

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, APRIL 24, 2006**

This Regular Town Board Meeting was opened at 7:37 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
John Giardello, Director, OBZPAE
Rich Rose, Superintendent of Parks, Recreation and Buildings

The Pledge of Allegiance to the Flag was led by Robert Berke and Matthew Barker, from Cub Scout Troop #55, Tappan.

Robert Berke, Matthew Barker, Louis Clements, James Haugh, Chris Francabandera, John Waffenschmidt, Kyle Stuhlwenburger and Victor Amanco along with Scout Leader John Waffenschmidt and Cub Master Joe Miller from Cub Scout Troop 55 were awarded the "Leave No Trace Awareness Award" and the "World Conservation Award". These awards are for showing awareness of good camping practices, respect for nature and for learning about ecology, recycling and meteorology.

Supervisor Kleiner announced that the Town Board will review and discuss the recent submissions from the RPC developers, in order to designate a developer within the next several weeks. The Rockland County Dept. of Planning and the Rockland County Economic Development Corp. sponsored a walkable community assessment concerning Pearl River's Downtown Revitalization. The South Orangetown Ambulance Corp was congratulated for receiving the "Hudson Valley Region Emergency Medical Services Agency of the Year" award. On Saturday at 10 a.m. the Annual Dennis P. McHugh 5K Run will take place in Piermont.

Public Comment

Andrew Wiley, Pearl River, said he believes the monies from the sale of the property at RPC should be used to pay back the bond. Taxpayers should not be responsible to build the ball fields, the teams playing on these fields should pay for the cost of building these fields.

Ruth Weber, Upper Grandview, said signatures were gotten in response to expenditure of monies for the ball fields.

Jo-Ann Coffey-Fasulo, Pearl River, said taxes will be too high and people will not be able to hold onto their homes. She asked what is the \$1.6 million for?

Shelly Morgan, Tappan, said Orangetown residents are now able to go on the Piermont Pier at no cost.

Arnold Shore, Orangeburg, spoke regarding the bond, and asked what will the final cost of the fields be to the taxpayers?

Mike Mandel, Pearl River, agrees with the left hand turn signal on Middletown Rd and E Central Ave. He feels the concessions at Blue Hill should be paid directly to the Town of Orangetown.

Eileen Larkin, Palisades, questioned if the RPC developer will pay the \$20 million in one shot or over a period of time? She feels when residents are requested to pay for bonding it should be the final amount.

Pam Cantor, Piermont, spoke about Indian Point Power Plant and the dangers this plant presents to our health. The Town receives less than 2% of this power so we should evaluate other means of power.

Gail Raffaele, Tappan, asked why not amend the bond rather than have two bonds and does this bond cover the engineering fees?

Supervisor Kleiner and Councilman Morr explained that the referendum would be for the \$1,675 million increase and not the entire \$6.225 million bond.

RESOLUTION NO. 317

**SEWER DISTRICT/INCREASE
MAXIMUM AMOUNT FOR
ESTABLISHMENT/OPEN 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. public hearing to consider the increase of the maximum amount to be expended for the establishment of the Orangetown Sewer District and the reconstruction of sewer facilities therein, in the Town, at a total cost of \$26,800,000. The estimated cost of the District to the Typical Property (as defined in the Town Law) is \$271.62 (compared to the current town annual sewer cost of \$250.37) and the cost to the typical two-family home (as defined in the Town Law) is \$374.71 (compared to the current town annual sewer cost of \$286.14) is hereby opened. A copy of the Extract of Minutes is labeled Exhibit 4-A-06 and made a part of these minutes.

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 04-B-06, and made a part of these minutes.

The public portion was opened and the following people spoke:

Mike Mandel, Pearl River, supports the Sewer infrastructure costs and asked if Rockleigh, NJ, who uses our sewers will be billed for their use?

Eileen Larkin, Palisades, spoke regarding the two mailings for the sewer project and she is delighted to be able to have safe water, use of showers and able to flush her toilets.

Noel Haskell, Nyack, said cost per capita should determine the cost per house. He requested the rates be determined through the inflow of water.

Fred Devan, Piermont Village Board, said Sewers are an important plan for the future health of the Town and it's important to have qualified work done for a 40-year investment. A project engineer is a necessary investment and the engineer needs to be competent. He is happy that the Town and the Village of Piermont are working together on this project.

