

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JANUARY 9, 2006**

This Regular Town Board Meeting was opened at 7:40 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
Teresa Kenny, Town Attorney
John S. Edwards, First Deputy Town Attorney
Suzanne Barclay, Exec Asst. to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Ron Delo, Director of Dept. Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardello, Director, OBZPAE
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

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Public Comment

Jonathan Howard, Orangeburg, was disappointed and unaware of the vote to replace the Orangeburg 50 yr old firehouse. He would have liked the notice for this vote to have been better advertised.

Eileen Larkin, Palisades, questioned the new zone changes and would like to know when the public hearings on these changes will be held. She asked what are the labor costs to setup the showmobile?

Betsy Brenner, Orangeburg, is in favor of the public portion being televised. She believes this is an important role of our democratic process.

Gail Raffaele, Tappan, is against waiving site plan application fees for Columbia University. She is also against agenda items 18 & 19 regarding the showmobile.

Andrew Wiley, Pearl River, spoke regarding the property on Western Hwy. He believes this property would make an excellent living accommodations and training facility for the volunteers.

RESOLUTION NO. 39

CLOSED PUBLIC COMMENT

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

RESOLVED, that the public comment portion is hereby closed.

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

Noes: None

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Supervisor Kleiner made the following announcements:

Interest is gathering momentum to keep the PR movie theatre open; interviews for the Land Use Boards will take place in the near future; presentation of CDBG Applications for Town Board consideration will be February 14th; and the Cherry Brook drainage work has begun and remains on schedule.

The Town Board presented to Mary McCloskey the shovel used to break ground for Garden Hills senior complex in memory of her husband, Richard.

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Charlotte Madigan, Town Clerk, sworn-in the new Police Officers.

RESOLUTION NO. 40

**APPOINT/POLICE OFFICER
DAVID J BROCKWAY**

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

RESOLVED, that upon the recommendation of the Chief of Police, David J. Brockway is hereby appointed from Rockland County Civil Service List # (OC) 04200 Police Officer, to the position of Police Officer/Permanent effective January 10, 2006, at a salary of \$35,992.

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

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RESOLUTION NO. 41

**APPOINT/POLICE OFFICER
NICHOLAS S WHALEN**

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

RESOLVED, that upon the recommendation of the Chief of Police, Nicholas S Whalen is hereby appointed from Rockland County Civil Service List # (OC) 04200 Police Officer, to the position of Police Officer/Permanent effective January 10, 2006, at a salary of \$35,992.

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

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RESOLUTION NO. 42

**APPOINT/POLICE OFFICER
JAMES E ACHESON**

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

RESOLVED, that upon the recommendation of the Chief of Police, James E. Acheson is hereby appointed from Rockland County Civil Service List # (OC) 04200 Police Officer, to the position of Police Officer/Permanent effective January 10, 2006, at a salary of \$35,992.

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

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RESOLUTION NO. 43**APPOINT/POLICE OFFICER
DANIEL S WILSON**

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

RESOLVED, that upon the recommendation of the Chief of Police, Daniel S Wilson is hereby appointed from Rockland County Civil Service List # (OC) 04200 Police Officer, to the position of Police Officer/Permanent effective January 10, 2006, at a salary of \$35,992.

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

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RESOLUTION NO. 44**RPC/ORANGETOWN VOLUNTEER
EMERGENCY SERVICES COALITION
(OVESC)/BLAISSELL RD/FUNDING**

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

RESOLVED, that the funding request of Orangetown Volunteer Emergency Services Coalition, Inc. ("OVESC"), a non-for profit corporation, for \$15,000.00 to defray the increased costs and expenses associated with the rehabilitation of the housing units on Blaisdell Road, a benefit to the residents of Orangetown in that it will expedite the availability of the affordable housing for the emergency service workers and encourage them to remain in the Town and active in the emergency services is hereby approved.

