service to the site. The GEIS will also evaluate the need to extend an electric transmission system to serve the Project and any potential impacts associated with such an extension.

The study shall consider the potential use of energy efficient design techniques.

f. Community Facilities

A demographic profile of the Project's residents shall be provided including total population, age 55 and over population, and estimated number of school age children, etc., based on previously conducted market studies and applicable demographic multipliers.

(1) Emergency Services

The GEIS shall discuss the Project's potential impacts on emergency services in the community. The GEIS shall include existing information on the Town's police, fire and EMT services that would serve the Project, including station locations, staffing, and response times. The impacts of the proposed Project shall be assessed with information obtained through readily available sources and correspondence with the relevant emergency service agencies.

The study shall consider the availability of nearby hospitals that provide service to the proposed development.

The proposal to replace and supplement existing volunteer housing on the RPC site shall also be examined in this portion of the GEIS.

(2) Schools

The GEIS shall evaluate the Project's potential impacts on the Pearl River School District. Specifically, the GEIS shall estimate the number of school children generated by the limited non-age restricted units in the proposed Project and the relationship between the additional students and the capacities at various Pearl

River Schools. The GEIS shall also consider educational costs for the any additional enrollment compared to projected school district revenues from the Project. Information shall be provided in the Federal Fair Housing Act in terms of housing for people 55 and over, and mechanisms to ensure that such restrictions are enforceable.

g. Recreation and Senior Services

The GEIS shall evaluate the potential impacts of the Proposed Action on existing recreational facilities and senior services in the Town of Orangetown. This shall include both the Broadacres and Blue Hill golf courses. Analyses shall be based on available information from the Town, including standards for park and recreation facilities as defined in the Town Code, interviews with local officials and representatives of senior organizations and/or online resources. The temporary disruption to the on-site Broadacres Golf Course shall be considered as part of this section of the GEIS. The GEIS shall also identify the acreage and features of the Broadacres Golf Course to be removed and replaced with new golf holes, addressing the functionality of the reconfigured 9-hole course, including but not limited to irrigation, parking and other various ancillary facilities. The GEIS shall also evaluate issues relating to the State approval for the alienation of golf course/parkland.

The provisions of open space as part of the proposed Project and open space elsewhere in the overall RPC site shall be considered.

h. Solid Waste

The GEIS shall estimate potential solid waste generation and recycling issues resulting from the proposed Project. This shall include an analysis of debris generated during construction and demolition on the Site. The GEIS shall identify the receiving solid waste facility. The GEIS shall also evaluate the Project's potential impacts, if any, on the applicable solid waste management plans.

i. Fiscal Impacts, Including Taxes and Jobs

The GEIS shall discuss any fiscal impacts associated with the Project. Working in conjunction with the Town Tax Assessor, an estimate of the potential tax generation for each taxing jurisdiction including the Town, County, and Pearl River School District as a result of the proposed Project shall be devised. Other revenue sources shall also be estimated. An analysis of the likely costs to service associated with the additional services required for the Project shall focus on the need for capital equipment or additional staff, if any. Other revenue sources shall also be estimated.

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

j. Traffic and Transportation

The GEIS will discuss the Proposed Action's potential impacts on traffic.

(1) Traffic Data Collection

During this phase, the Traffic Engineer shall review the available data obtained from the relevant 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. Because the Site is expected to be improved with residential facilities, two count periods are to be studied. These include the Peak AM and PM Highway Hours at the following twenty intersections deemed by the Rockland County Highway Department and the Town of Orangetown Highway Department to be strategically important to in defining the traffic impacts of the proposed Proposed Action:

1. Gilbert Avenue and South Middletown Road;
1. Gilbert Avenue and Veterans Memorial Drive;
2. Gilbert Avenue/Convent Road and Sickletown Road;
3. Gilbert Avenue and Old Middletown Road;
4. Convent Road and Blue Hill Road North;
5. Convent Road and Parkway Drive North and South;
6. Convent Road and 3rd Avenue;
7. Convent Road and 2nd Avenue/Van Wyck Road;
8. Convent Road and Western Highway;
9. Convent Road and Swanekin Road (including consideration of the use of Swanekin Road to Blauvelt Road);
10. Erie Street and Van Wyck Road;
11. Western Highway and Mountainview Road;
12. Orangeburg Road and Western Highway;
13. Orangeburg Road and Dutch Hill Road;
14. Orangeburg Road and Lester Drive/Edgewood Road;
15. Orangeburg Road and Blaisdell Road;
16. Veterans Memorial Drive/Orangeburg Road and Old Orangeburg Road/Hunt Road;
17. Veterans Memorial Drive and Blue Hill Road North;
18. Veterans Memorial Drive and Blue Hill Road South; and,
19. Veterans Memorial Drive and Blue Hill Plaza (2 locations).

