

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, FEBRUARY 14, 2006**

This Regular Town Board Meeting, which was held at the Tappan Zee High School Auditorium, was opened at 7:49 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
Teresa Sebastian, Deputy Town Clerk
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
Paul Witte, Code Enforcement

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

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Supervisor Kleiner said updates were received from the RPC developers and the selection process is on schedule.

Public Comment

Mary Dispenzieri, Pearl River, spoke against a proposed flag lot application that's before the Planning Board. She said the Comprehensive Plan, Town Law Sect 272(a) states regulations for flag lots should be in the Subdivision Regulations or the Zoning Ordinance.

Tim Brennan, Pearl River, also spoke against this flag lot, the Comprehensive Plan and asked if this issue was within the Town Board jurisdiction.

Gail Raffaele, Tappan, spoke regarding FOIL request for videotape, Cablevision contract and she asked if FCC number is correct?

Andrew Wiley, Pearl River, spoke regarding Cablevision, number of Police Officers, consulting contract with Fellenzer Engineering and he's against the ARC home on Colonial Ct.

RESOLUTION NO. 133

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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Tom Bertussi spoke for the Pearl River Theatre Development Corporation and thanked the Pearl River Chamber of Commerce for their donation. He also thanked Skyview View for their cooperation and patience. Mr. Bertussi feels it's very feasible to bring the theatre back. Pat Murphy-Stark gave a presentation of the history of the theatre and that it is a historical site. She outlined the importance of keeping this building as a movie theatre, cultural arts center and/or youth-senior center, which will help revitalize the business district. The PR Theatre Development Corp has received 3 letters of intent to develop and over 3,000 signatures.

RESOLUTION NO. 134**SKYVIEW PLAZA DEVELOP/THE
MEWS AT PEARL RIVER/OPEN
CONTINUANCE PH**

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

RESOLVED, that the 8:00 p.m. continuance of a public hearing from December 12, 2005 to consider the request for a zone change for Skyview Plaza Development Corporation, The Mews at Pearl River, 21 E Central Avenue, Pearl River (68.16-6-62), from a Community Shopping (CS) Zone District to a Planned Adult Community (PAC) Floating Zone, pursuant to Local Law No. 1, 2004, Subsection 4.6.1 of Chapter 43 of the Town code is hereby opened.

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

Noes: None

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 02-A-06, and made a part of these minutes.

The public portion was opened and the following people spoke:

Michael Mandel, Pearl River, is in favor of the theatre. The theatre will have a positive effect by serving as an attraction for the revitalization of PR by bringing more people to the downtown area, which is safer than any mall.

Gail Raffaele, Tappan, is against the theatre. She feels taxes will increase due to non-for-profit status. The public could use school auditoriums.

Ricky Lam, PRHS senior, is in favor of the theatre. This would serve as an attraction for the hamlet and increase business.

Catie Lord, PRHS sophomore, is in favor of the theatre. She believes this would be a good and safe place for teens to develop their interests.

Andrew Wiley, Pearl River, is against the Town spending taxpayer's money for the theatre. He feels a delay is unfair to the PAC zone developer and he's against non-for-profit establishment.

Megan Quail, PRHS senior, is in favor of the theatre and believes it would be beneficial to all ages.

Joseph Rispoli, Pearl River and representing Otis Productions, is in favor of the theatre being used to its potential. He said an art cultural center with retail space would help the entire area.

Judi Doherty, Pearl River, is in favor of the theatre and believes it will bring revenue into the hamlet.

Carol Broderick, Pearl River, is in favor of the theatre. She believes it will be a positive influence for both young and old.

Marty Hollander, has had 40 years in the movie theatre business. He is in favor of making this theatre a family entertainment place. It could easily serve the community, especially the elderly and handicap. Mr. Hollander offered a 20-year lease.

Thomas O'Reilly, Pearl River, is in favor of keeping the theatre open. He believes in miracles and this could happen.

Hal Mintz, co-chairman of Woodcliff Films, is in favor of the theatre with a new design. He recommends mix-use (movie theatre, community rooms and retail), which will satisfy all people.

Matthew Kenny, PRHS freshman, is in favor of the theatre. Teens need access to something they enjoy.

Ben Roujansky, Orangeburg and Chairman of Youth Agency, is in favor of the theatre. Students speak of a need for culture and entertainment and we can help through this theatre.

Mi Nerva, PRHS junior, loves the theatre and would like to see the return of this theatre.

Joseph Dugan, Orangeburg, said look to the future and keep the theatre open.

Juliana Albertie, Pearl River, supports the students and the effort of keeping the theatre open.