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

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RESOLUTION NO. 45**OPEN PUBLIC HEARING
CONTINUANCE/MIXED USE
DEVELOPMENT AT CERTAIN
INTERCHANGES**

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

RESOLVED, that the public hearing continued from December 5, 2005 to consider the proposed amendment of Local Law No. 4, 1969, Chapter 43 (Zoning) of the Code of the Town of Orangetown, to permit mixed-use developments at certain interchange locations in the LI Zone upon issuance of a Special Permit by the Town Board is hereby opened.

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

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The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 1-B-06, and made a part of these minutes.

Supervisor Kleiner stated this will be adjourned for two reasons. The County Planning Dept. was diligent in its analysis containing 9 pages. Unfortunately the final copy was received at 4:51 p.m. on January 9, 2006 and the Town Board needs the opportunity to address the comments made by the County. John Saccardi recommended the Town Board consider a floating zone, which will give the Town Board more flexibility to treat this intersection.

The public portion was opened and the following people spoke:

Eileen Larkin, Palisades, agrees that the comments by the County are important to consider and be made public. She voiced her concerns with the commercial traffic along Rte. 303.

Gail Raffaele, Tappan, is concerned with this delay; the Town of Orangetown needs rateables and would like to see this project move along.

Andrew Wiley, Pearl River, is concerned because he believes this application indicates spot zoning.

Tom Graff, Orangeburg, has landscaping business on adjacent property. He asked if this will effect his business, which doesn't have direct access to Rte. 303.

The planners, FB Orangetown LLC, explained the benefits of a mix-use of retail and overnight guest rooms. Some of the benefits include permanent and temporary employment and a significant net positive fiscal impact to the Town and local businesses. The developer requests the Town Board to approve an increase in the building height (a minimum of 50 feet) and to increase the development coverage from 70 to 75 percent in order add flexibility in the development.

RESOLUTION NO. 46

CLOSE PUBLIC COMMENT

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

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RESOLUTION NO. 46A

**MIXED USE DEVELOPMENT AT
CERTAIN INTERCHANGES SEQRA
DECLARATION**

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

RESOLVED, that a SEQRA Declaration is hereby reserved until February 14, 2006.

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

Noes: None

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RESOLUTION NO. 47

**MIXED USE DEVELOPMENT AT
CERTAIN INTERCHANGES TB
ADJOURN/RESERVED**

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

RESOLVED, that the Town Board's decision to consider the proposed amendment of Local Law No. 4, 1969, Chapter 43 (Zoning) of the Code of the Town of Orangetown, to permit mixed-use developments at certain interchange locations in the LI Zone upon issuance of a Special Permit by the Town Board is hereby adjourned/reserved to February 14, 2006.

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

Noes: None

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RESOLUTION NO. 48**OPEN PUBLIC HEARING/TOWN
ATTORNEY/DEPUTY TOWN
ATTORNEY RESIDENCY
REQUIREMNET**

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

RESOLVED, that the public hearing to consider the adoption of a proposed local law to establish the residency requirements for the appointed offices of Town Attorney and Deputy Town Attorney for the Town of Orangetown, to be entitled "Town Attorney Residency Requirements," to be designated as Article IV of Chapter 1 of the Code of the Town of Orangetown is hereby opened.

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

Noes: None

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RESOLUTION NO. 49**TOWN ATTORNEY/DEPUTY TOWN
ATTORNEY RESIDENCY
REQUIREMNET/AMENDMENT**

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

RESOLVED, that a public hearing to consider the adoption of a proposed local law to establish the residency requirements for the appointed offices of Deputy Town Attorney for the Town of Orangetown, to be entitled "Deputy Town Attorney Residency Requirements," to be designated as Article IV of Chapter 1 of the Code of the Town of Orangetown is hereby opened.

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

Noes: None

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The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 1-C-06, and made a part of these minutes.

The public portion was opened and the following people spoke:

Eileen Larkin, Palisades, is in favor of existing law. She is against Town Attorney to live outside of Orangetown.