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

- Install an Automatic Traffic Recorder (ATR) shall be installed on Veterans Memorial Drive and Convent Road in the vicinity of the access road to the Rockland Psychiatric Center and will to monitor two-way traffic volumes for a seven-day period. Data collected will include speed, traffic gaps and vehicle classification.
- Visually collect traffic 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.
- Identify planned projects in the area, which may affect traffic flows into the area. These shall include public roadway improvements and private developments.
- Collect and assess 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 shall analyze the data collected, and identify potential impacts and mitigation measures, as follows:

- Perform a safety evaluation of the strategic intersections involving 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.
- 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 pedestrians.
- 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 review of a possible realignment of the intersection of Old Orangeburg Road, Hunt Road, and Veterans Memorial Drive and Blaisdell Road.
- The study shall also evaluate the proposed road system within the site including the design of through roads and the provision of sidewalks.

Mitigation measures shall include various traffic calming techniques utilized by the Town.

k. Air Quality

The air quality study shall include:

- Identification of background levels for mobile source analysis based on CO monitoring provided by the NYSDEC
- Existing CO levels for maximum one-and eight-hour concentrations utilizing existing traffic and emission factors
- Detailed CO analysis based on NYSDOT Environmental Procedures Manual Air Quality Screening criteria and utilizing the CAL3QHC model
- Determination of Future No Build and Build one-and eight-hour CO concentrations for selected receptor locations through application of future traffic levels and dispersion modeling
- Comparison of CO concentrations to National Ambient Air Quality Standards
- If air screening procedures identify a potential for impact related to PM2.5, analysis based on NYSDEC and NYCDEP interim guidance for PM2.5 analysis and CAL3QHCR modeling
- Discussion of construction-related air quality issues.

l. Cultural Resources

The Project Proposed Action's potential impacts on cultural resources (i.e., archeological and historical resources, etc.) shall be evaluated. Specifically, the following tasks shall be conducted to complete the Phase 1A Cultural Resource Study, providing a detailed sensitivity assessment of the 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 Proposed Action.
- Examine and present copies of the historic maps that document the past development of the Site.
- Conduct a site visit to assess and photograph general conditions of the Site, identify any 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.

If a Phase 1B study is recommended, the scope of any field investigation work would be 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 existing buildings shall be examined to document areas of prior disturbance.

If a Phase 1B study is recommended, it is estimated that the study 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 area of the Proposed Action to be provided by the Town.

Cultural materials collected (maximum of 100 artifacts), will be identified by provenience, 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.

4. **Adverse Impacts that Cannot be Avoided**

a. Long Term

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

b. Short Term Construction and Site Remediation

The GEIS shall address short-term unavoidable impacts associated with demolition and new construction, such as the generation of construction traffic and noise. The potential removal of existing natural noise buffers, if any, will also be considered. The GEIS would also address the necessary steps that would need to be taken to deal with address building demolition and Site remediation, including asbestos and lead paint removal, based on information provided in the previously prepared Environmental Assessment Reports.

5. **Irreversible and Irretrievable Resources**

The GEIS shall discuss any irreversible and irretrievable commitment of environmental resources that would be associated with the Proposed Action such as resources that shall be utilized for construction and development (e.g., concrete, brick, steel, fuel and , electricity).

6. **Alternatives**

The GEIS shall describe and evaluate a number of reasonable alternatives that are feasible to the Proposed Action. As provided by 6 NYCRR 617.9(b)(5)(v) of the

SEQRA regulations, the description and evaluation of each alternative need only be at a level of detail sufficient to permit a comparative assessment of the alternatives.

- a. No Action
This alternative shall address the scenario in which no action is taken and the Site remains in its current condition.
- b. Removal of Existing Buildings with No Development.
This alternative shall consider the use of the site as open space with all or most of the existing buildings demolished, including the cost of remediation and demolition at Town expense.
- c. Other Land Development Consideration
In tabular format, the GEIS shall estimate and compare the anticipated impacts if portions of the golf course were not utilized for the Project and the area adjacent to Lake Tappan was utilized instead.
- d. Other Zoning Approaches
The GEIS shall discuss alternative means for accommodating the proposed Project, through the use of a combination of new and existing zoning districts.
- e. Alternative Design Treatment
Prior development proposals that included a potential convenience retail component along Convent Road shall be discussed.
- f. Alternative Alignments
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.
- g. Non-Residential Uses
Development of the site for selected commercial and/or industrial purposes shall be evaluated in terms of the type and amount of potential development and the likelihood of such development.