Mary Magello, PRHS senior, is in favor of the theatre.

Christine Mun, PRHS junior, is in favor of the theatre. She believes the theatre will add to the culture of Pearl River.

Robert Sunshine, Stage Left Childrens Theatre, said the proposal is economically beneficial to the hamlet. It will increase traffic flow especially to help revitalize the hamlet.

Mary, PRHS student, is in favor of the theatre. She believes it's important to all youths in our community.

Eddie Caro, Pearl River, is in favor of the theatre particularly in a family oriented community.

Donald Brenner, Attorney for PAC Zone applicant, said the developer would like to work with the community. He explained the PAC proposal has mix-use on main level and senior units on upper level.

Matt Daly, Pearl River, is in favor of the theatre.

RESOLUTION NO. 135

SKYVIEW PLAZA DEVELOP/THE MEWS AT PEARL RIVER/CLOSED PUBLIC COMMENT

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

RESOLVED, that the public comment portion of the Public Hearing for Skyview Development Corporation, The Mews at Pearl River is hereby closed.

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

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RESOLUTION NO. 136

SKYVIEW PLAZA DEVEL CORP/THE MEWS AT PEARL RIVER/PAC ZONE PUBLIC HEARING TO CONTINUE

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

RESOLVED, that the public hearing and the Town Board's decision to consider Skyview Plaza Development Corporation, The Mews at Pearl River zone change is to continue June 12, 2006, 8:00 p.m.

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

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RESOLUTION NO. 137

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) OPEN PUBLIC HEARING

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

RESOLVED, that the public hearing to consider applications and recommendations, from the Town's CDBG Committee, to be submitted to The Rockland County Consortium of Towns and Villages Community Development Citizen Viewpoint of the 2006 Block Grant Funds is hereby opened.

Ayes: Councilpersons Troy, Morr, O'Donnell, 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 02-B-06, and made a part of these minutes.

Sr. Peggy Scarano presented the three (3) applications submitted for the CDBG Grant and explained how the decision of the Citizens Advisory Committee was made to prioritize the requests. She also indicated that the curb cuts would service more residents than any other request. The applications consisted of the following:

- ADA Components for the Orangetown Museum’s Depew House - \$36,220
- Handicap Ramps (17 curb cuts) in the Town’s Business Districts - \$21,250
- Construction of a Multi-Generational Day Care Center by Joseph’s Home - \$200,000

The public portion was opened and the following people spoke:

Gail Raffaele, Tappan, is against the application for Joseph’s Home. The money should be used now and not for a pending project.

Mary Cardenas, Town Historian, stressed the importance for the ADA Components for the Depew House. This will allow access to all residents and to the Depew House to open as a museum.

Andrew Wiley, Pearl River, is in support of the Town Historian’s request and against the request of Joseph’s Home.

RESOLUTION NO. 138

**COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS (CDBG)
CLOSED PUBLIC COMMENT**

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

RESOLVED, that the public comment portion of the public hearing for Community Development Block Grant Funds (CDBG) is hereby closed.

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

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RESOLUTION NO. 139

**COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS (CDBG)
APPLICATION ACCEPTANCE**

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

RESOLVED, that the Town Board approves acceptance of the Town’s CDBG Committee’s recommendations of the applications to be submitted to the County of Rockland Community Development Office for consideration and approval.

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

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RESOLUTION NO. 140

**OPEN CONTINUANCE OF PUBLIC
HEARING/MIXED-USE DEVELOPMENT
AT CERTAIN INTERCHANGES**

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

Resolution No. 140 - Continued

RESOLVED, that the continuance of public hearing from January 9, 2006 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 development at certain interchange locations in the LI Zone upon issuance of a Special Permit by the Town Board is hereby opened.

Ayes: Councilpersons Troy, Morr, O'Donnell, 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 02-C-06, and made a part of these minutes.

John S. Edwards, First Deputy Town Attorney, presented the information regarding questions asked by the PIP and Rockland County as well as expectations of the applicant.

The public portion was opened and the following people spoke:
 Andrew Wiley, Pearl River, believes the proposed law lacks detailed definitions and it doesn't address sub-divisions that could occur at a later date. He is concerned about the building height and destiny.
 Fred Doneit, developer, spoke regarding the Orangeburg Commons' proposal. He requested the building height be 50 ft. instead of 45 ft. and allow 75% coverage rather than 70%. He must be assured that the buildings will be partially visible from Route 303.
 Gail Raffaele, Tappan, is concerned about rateables and relief of taxes. She is in favor of this project and hopes it moves forward.