Gail Raffaele, Tappan, asked the Town Board to table this motion. She said residency requirement is State law and believes we can keep legislation as is. If no one from Town is interested then the Town Board would be able to go outside of Town.

Andrew Wiley, Pearl River, said the Town Attorneys' serve at the pleasure of the Town Board and candidates should be from the Town.

Georgia Lipsett, Orangeburg, said the Town Attorneys should come from the Town talent and this should not be an issue.

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RESOLUTION NO. 50**CLOSE PUBLIC COMMENT**

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

RESOLUTION NO. 51**TOWN ATTORNEY/DEPUTY TOWN
ATTORNEY RESIDENCY
REQUIREMNET/AMENDMENT**

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

RESOLVED, that a proposed local law to establish the residency requirements for the appointed offices of Deputy Town Attorney for the Town of Orangetown, to be entitled "Deputy Town Attorney Residency Requirements," to be designated as Article IV of Chapter 1 of the Code of the Town of Orangetown is hereby adopted.

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

Noes: Councilwoman Manning

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RESOLUTION NO. 52**THE NOBLE NINTH, INC/PAC ZONE
APPLICATION/THRESHOLD REVIEW**

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

RESOLVED, that the PAC zone change application from The Noble Ninth, Inc. for property located at 120 Western Highway, Tappan is hereby accepted for a threshold review and comment by the Town Attorney, the Director of OZBPAAE, and the Town Assessor to determine compliance with the PAC zone application requirements.

Ayes: Councilpersons Troy, Manning, Morr
Supervisor Kleiner

Noes: Councilman O'Donnell

Councilman O'Donnell said he was in favor of senior housing but feels that the Town Board needs to be cautious referring to many projects for fear that the Town will be over saturated with senior housing and this will have a negative affect on the sales for senior housing. This is why he will vote no.

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RESOLUTION NO. 53**BAKER RESIDENTIAL LTD
PARTNERSHIP/RAMLAND RD/PAC
ZONE APPLICATION/THRESHOLD
REVIEW**

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

RESOLVED, that the PAC zone change application from Baker Residential Limited Partnership for property located at Ramland Road, Orangeburg is hereby accepted for a threshold review and comment by the Town Attorney, the Director of OZBPAAE, and the Town Assessor to determine compliance with the PAC zone application requirements.

Ayes: Councilpersons Manning, Troy, Morr
Supervisor Kleiner

Noes: Councilman O'Donnell

Again Councilman O'Donnell said he was in favor of senior housing but feels that the Town Board needs to be cautious referring to many projects for fear that the Town will be over saturated with senior housing and this will have a negative affect on the sales for senior housing. This is why he will vote no.

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RESOLUTION NO. 54**PIERMONT VETERANS MEMORIAL
MEMORIAL DAY/AID**

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

RESOLVED, that the request of the Veterans Memorial Association of Piermont, Inc., for the use of the Showmobile for Memorial Day, Monday, May 29, for the dedication of the G.I. Joe statue with all fees waived, to be charged to Acct. #A7550/50457 is hereby approved.

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

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RESOLUTION NO. 55**AOH/ST PATRICK'S DAY PARADE/AID**

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

RESOLVED, that the request of the Ancient Order of Hibernians for necessary trash barrels, barricades, painting of the green stripe, sound system and personnel to operate it, the Town Showmobile and 14 portable toilets for a \$250.00 fee but waive the labor cost for the annual St. Patrick's Day Parade on Sunday, March 19, 2006 to be charged to Account #A7550/50457 is hereby approved.

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

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RESOLUTION NO. 55A**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items eighteen (18) through forty-two (42) are hereby combined.

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

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RESOLUTION NO. 56**NYACK CHAMBER/SPRINGFEST
SEPTEMBERFEST/AID**

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

RESOLVED, that the request of the Chamber of Commerce of the Nyacks for use of the showmobile for a \$250.00 each fee but waive the labor cost for Springfest, Sunday, April 23, 2006 and Septemberfest, Sunday, September 10, 2006 to be charged to Acct. #A7550/50457 is hereby approved.