7. Growth Inducement (e.g., effects on neighboring business properties)

The GEIS shall address the potential growth growth-inducing impacts on neighboring properties as a result of the Project 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

As provided by 6 NYCRR 617.10(c) of the SEQRA regulations, the GEIS shall set forth specific conditions or thresholds under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance for such actions. The GEIS shall state that no further SEQRA compliance is required for any subsequent actions (including site plan review) if such actions are carried out in conformance with the conditions and thresholds established for such actions in the GEIS or its findings statement.

The GEIS shall include an Appendix that contains technical reports, including the Stormwater management plan, traffic reports and capacity analyses, etc. The Appendix shall also include copies of all correspondence and SEQRA documentation (including the final written scope). The Appendix shall include a list of any underlying studies, reports, EISs and other information obtained and considered in preparing the GEIS.

RESOLUTION NO. 458**AUTHORIZE AGREEMENT/RAMAPO
POLICE FIRING RANGE**

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

RESOLVED, that upon the recommendation and approval of the Town Attorney's Office, the Town Supervisor is hereby authorized to sign the Extension of License Agreement for use of the Town of Ramapo Police Firing Range for the calendar year 2008 at no cost to the Town of Orangetown.

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

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RESOLUTION NO. 459**ACCEPT MINUTES**

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

RESOLVED, that the June 9, 2008 Regular Town Board Meeting, Audit Meeting and Executive Session minutes are hereby accepted.

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

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RESOLUTION NO. 460**RESCIND RESOLUTION NO. 570/07
HELEN CHEE/TOWN CLERK**

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

RESOLVED, that Resolution No. 570/07, appointing Helen Chee to the position of Senior Clerk Typist in the Town Clerk's Office is hereby rescinded.

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

* * *

RESOLUTION NO. 461**EASEMENT AGREEMENT/ORANGE
AND ROCKLAND/WOODLAND
TERRACE/HENRY ST/ORANGEBURG
RECEIVED/FILED**

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

RESOLVED, that the original Easement Agreement between the Town of Orangetown and Orange and Rockland Utilities for property located on Woodland Terrace, Orangeburg (74.13-2-10) and Henry Street, Orangeburg (74.13-3-1), which were recorded in the Rockland County Clerk's Office (Instrument No. 2008-00019055) are received in filed in the Town Clerk's Office.

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

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RESOLUTION NO. 462**LETTER OF EXTENSION AGREEMENT
NOBLE NINTH/SUMMER DAY CAMP
RECEIVED/FILED**

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

RESOLVED, that the fully executed copy of the Letter of Extension Agreement between the Noble Ninth, Inc. and the Town of Orangetown for the Orangetown Summer Day Camp is received in filed in the Town Clerk's Office.

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

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RESOLUTION NO. 463**DEEDS/EASEMENTS/NOTTINGHAM
ESTATES/RECEIVED/FILED**

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

RESOLVED, that the original deeds for road dedications and easements in the Nottingham Estates Subdivision, PFC Dorsey Court and Friar Tuck Court, Orangeburg (69.08-1-4), which recorded in the Rockland County Clerk's Office (Instrument No. 2008-00011376) are received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 464**JUSTICE COURT/CASH
DISBURSEMENT AND BALANCES
AUDIT REPORTS/RECEIVED/FILED**

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

RESOLVED, that the Justice Court Statement of Cash Receipts, Cash Disbursements and Cash Balances with an independent auditor's report for the year ended December 31, 2007 are received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 465**HWY BID/WITHDRAWN
STEVENS 112 FORD
LETTER/RECEIVED FILED**

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

RESOLVED, that the letter from Joseph P. DeStaefano of Stevens 112 Ford wherein he states that his company is unable to provide the Town with the contract that was awarded to them for two (2) new pick up trucks are received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 466

ESTABLISH POSITIONS/POLICE OFFICER/SPANISH SPEAKING

Councilwoman Manning offered the following resolution, which was seconded by Councilwoman Low-Hogan and on a roll call was adopted:

RESOLVED, that upon the recommendation of the Chief of Police and per certification from the Rockland County Department of Personnel, two positions titled, "Police Officer/Spanish Speaking" in the Town of Orangetown are hereby established.

Ayes: Councilpersons Manning, Low-Hogan, Maturo
 Supervisor Kleiner
 Noes: Councilperson Troy

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RESOLUTION NO. 467

NOMINATE/POLICE OFFICER SPANISH SPEAKING/RAFAEL GONZALEZ

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

RESOLVED, that upon the recommendation of the Chief of Police, Rafael Gonzalez from Civil Service list (OC) "04200B is hereby nominated to the position of "Police Officer/Spanish Speaking Full-time" pending final certification from the Rockland County Department of Personnel and satisfactory completion of a background investigation.