RESOLUTION NO. 141

CLOSE CONTINUANCE OF PUBLIC HEARING/MIXED-USE DEVELOPMENT AT CERTAIN INTERCHANGES

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

RESOLVED, that the public comment portion of the public hearing for Mixed-Use Development at Certain Interchanges is hereby closed.

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

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RESOLUTION NO. 142

TABLED TO ADOPT/MIXED-USE DEVELOPMENT AT CERTAIN INTERCHANGES

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

RESOLVED, that the public hearing and the Town Board's decision to adopt a proposed amendment of Local Law No. 4, 1969, Chapter 43 (Zoning) of the Code of the Town of Orangetown, to permit mixed-use development at certain interchange locations in the LI Zone upon issuance of a Special Permit by the Town Board is hereby tabled.

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

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RESOLUTION NO. 143**CONTINUE PUBLIC HEARING
MIXED-USE DEVELOPMENT AT
CERTAIN INTERCHANGES**

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

RESOLVED, that the public hearing and the Town Board's decision to consider a proposed amendment of Local Law No. 4, 1969, Chapter 43 (Zoning) of the Code of the Town of Orangetown, to permit mixed-use development at certain interchange locations in the LI Zone upon issuance of a Special Permit by the Town Board is hereby continued to March 1, 2006, 8:00 p.m.

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

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RESOLUTION NO. 144**APPOINT/PLANNING BOARD
WILLIAM YOUNG**

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

RESOLVED, that William Young is hereby appointed to the Planning Board, effective February 15, 2006, expiring December 31, 2012.

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

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RESOLUTION NO. 145**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items twelve (12) through thirty-five (35) are hereby combined.

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

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RESOLUTION NO. 146**APPOINT PARKS AND RECREATION
DEVELOPMENT ADVISORY COMM
BRIAN TERRY**

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

RESOLVED, that Brian Terry is hereby appointed to the Parks and Recreation Development Advisory Committee.

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

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RESOLUTION NO. 147**REAPPOINT PARKS AND
RECREATION DEVELOPMENT
COMM/ANN BYRNE/KIMBALL
PARKER/ED O'DEA**

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

Resolution No. 147 - Continued

RESOLVED, that Ann Byrne, Kimball Parker and Ed O'Dea are hereby reappointed to the Parks and Recreation Development Advisory Committee.

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

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RESOLUTION NO. 148**REAPPOINT VOLUNTEER HEALTH SERVICES ADVISORY COMMITTEE WILLIAM MCDOWELL**

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

RESOLVED, that William McDowell is hereby reappointed to the Volunteer Health Services Advisory Committee.

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

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RESOLUTION NO. 149**PR HOOK & LADDER LADIES AUXILIARY/CRAFT FAIR/FLEA MKT**

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

RESOLVED, that the request of the Pearl River Hook & Ladder Ladies Auxiliary for use of three portable toilets and trash barrels for their Craft Fair/Flea Market to be held on April 30 at the Central Avenue School field, to be charged to Acct. # 7550/50013/50457, is hereby approved.

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

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RESOLUTION NO. 150**SHARED MUNICIPAL SERVICES INCENTIVE GRANT PROGRAM**

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

RESOLVED, that the Rockland County Executive's application for "Shared Municipal Services Incentive Grant Program" funding, pursuant to the requirements established by the NYS Department of State is hereby approved.

RESOLVED FURTHER, that the County Executive is hereby authorized to act on behalf of the Town of Orangetown, as the lead applicant contact person to execute all financial and/or administrative processes related to the application.

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

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RESOLUTION NO. 151**BROADACRES GOLF COURSE PATRICK JOSEPH WRAFTER CONTRACT AUTHORIZED**

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

Resolution No. 151 - Continued

RESOLVED, that the Supervisor is hereby authorized to sign a contract renewal for Patrick Joseph Wrafter for management of Broadacres Golf Course, from March 1 to December 31, 2006 at the same monthly rate of \$5,200.00

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

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RESOLUTION NO. 152**ADOPT-A-PARK TRUSTEE AGRMT
TAPPAN PARENTS ASSOC/OAK
TREE RD/ROUTE 303**

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

RESOLVED, that an Adopt-a-Park Trustee agreement with Tappan Parents Association for Tappan Park located on the corner of Oak Tree Road and Route 303 is hereby approved and the Supervisor is hereby authorized to sign the agreement.

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

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RESOLUTION NO. 153**APPOINT SENIOR CLERK/TYPIST
MARY K ANSEMI/TOWN CLERK'S**

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

RESOLVED, that Mary K. Anselmi is hereby appointed to the position of Senior Clerk/Typist in the Town Clerk's Office, permanent, grade 5-1, annual salary of \$32,793, effective 2/15/06.