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

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RESOLUTION NO. 57**NYS WATER ENVMT MEETING
PERMISSION GRANTED/DEME**

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

Resolution No. 57 - Continued

RESOLVED, that permission is granted to Ronald C. Delo to attend the 78th Annual Meeting of the New York Water Environmental Association Inc. in New York City on February 6-8, 2006, for three days, and for William Fitzgerald and Jaya Bhattacharyya for one day each at a total cost of \$1,795.00 to be charged to Acct. #G8110/50441.

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

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RESOLUTION NO. 58**WATER ENVMT FEDERATION
PERMISSION GRANTED/DEME**

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

RESOLVED, that permission is granted to Ronald C. Delo to attend the Water Environment Federation Member Association Exchange Meeting in Boston, MA on March 23-25, 2006 at a total cost of \$500.00 to be charged to Acct. #A1440/50441.

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

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RESOLUTION NO. 59**RESCIND RESOLUTION NO. 722/05
BOND RESOLUTION PUMPING
STATIONS**

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

RESOLVED, that Resolution No. 772/05, which was to consider a bond resolution for the upgrading and rehabilitation of Upper Grandview, South Nyack, Route 303, Sparkill, Stokes, Sunset Road and Volkswagon pumping stations to include new pumps, motors, controls, flow meters, grinders, emergency generators, electrical, heating, ventilation, plumbing improvements, piping modifications and building repairs is hereby rescinded.

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

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RESOLUTION NO. 60**NYS RECREATION/PARKS
CONFERENCE/PERMISSION
GRANTED/PARKS**

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

RESOLVED, that permission is granted to Richard L. Rose, Jr. to attend the 2006 New York State Recreation and Park Society Conference from April 2-5 at a cost of \$568 to be charged to Acct. # A7020004/50441 and allow the use of a Town vehicle.

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

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RESOLUTION NO. 61**GREEN HORIZON DEVEL/STERNGASS
SUBDIVISION/PERFORMANCE BOND
RELEASE 72.08-1-6**

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

RESOLVED, that upon the recommendation of the Departments of Highway and Environmental Management and Engineering, the Town Attorney's Office and the Planning Board (PB #05-134), the Performance Bond from Green Horizon Development Corp. for Sterngass Subdivision Site Plan (Tax Map 72.08-1-06) in the amount of \$23,328.00 is hereby released.

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

Noes: None

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RESOLUTION NO. 62**THE CARTERET GROUP/THE
CARTERET GROUP SUBDIVISION
(RELD DRIVE SOUTH) 69.10-2-32 & 33
ACCEPTED/RECEIVED/FILED**

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's Office, the Subdivision Performance Bond No. LS10021913 in the sum of \$79,980.00 from The Carteret Group, as "Principal," in favor of the Town of Orangetown, as "Obligee," in connection with a certain subdivision known as The Carteret Group Subdivision (Reld Drive South), and which said Performance Bond is dated December 1, 2005 and issued by The Guarantee Company of North America USA is hereby accepted, received and filed in the Town Clerk's Office.

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

Noes: None

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RESOLUTION NO. 63**ROCKLAND HOSPITAL GUILD HOLD
HARMLESS AGREEMENT
ACCEPTED/RECEIVED/FILED**

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's Office and the Planning Board (PB #05-138), the Hold Harmless Agreement between the Rockland Hospital Guild and the Town of Orangetown for the Rockland Hospital Guild Site Plan which allows Rockland Hospital Guild to commence site preparation work prior to the Site Plan Map being signed by the Clerk of the Planning Board is hereby accepted, received and filed in the Town Clerk's Office.