Andrew Wiley, Pearl River, spoke about the \$2.2 million and additional monies for Stearns & Wheler. He asked where this money was coming from and feels this money should not be bonded.

Ruth Weber, Upper Grandview, doesn't have the benefit of Sewers but is still billed for operations use and bonding.

Rose Baldes, Tappan, questioned whether the project engineer is included in the Bond, and who and how are these facilities going to be maintained?

Nancy O'Rourke, Pearl River, said with all the increases of taxes, people are being taxed out of Town. She stressed there are many illegal 2-family dwellings in Pearl River, which drive the costs up for other taxpayers.

Shelly Morgan, Tappan, asked if the pump stations at RPC are included in this bond.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., explained single-family houses will equal one unit and two-family houses will equal two units. In the future, a more equitable system, (the charges will be base on usage), could be implemented. RPC pumping station will be upgraded or replaced by the developers and the engineering fees are included in the bond. He stressed that it is critical that we move ahead with this capital improvement. Protection of our health and environment is necessary and we need to address this now.

RESOLUTION NO. 318

**CLOSED PUBLIC COMMENT/INCREASE
MAXIMUM AMOUNT TO BE EXPENDED
FOR THE ESTABLISHMENT OF THE
SEWER DISTRICT**

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

RESOLVED, that the public comment portion of the public hearing for increasing the maximum amount to be expended for the establishment of the sewer district is hereby closed.

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

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RESOLUTION NO. 319

**TOWN BOARD LEAD AGENCY
INCREASE MAXIMUM AMOUNT TO BE
EXPENDED FOR THE ESTABLISHMENT
OF THE SEWER DISTRICT**

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

RESOLVED, that the Town Board is designated as Lead Agency for increasing the maximum amount to be expended for the establishment of the sewer district.

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

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RESOLUTION NO. 320

**NEGATIVE SEQRA DECLARATION
INCREASE MAXIMUM AMOUNT TO BE
EXPENDED FOR THE ESTABLISHMENT
OF THE SEWER DISTRICT**

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

RESOLVED, that a negative SEQRA declaration is hereby adopted for increasing the maximum amount to be expended for the establishment of the sewer district.

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

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RESOLUTION NO. 321

**ADOPTED/INCREASE MAXIMUM
AMOUNT TO BE EXPENDED FOR THE
ESTABLISHMENT OF THE SEWER
DISTRICT**

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

RESOLVED, that the increase of the maximum amount to be expended for the establishment of the Orangetown Sewer District and the reconstruction of sewer facilities therein, in the Town, at a total cost of \$26,800,000 is hereby adopted. The estimated cost of the District to the Typical Property (as defined in the Town Law) is \$271.62 (compared to the current Town

Resolution No. 321 - Continued

annual sewer cost of \$250.37) and the cost to the typical two-family home (as defined in the Town Law) is \$374.71 (compared to the current town annual sewer cost of \$286.14). A copy of the Extract of Minutes is labeled Exhibit 4-A-06 and made a part of these minutes.

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

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RESOLUTION NO. 322**SEWER DISTRICT/INCREASE AND
IMPROVEMENT OF FACILITIES
OPEN PUBLIC HEARING**

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

RESOLVED, that the 8:30 p.m. public hearing in relation to the increase and improvement of facilities of Orangetown Sewer District, at the aggregate estimated maximum cost of \$8,100,000, consisting of replacement of clarifier walkways, grating, weirs and collectors; clarifier wall reconstruction; the installation and/or construction of new chlorine tanks and dechlorination systems; installation of a new stand-by generator, the construction of a new sludge loading building; pumping station improvements, including new pumps, motors, controls, emergency generator, flow meters, screenings equipment, level sensing and building reconstruction and modification; odor controls, partial reconstruction of and/or construction of pumping stations; and the extension of new gravity and force sewer mains, all as more particular described in the Report, all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work or expenses, including but not limited to legal and publication costs, required in connection therewith is hereby opened. A copy of the Extract of Minutes is labeled Exhibit 4-C-06 and made a part of these minutes.

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

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 04-D-06, and made a part of these minutes.

The public portion was opened and the following person spoke:
Noel Haskell, Nyack, reiterated his feelings that the rates should be based on the amount water that comes into the house.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., explained that to only measure inflow would ignore the differing costs of processing the sewage and many people have private wells but the Town processes their sewage.