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

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RESOLUTION NO. 154**AWARD BID/POLICE UNIFORMS
NEW ENGLAND UNIFORM CO**

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

WHEREAS, the Chief of Police duly advertised for sealed bids for the purchase of Police Uniforms, which were received and publicly opened on December 6, 2005. The Chief made a recommendation to the Town Board; a copy is labeled Exhibit 2-D-06, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to New England Uniform Company, Danbury, CT in the amounts listed on the bid sheet.

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

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RESOLUTION NO. 155**AWARD BID/DRY CLEANING OF
POLICE UNIFORMS/DUKE OF
DUTCHESS-BLAUVELT**

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

WHEREAS, the Chief of Police duly advertised for sealed bids for dry cleaning of Police Uniforms, which were received and publicly opened on December 6, 2005. The Chief made a recommendation to the Town Board; a copy is labeled Exhibit 2-E-06, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Duke of Dutchess, Blauvelt, NY in the amounts listed on the bid sheet.

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

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RESOLUTION NO. 156**AWARD BID/POLICE ELECTRONIC
EQUIPMENT/GOOSETOWN
COMMUNICATIONS**

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

WHEREAS, the Chief of Police duly advertised for sealed bids for maintenance of Police electronic equipment, which were received and publicly opened on December 28, 2005. The Chief made a recommendation to the Town Board; a copy is labeled Exhibit 2-F-06, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Goosetown Communications, the sole bidder, in the amount of \$38,070 for the first year (\$3,172.50 per month) and \$41,877 for the second year (\$3,489.75 per month).

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

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RESOLUTION NO. 157**APPROVE/CERTIFICATE OF
REGISTRATION-SEWER WORK**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for 2006 Sewer Work is hereby approved for the following:

A. Sasso Plumbing Corporation
Kevin Stokes Excavating, Inc.
Ronald Filera Landscape Contractors, LLC
Cal Mart Enterprises, Inc.

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

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RESOLUTION NO. 158**ACCEPT MINUTES**

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

Resolution No. 158 - Continued

RESOLVED, that the January 3, 2006 Reorganizational Meeting; January 9, 2006 Regular Town Board, Audit, Executive Session; January 17, 2006 Executive Session; January 23, 2006 Regular Town Board, Audit; January 24, 2006 Special Town Board and February 6, 2006 Special Town Board meeting minutes are hereby accepted.

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

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RESOLUTION NO. 159**APPROVE MULTIPLE YEAR DOG LICENSES**

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

RESOLVED, that as of January 15, 2006, the Town of Orangetown is hereby authorized to issue multiple year dog licenses for up to three (3) years on such terms and conditions as are set forth in Section 110 of the Agriculture and Markets Law of the State of New York.

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

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RESOLUTION NO. 160**NYS TOWN CLERK'S ASSOC
CONFERENCE/PERMISSION
GRANTED**

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

RESOLVED, that permission is granted to Charlotte Madigan, Town Clerk, to attend the NYS Town Clerk's Association Conference in Saratoga Springs, New York, April 23-26, 2006, to be charged to Account No. A1410/50441/50457.

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

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RESOLUTION NO. 161**NYACK VILLAGE BOARD
RESOLUTION CONVEYING
VILLAGES SEWERS/FACILITIES TO
ORANGETOWN/RECEIVE/FILE**

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

RESOLVED, that the resolution from the Nyack Village Board, dated October 6, 2005, conveying all of the Villages sewers and related facilities to the Orangetown Sewer District is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 162**FELLENZER ENGINEERING
PROFESSIONAL CONSULTING
CONTRACT/RECEIVE/FILE**

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

RESOLVED, that the fully executed original Professional Consulting Contract between Fellenzer Engineering, LLP and the Town of Orangetown is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 163**DEERWOOD-WASHINGTON MANOR
SUBDIVISION/TAPPAN/DOCUMENTS
RECEIVE/FILE**

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

RESOLVED, that the following documents in reference to the Deerwood-Washington Manor Subdivision, s/s of Washington St., Tappan, NY (77.12-1-52 & 53).