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

Noes: None

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RESOLUTION NO. 64**BLAUVELT FIREFIGHTER/ELECTED
ROBERT CLIFFORD/APPROVED**

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

Resolution No. 64 – Continued

RESOLVED, that the election of Robert Clifford to the position of Firefighter in the Blauvelt Volunteer Fire Company is hereby approved

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

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RESOLUTION NO. 65**BLAUVELT FIREFIGHTER/ELECTED
EDWARD MCLAUGHLIN/APPROVED**

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

RESOLVED, that the election of Edward McLaughlin to the position of Firefighter in the Blauvelt Volunteer Fire Company is hereby approved

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

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RESOLUTION NO. 66**ADMINISTRATIVE LIEUTENANT'S
AGREEMENT/ROBERT ZIMMERMAN
RECEIVED/FILED**

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

RESOLVED, that the Administrative Lieutenant's Agreement between Robert Zimmerman and the Town of Orangetown is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 67**POLICE CHIEF'S AGREEMENT/KEVIN
NULTY/RECEIVED/FILED**

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

RESOLVED, that the Police Chief's Agreement between Kevin Nulty and the Town of Orangetown is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 68**SUPERVISOR'S ANNUAL
REPORT/RECEIVED/FILED**

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

RESOLVED, that upon the recommendation the Town Supervisor and Assessor, the Supervisor's Annual Report, dated December 23, 2005 is hereby received and filed in the Town Clerk's Office.

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

RESOLUTION NO. 69

**MANHATTAN WOODS CORP/SEWER
EASEMENT/ASSUMPTION/RELEASE
AGREEMENT/GENERAL POWER OF
ATTORNEY/RECEIVED/FILED**

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

RESOLVED, that a Sewer Line and Easement, Assumption and Release Agreement between the Town of Orangetown, Rockland County Sewer District No. 1 and Manhattan Woods Corporation, together with a copy of Durable General Power of Attorney of Manhattan Woods Enterprises, LLC and copy of Affidavit that Power of Attorney is in Full Force is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 70

**SENIOR HOUSING MARKET
STUDY/BRECHT ASSOCIATES
RECEIVED/FILED**

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

RESOLVED, that the Senior Housing Market Study submitted by Brecht Associates, Inc. dated September 2005 is hereby received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 71

**FIRE DISTRICTS ANNUAL ELECTION
RESULTS/RECEIVED/FILED**

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

RESOLVED, that the following Fire Districts Annual Election results are hereby received and filed in the Town Clerk's Office.

- Orangeburg Fire District
- Pearl River Fire District
- Tappan Fire District
- Sparkill-Palisades Fire District
- Central Nyack Fire District
- Nyack Joint Fire District

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

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RESOLUTION NO. 72

**EXTRACT OF MINUTES/BD OF FIRE
COMMISSIONERS/ORANGEBURG
SPECIAL MEETING/JAN 5, 2006
RECEIVED/FILED**

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

Resolution No. 72 –Continued

RESOLVED, that the Extract of Minutes for the Meeting of the Board of Fire Commissioners of the Orangeburg Fire District for a Special Meeting held on January 5, 2006 authorizing a Bond Resolution in an amount of \$5,200,000 for the construction of a new firehouse on land owned by the Fire District is hereby received and filed in the Town Clerk’s Office.

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

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RESOLUTION NO. 73

JOHN DUFFY/CHAIRPERSON/ZONING BOARD OF APPEALS/REAPPOINTED

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

RESOLVED, that John Duffy is reappointed as Chairperson to the Zoning Board of Appeals with term expiring December 31, 2006.

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

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RESOLUTION NO. 74

FRANK FRANCOBANDERA CHAIRPERSON/ACABOR/REAPPOINT

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

RESOLVED, that Frank Francabandera is reappointed as Chairperson to ACABOR with term expiring December 31, 2006.

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

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RESOLUTION NO. 75

FERDON AVENUE FIRE HYDRANT/APPROVED

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

RESOLVED, that upon the recommendation of the Sparkill Fire Dept. and the Town of Orangetown Fire Inspector, the installation of one (1) fire hydrant w/s Ferdon Avenue approximately 315' n/o existing hydrant #9-17, which shall be paid for by the developer of this subdivision is hereby approved.