RESOLUTION NO. 323**CLOSED PUBLIC COMMENT/SEWER
DISTRICT/INCREASE AND
IMPROVEMENT OF FACILITIES**

Councilman Troy 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 increasing and improving the facilities of the Sewer District is hereby closed.

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

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RESOLUTION NO. 324**TOWN BOARD LEAD AGENCY SEWER DISTRICT/INCREASE AND IMPROVEMENT OF FACILITIES**

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

RESOLVED, that the Town Board is designated as Lead Agency for increasing and improving the facilities of the Sewer District.

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

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RESOLUTION NO. 325**NEGATIVE SEQRA DECLARATION SEWER DISTRICT/INCREASE AND IMPROVEMENT OF FACILITIES OF THE SEWER DISTRICT**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted for increasing and improving the facilities of the Sewer District.

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

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RESOLUTION NO. 326**ADOPTED/SEWER DISTRICT/INCREASE AND IMPROVEMENT OF FACILITIES OF THE SEWER DISTRICT**

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

RESOLVED, that the increase and improvement of facilities of the Orangetown Sewer District, at the aggregate estimated maximum cost of \$8,100,000, consisting of replacement of clarifier walkways, grating, weirs and collectors; clarifier wall reconstruction; the installation and/or construction of new chlorine tanks and dechlorination systems; installation of a new stand-by generator, the construction of a new sludge loading building; pumping station improvements, including new pumps, motors, controls, emergency generator, flow meters, screenings equipment, level sensing and building reconstruction and modification; odor controls, partial reconstruction of and/or construction of pumping stations; and the extension of new gravity and force sewer mains, all as more particular described in the Report, all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work or expenses, including but not limited to legal and publication costs, required in connection therewith is hereby adopted. A copy of the Extract of Minutes is labeled Exhibit 4-C-06 and made a part of these minutes.

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

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RESOLUTION NO. 327**RPC/BALL FIELD PROPOSITION SPECIAL ELECTION/JUNE 13, 2006**

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

Resolution No. 327 - Continued

RESOLVED, that the resolution to submit a proposition to voters in a Special Election to be held on June 13, 2006, 6:00 a.m. – 9:00 p.m., regarding a bond for municipal recreational field, as shown in the Extract of Minutes labeled Exhibit 4-E-06 and made a part of these minutes, is hereby approved.

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

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RESOLUTION NO. 328**SPECIAL ELECTION/JUNE 13, 2006
POLLING PLACES/RPC/BALL FIELD**

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

RESOLVED, that the consolidation of election districts for the maximum polling places available is hereby approved.

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

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RESOLUTION NO. 329**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items thirteen (13) through thirty-four (34) are hereby combined.

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

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RESOLUTION NO. 330**PEARL RIVER PARKS/ACTIVITY
COMMITTEE/FIREWORKS**

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

RESOLVED, that the request of the Pearl River Parks & Activity Committee to provide three yards of sand, barricades, trash receptacles, four portable toilets (two handicapped accessible), and to waive all permit fees for the 4th of July Fireworks Display and Celebration on Tuesday, July 4th (rain date – July 6), to be charged to Acct. #A7550/50011/50457, is hereby approved.

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

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RESOLUTION NO. 331**DENNIS P MCHUGH FOUNDATION
5K RUN**

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

Resolution No. 331 - Continued

RESOLVED, that the request of the Dennis P. McHugh Foundation to provide six portable toilets for the 3rd Annual Dennis P. McHugh 5K Run on April 29, 2006 in Flywheel Park, Piermont, to be charged to Acct. #A7550/50011/50457, is hereby approved.

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

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RESOLUTION NO. 332**DISMANTLED SHARPLESS HOUSE
DECLARED SURPLUS**

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

RESOLVED, that the dismantled Sharpless house is declared surplus to the Town's need and is approved to sell to the highest bidder.

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

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RESOLUTION NO. 333**AWARD BID/SHARPLESS HOUSE
ALBERT HYDE**

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

WHEREAS, the Supervisor's Office duly advertised for sealed bids for the dismantled Sharpless House, which were received and publicly opened on April 12, 2006. The Supervisor made this recommendation to the Town Board. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Albert Hyde of Palisades, the sole bidder, in the amount of \$10,000.