(1) Deed from Hidden Trails Developers, Inc., as Grantor, in favor of the Town of Orangetown conveying fee title in Dennis McHugh Court in this Subdivision; said Deed being recorded on March 18, 2005 in the Rockland County Clerk's Office as Instrument ID: 2005-00014653;

(2) Covenant, Conservation Easement and Indemnification Agreement from Hidden Trails Developers, Inc., as Grantor, in favor of the Town of Orangetown, as Grantee, creating a 10-foot wide Conservation Easement along the westerly division lines of Lots 1 through 4 of this Subdivision and the easterly right-of-way line of the Palisades Interstate Parkway; said Covenant, Conservation Easement and Indemnification Agreement being recorded in the Rockland County Clerk's Office on March 18, 2005 as Instrument ID: 2005-00014655;

(3) Grant of Easement from Hidden Trails Developers, Inc., as Grantor, in favor of the Town of Orangetown, as Grantee, creating a 40 foot wide Drainage Easement running through Lot 4 of this Subdivision; said Drainage Easement being recorded on March 18, 2005 in the Rockland County Clerk's Office as Instrument ID: 2005-00014657; and

(4) Declaration of Restrictive Covenant Against Further Subdivision from Hidden Trails Developers, Inc., as Declarant, in favor of the Town of Orangetown in compliance with the Planning Board's decision granting Final Approval, Subject to Conditions in PB# 01-15 and as required by Note No. 27 on the Deerwood-Washington Manor Subdivision Map (Filed Map No. 7525) prohibiting Lots 4 and 5 of this Subdivision from ever being further subdivided; said Restrictive Covenant being recorded in the Rockland County Clerk's Office on March 18, 2005 as Instrument ID: 2005-00014661.

For informational and identification purposes, the attached documents were "received, accepted and filed", as follows: (a) the Deed for McHugh Court referenced in Item (1) above pursuant to Resolution No. 739 adopted by the Orangetown Town Board at its Regular Town Board Meeting of November 8, 2004; and (b) the three others [Items (2) through (4) above] via Resolution No. 51 adopted at the Regular Town Board Meeting of January 10, 2005. is received and filed in the Town Clerk's Office.

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

RESOLUTION NO. 164**APPROVE BUDGET TRANSFERS
AMENDMENTS/RESOLUTIONS
EXTERNAL AUDITORS**

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

RESOLVED, that upon the recommendation of the Finance Director, budget transfers, amendments and resolution, as requested by the Town's external auditors, are hereby approved and labeled Exhibit 2-G-06 and made a part of these minutes.

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

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RESOLUTION NO. 165**NOMINATE JOHNNY R MAKARA JR
POLICE OFFICER**

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

RESOLVED, that upon the recommendation of the Chief of Police, Johnny R. Makara Jr. is hereby nominate from the Rockland County Civil Service List #(OC) 04200 Police Officer, pending certification from the Rockland County Department of Personnel and satisfactory completion of a background investigation.

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

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RESOLUTION NO. 166**NOMINATE JOEL D SPOELSTRA
POLICE OFFICER**

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

RESOLVED, that upon the recommendation of the Chief of Police, Joel D. Spoelstra is hereby nominate from the Rockland County Civil Service List #(OC) 04200 Police Officer, pending certification from the Rockland County Department of Personnel and satisfactory completion of a background investigation.

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

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RESOLUTION NO. 167**NOMINATE CONRAD W
MCDOWELL, III/POLICE OFFICER**

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

RESOLVED, that upon the recommendation of the Chief of Police, Conrad W. McDowell III is hereby nominate from the Rockland County Civil Service List #(OC) 04200 Police Officer, pending certification from the Rockland County Department of Personnel and satisfactory completion of a background investigation.

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

RESOLUTION NO. 168**NOMINATE FELICIA M
HEWITT/POLICE OFFICER**

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

RESOLVED, that upon the recommendation of the Chief of Police, Felicia M. Hewitt is hereby nominate from the Rockland County Civil Service List #(OC) 04200 Police Officer, pending certification from the Rockland County Department of Personnel and satisfactory completion of a background investigation.

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

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RESOLUTION NO. 169**APPOINT ZONING BOARD OF
APPEALS/NANETTE ALBANESE**

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

RESOLVED, that Nanette Albanese is hereby appointed to the Zoning Board of Appeals, effective February 15, 2006, expiring December 31, 2008.

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

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RESOLUTION NO. 170**APPROVE PITNEY BOWES LEASE
AGREEMENT/MAIL PROCESSOR**

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

RESOLVED, that upon the recommendation of the Supervisor's Office and the Finance Director, a 39-month lease agreement for a mail processor to Pitney Bowes (the lower of two quotes received) for \$139 per month, with a savings of \$7,584 per year.

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

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RESOLUTION NO. 171**ADJOURNMENT/MEMORY**

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

RESOLVED, that this Regular Town Board Meeting adjourned at 11:33 p.m. in memory of John Sullivan, Pearl River, George Shebitz, Nyack, Eraine Albin, Palisades, Pamela McDonald, Pearl River and John S. Kopunek, Blauvelt.

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

Charlotte Madigan, Town Clerk