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

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RESOLUTION NO. 76

INTERMUNICIPAL AGREEMENT ROCKLAND CTY/SPARKILL CREEK

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

Resolution No. 76 –Continued

RESOLVED, that the Town Board of the Town of Orangetown hereby approves the Town's entry into an Intermunicipal Agreement with the County of Rockland relating to the development of a detention facility on the Sparkill Creek; and it is further

RESOLVED, that, in furtherance of the said Project, Ronald C. Delo, the Director of the Department of Environmental Management and Engineering, shall be, and is hereby, authorized to seek and to submit applications for available Intermunicipal and other funding, and is designated by the Town Board to act as the lead contact person in connection with any such applications and grants.

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

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RESOLUTION NO. 77 **INTERMUNICIPAL AGREEMENT/NYACK SOUTH NYACK/PIERMONT/GRANDVIEW-ON-HUDSON/PHASE II STORMWATER DRAINAGE/SYSTEM MAPPING ETC**

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

RESOLVED, that the Town Board of the Town of Orangetown hereby approves the Town's entry into an Intermunicipal Agreement with the Villages of Nyack, South Nyack, Piermont and Grandview-on-Hudson, relating to Phase II Stormwater Drainage, System Mapping, Illicit Connection / Discharge and Flood Mitigation Program; and it is further

RESOLVED, that, in furtherance of the said Project, Ronald C. Delo, the Director of the Department of Environmental Management and Engineering, shall be, and is hereby, authorized to seek and to submit applications for available Intermunicipal and other funding, and is designated by the Town Board to act as the lead contact person in connection with any such applications and grants.

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

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RESOLUTION NO. 78 **INTERMUNICIPAL AGREEMENT/SOUTH NYACK/PIERMONT/GRANDVIEW-ON-HUDSON/FLOOD MITIGATION**

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

RESOLVED, that the Town Board of the Town of Orangetown hereby approves the Town's entry into an Intermunicipal Agreement with the Villages South Nyack, Piermont and Grandview-on-Hudson, relating to flood mitigation measures; and it is further

RESOLVED, that, in furtherance of the said Project, Ronald C. Delo, the Director of the Department of Environmental Management and Engineering, shall be, and is hereby, authorized to seek and to submit applications for available Intermunicipal and other funding, and is designated by the Town Board to act as the lead contact person in connection with any such applications and grants.

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

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RESOLUTION NO. 79**PEARL RIVER PARKING METERS
COMMUNTER LOTS/SET PUBLIC
HEARING DATE**

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

RESOLVED, that the date of January 23, 2006, 8:00 p.m. is set for a public hearing to consider the adoption/enactment of two proposed Local Laws amending existing Local Laws, Chapter 24 of the Town Code entitled "Parking Lots, Municipal" and Chapter 26 of the Town Code entitled "Parking Meters".

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

Noes: None

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RESOLUTION NO. 80**ENTERED AUDIT MEETING**

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

RESOLVED, that the Town Board entered the Audit Meeting at 10:35 p.m.

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

Noes: None

* * *

Resolution No(s). 81, 82, 83, 84, see Audit and Executive Session. After the Executive Session, the Town Board re-entered the RTBM and voted on the following:

* * *

RESOLUTION NO. 85**NATIONAL UNION FIRE INS (AIG)
POLICE COMM/SETTLEMENT**

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

RESOLVED, that in the matter of the Town of Orangetown vs. National Union Fire Insurance Co. (AIG), the Town accepts the settlement offer of \$105,000.00 and authorizes Supervisor Kleiner to execute a release on behalf of the Police Commission and the Town of Orangetown.

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

Noes: None

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RESOLUTION NO. 86**ADJOURNMENT**

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

RESOLVED, that this Regular Town Board Meeting adjourned at 11:05 p.m.

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

Noes: None

Charlotte Madigan, Town Clerk