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

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RESOLUTION NO. 334**NYS DEPT OF TRANSPORTATION
REDUCE SPEED LIMIT/ROUTE 340**

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

RESOLVED, that a Petition to the New York State Department of Transportation to reduce the speed limit to 30 miles per hour along the entire length of Route 340 from Route 303 in Orangeburg to the New Jersey border in Palisades is hereby approved; this request by the Town of Orangetown of the State of New York shall constitute the Town's formal notice to the State that a speed limit in excess of 30 miles per hour has been and shall be a dangerous, hazardous, defective and unsafe condition of Route 340.

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

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RESOLUTION NO. 335**ROCKLAND CTY HIGHWAY DEPT
DELAYED LEFT-TURN SIGNAL/EAST
CENTRAL AVE/N MIDDLETOWN RD**

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

RESOLVED, that it is requested that the Rockland County Department of Highways install a delayed left-turn signal at the intersection of East Central Avenue and North Middletown Road.

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

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RESOLUTION NO. 336**INSTALLATION/STREET LIGHT
JOSEPH BOW CT/BLAUVELT RD**

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

RESOLVED, that the installation of a street light on the corner Joseph Bow Court and Blauvelt Road in Pearl River is hereby approved.

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

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RESOLUTION NO. 337**SEWERS – RULES/REGULATIONS
(SEC 28) PUBLIC HEARING DATE**

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

RESOLVED, that the date of May 22, 2006, 8:00 p.m. is set to amend Chapter 30; "Sewers - Rules and Regulations," Section 28 of the Orangetown Code to address permit applications and fees for private treatment plants, grease interceptors and other similar devices which discharge to the Orangetown Wastewater Treatment Facility.

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

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RESOLUTION NO. 338**NYS OFFICE OF GENERAL
SERVICES STATE PURCHASING
FORUM/TRADE SHOW/FINANCE
PERMISSION GRANTED**

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

RESOLVED, that permission is hereby granted to the Finance Director, to attend the NYS Office of General Services State Purchasing Forum and Trade Show on May 17-18, 2006, in Albany, with a mileage cost of \$53.40 to be charged to Acct. # A/310004/5041.

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

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RESOLUTION NO. 339**AUTOMATED VEHICLE LOCATING SYSTEM/AWARD BID**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for an automated vehicle locating system, which were received and publicly opened on April 12, 2006. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 4-G-06, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Goosetown Communications, Congers, NY, the sole bidder, in the amount of \$24,700 to be charged to Account No. 5130-0400.

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

Noes: None

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RESOLUTION NO. 340**ADOPT-A-SPOT COMMITTEE SOUTH MIDDLETOWN RD/LINDA LANE/AUTHORIZED/APPROVED**

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

RESOLVED, that the Adopt-A-Spot Committee, a volunteer organization with Eileen Urban and Laurel Finnerty as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Town Property located at the landscaped traffic island at the intersection of South Middletown Road and Linda Lane, otherwise known as the "spot," by performing necessary and/or desired clean-up activities as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and Linda Lane Adopt-A-Spot Committee, Dated April 24, 2006 is hereby approved and authorized.

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

Noes: None

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RESOLUTION NO. 341**NYS GIS CONFERENCE/HIGHWAY PERMISSION GRANTED**

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

RESOLVED, that permission is hereby granted to Stephen Munno to attend the NYS GIS Conference on October 23- 24, 2006 at a cost of \$413.00 to be charged to Account No. A5010/50441/0480.

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

Noes: None

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RESOLUTION NO. 342**RECEPTIONIST/HIGHWAY DEPT HELEN WILSON/APPOINT**

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

Resolution No. 342 – Continued

RESOLVED, that Helen Wilson is hereby appointed to the position of Receptionist (LFT) in the Highway Department from the Rockland County Personnel Eligible List #02008 (66-865), at 28 hours per week, at a Grade 3 and a starting salary of \$24,184 effective immediately.

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

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RESOLUTION NO. 343**NOBLE NINTH, INC/2006 SUMMER
DAY CAMP/PARKS/RECREATION**

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

RESOLVED, that the letter extension agreement with the Noble Ninth, Inc., dated April 8, 2006, for use of the Noble Ninth's Picnic Grounds for the Town of Orangetown's 2006 Summer Day Camp Program from July 5 through August 11, 2006 under the same terms and conditions as set forth in a certain agreement entered into between the Town of Orangetown and the German Masonic Home Corporation dated May 18, 1991 is hereby approved.