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

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RESOLUTION NO. 468

RPC/ACCEPT PROPOSAL/ADLER CONSULTING/TRAFFIC LIGHT VETERANS MEMORIAL HIGHWAY AND HUNT ROAD

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

RESOLVED, that the proposal from Adler Consulting in the amount of \$7,900 for the design of a traffic light to be installed at the intersection of Veterans Memorial Highway, Hunt Road and Old Orangeburg Road with the cost to be reimbursed by STEJ is hereby accepted.

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

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RESOLUTION NO. 469

RETAIN/VALUATION PLUS INC APPRAISAL/MANHATTAN WOODS

Councilwoman Low-Hogan 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 Assessor, Valuation Plus, Inc., of Mamaroneck, NY is hereby retained to prepare a preliminary and trial appraisal, if necessary, for the real property known as Manhattan Woods Enterprises LLC, S/B/L 69.06-2-24;; S/B/L/ 64.18-2-75; S/B/L 69.11-1-1; at a cost of \$6,000 for the pre-preliminary report, \$8,500.00 for the preliminary appraisal, and \$15,000 for the trial appraisal toward which trial appraisal sixty (60) percent of the cost of the preliminary appraisal will be applied; trial preparation to be charged at the rate of \$125 per hour and trial testimony at the rate of \$700 per ½ day and \$1,200 per full day.

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

RESOLUTION NO. 470**POLICE/APPROVE
INTERMUNICIPAL AGREEMENT
ROCKLAND CTY INTELLIGENCE**

Councilwoman Low-Hogan 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 Chief of Police, an Intermunicipal Agreement, as modified, between the Town and the County of Rockland, providing for partial reimbursement by the County in the amount of SEVENTY THREE THOUSAND NINE HUNDRED TWENTY DOLLARS (\$73,920.00) of the compensation costs of one Town Police Officer for services rendered to the Rockland County Intelligence Center for and during the period January 1, 2008 through December 31, 2008 is hereby approved, and the Town Supervisor is hereby authorized to execute such agreement on behalf of the Town.

Ayes: Councilpersons Low-Hogan, Manning, Troy, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 471**POLICE/APPROVE/ROCKLAND
COUNTY/INTERMUNICIPAL
AGREEMENT/VIDEO EQUIPMENT**

Councilwoman Low-Hogan 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 Chief of Police, an Intermunicipal Agreement between the Town and the County of Rockland, providing for partial reimbursement by the County to the Town in the amount of EIGHT THOUSAND NINETY SIX DOLLARS (\$8,096.00) for video equipment to be used in the Police Department interview room is hereby approved, and the Town Supervisor is hereby authorized to execute such agreement on behalf of the Town.

Ayes: Councilpersons Low-Hogan, Manning, Troy, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 472**POLICE/PERMISSION GRANTED
HIRING THE BEST; INTERVIEWING
FOR INTEGRITY CONFERENCE**

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

RESOLVED, that permission is hereby granted to two police officers to attend the "Hiring the Best; Interviewing for Integrity" conference in Emerson, NJ on July 22, 2008 at a cost of \$375 to be charged to Acct. No. B/3120/50441.

Ayes: Councilpersons Low-Hogan, Manning, Troy, Maturo
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 473**POLICE/PERMISSION GRANTED
FBI NAA 2008 CONFERENCE**

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

Resolution No. 473 - Continued

RESOLVED, that permission is hereby granted to one police officer to attend the "FBI NAA 2008 Chapter Training Conference in West Point, NY from July 12-15, 2008 at a cost of \$390 to be charged to Acct. No. B/3120/50441.

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

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RESOLUTION NO. 474**BUILDING/PERMISSION GRANTED
DELEGATE OF ROCKLAND COUNTY
CHAPTER/NYS BUILDING OFFICIAL
CONFERENCE**

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

RESOLVED, that permission is hereby granted to OBZPAE Director John Giardiello to attend, as the Delegate for Rockland County Chapter, the 2008 New York State Building Officials Conference from September 3 - 5, at no cost to the Town.

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

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RESOLUTION NO. 475**ADJOURNMENT/MEMORY**

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

RESOLVED, that the Town Board adjourned this meeting at 11:50 p.m. in memory of Charles Zimmermann, Orangeburg; John Howard Mattison, Pearl River; Anna Mae Donnellan, Orangetown; Les Storch of Bennett, Kielson, Storch & DeSantis.

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

Charlotte Madigan, Town Clerk