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

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RESOLUTION NO. 344**ACCIDENT INVESTIGATION
COURSE/POLICE/PERMISSION
GRANTED**

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

RESOLVED, that permission is hereby granted to two Orangetown Police Officers to attend an Accident Investigation Course offered by the Ithaca Police Department from April 17–28, 2006 in Ithaca, NY at a cost of \$3,380.00 to be charged to Acct. #B3120/0441/0480.

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

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RESOLUTION NO. 345**GLORIOUS SUN ROBERT MARTIN
HUFF WILKES/BECKMANN
APPRAISALS/RETAINED**

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

RESOLVED, that upon the recommendation of the Deputy Town Attorney and the Town Assessor, Beckmann Appraisals, Inc., Tappan, New York, is hereby retained to prepare a (pre-trial) preliminary appraisal for the real property known as Glorious Sun Robert Martin, LLC by Huff Wilkes, LLP., 1-2 Blue Hill Plaza, Pearl River, New York, (Section 73.05, Block 1, Lot 54) at a cost of \$15,000.

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

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RESOLUTION NO. 346**ADVANCE DISTRIBUTION SYSTEMS
f/k/a XEROX CORP/70.06-1-2/TAX
CERTIORARI SETTLEMENT**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office and the Assessor, and upon prior approval of the South Orangetown Central School District, the settlement of the tax certiorari Advance Distribution Systems, formerly known as Xerox Corporation, as Lessee, Tax Map designation, 70.06-1-2, et al., for tax assessment years 2001/2002; 2002/203; 2003/2004; and 2004/2005; for total refund by the County of \$42,282.00; for a total refund by the Town of Orangetown of \$202,599.00 and for a total refund by the South Orangetown Central School District of \$487,816.00. Interest on the Town's liability as a result of decrease is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement on the Town is approved.

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

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RESOLUTION NO. 347**ACCEPT MINUTES**

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

RESOLVED, that the Special Town Board minutes for April 3, 2006 are hereby accepted.

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

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RESOLUTION NO. 348**COLONIAL CT SUBDV/TRI-BEE
DECLARATION/COVENANT
MAINTENANCE/DRAINAGE
FACILITIES/RECEIVED/FILED**

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

RESOLVED, that the original Declaration of Covenant of Maintenance of Drainage Facilities for Tri-Bee, Ltd., Colonial Court Subdivision, S/B/L 69.13-2-p/o 2.1 and p/o 2.2, which was recorded in the Rockland County Clerk's Office, Instrument No. 2006-00016421 is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 349**HALL SITE PLAN/1051 ROUTE 9W
UPPER GRANDVIEW DECLARATION
COVENANT MAINTENANCE/STORM
WATER/FACILITIES/ATZL SCATASSIA
ZIGLER/RECEIVED/FILED**

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

RESOLVED, that the original Declaration of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities for Atzl Scatassia Zigler, Hall Site Plan, 1051

Resolution No. 349 - Continued

Route 9W, Upper Grandview, S/B/L 71.09-1-14, which was recorded in the Rockland County Clerk’s Office, Instrument No. 2006-00015856 is received and filed in the Town Clerk’s Office.

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

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RESOLUTION NO. 350

**ORANGEBURG COMMONS/FB
 ORANGETOWN LLC/INTENT TO BE
 LEAD AGENCY/REFER APPLICATION
 TO INTEREST INVOLVED AGENCIES
 SPECIAL PERMIT/RT 303/74.15-1-21**

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

RESOLVED, that the Town Board declares its intent to be Lead Agency for the purposes of SEQR review for the Special permit for the proposed mixed use development project known as “Orangeburg Commons” for property located on Route 303 (74.15-1-21),

RESOLVED FURTHER, that the special permit application from FB Orangetown, LLC is referred to interested and involved agencies for SEQR and General Municipal Law review and comment.

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

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RESOLUTION NO. 351

**ACROSS THE POND SUBDV/PVT
 LOVETT CT/DEED/TITLE
 INSURANCE/RECEIVED/FILED**

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

RESOLVED, that the Deed and Certificate for Title Insurance No. 97C-101409 for Across the Pond Subdivision and Pvt. Lovett Court, Blauvelt, NY (69.12-1-part of lots 5, 6 & &) is received and filed in the Town Clerk’s Office.

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

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RESOLUTION NO. 352

ADJOURNMENT/MEMORY

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 9:47 p.m. in memory of August (Gus) Guerci, Pearl River, and Lorraine Russo, Tappan.

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