

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, MAY 8, 2006**

This Regular Town Board Meeting was opened at 7:42 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

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

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 (arrived late)  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Ron Delo, Director of Dept. Environmental Mgt. & Eng.  
Terrance Sullivan, Police Captain  
Robert Simon, Receiver of Taxes  
Mary McCloskey, Assessor's Office  
John Giardello, Director, OBZPAE  
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

The Highway Department is hosting an open house, May 13<sup>th</sup>, 10:00 a.m. – 12:00 p.m.; the Orangetown Police Awards Day is May 15<sup>th</sup>, with the ceremony starting at 6:30 p.m. The SOAC Emergency Medical Services Week is May 14<sup>th</sup> – May 20<sup>th</sup>. The Annual MS4 Stormwater Presentation is scheduled for May 22<sup>nd</sup>.

**Public Comment**

Ellen McCarty, Tappan, said it's been two and half years since she wrote a letter to Mr. Dean for the work on her property to be completed.

Beth & Tony Riso, Nyack/Piermont, would like to have use of tennis courts after work. The courts should not be only for the high school students.

Donald Brenner, Attorney, said his client, Skyview Plaza, has not heard from the Town Board regarding their PAC application. He believes the GIS fees should be per happening and not per application.

Bill Schule, representing sports groups, said they were disappointed with the tactics used to get signatures for the referendum. He stressed the importance of the ball fields for the children.

Michael Mandel, Pearl River, said he gave the correct information when seeking signatures and believes the voters have the right to vote on this issue.

Eileen Larkin, Palisades, believes the Town should not hire new employees. She spoke regarding the school budgets being too high and taxpayers wanting lower taxes.

**RESOLUTION NO. 362**

**FEES FOR USE OF PUBLIC PARKS  
CHAPTER 14C – FILMING OPEN PH**

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

RESOLVED, that the 8:00 p.m. public hearing to amend Article I, Fees for Use of Public Parks and Other Public Services, Chapter 14C, Filming, of the Code of the Town of Orangetown is hereby opened.

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

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 05-A-06, and made a part of these minutes.

The public portion was opened and the following people spoke:

Betsy Brenner, Orangeburg, said this is a golden opportunity for the Town to make money and the Town should raise the fees. This should be tabled for now and looked at in greater detail. Henry Boyle, Blauvelt, works in the filming business, cautioned the Town Board regarding raising the fees. A filming crew contributes to the Town by utilizing local restaurants and stores for supplies.

Eileen Larkin, Palisades, said this is a good way to bring revenue into the Town. She questioned if people living in a residential zone have the right to bring a commercial entity into that zone. She agrees this should be tabled and looked at in greater detail.

Donald Brenner, Orangeburg, said Orangetown is in a favorable position and filming should remain in the Town of Orangetown but the rates should be raised.

Kevin Mulhearn, Deputy Town Attorney, explained the changes to the Local Law and said the Town Board sets the rates.

### **RESOLUTION NO. 363**

### **CLOSED PUBLIC COMMENT/FEES FOR USE OF PUBLIC PARKS CHAPTER 14C - FILMING**

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 amend Article I, Fees for Use of Public Parks and Other Public Services, Chapter 14C, Filming, of the Code of the Town of Orangetown is hereby closed.

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

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### **RESOLUTION NO. 364**

### **ADOPTED/AMENDMENT TO ARTICLE I, FEES FOR USE OF PUBLIC PARKS AND OTHER PUBLIC SERVICES, CHAPTER 14C, FILMING**

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

RESOLVED, that the amendment to Article I, Fees for Use of Public Parks and Other Public Services, Chapter 14C, Filming is hereby adopted.

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

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### **RESOLUTION NO. 365**

### **CHERRY BROOK DRAINAGE LOCATIONS/EMINENT DOMAIN OPEN PH**

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

RESOLVED, that the 8:10 p.m. public hearing regarding the Cherry Brook Drainage Improvement Project is hereby opened. The purpose of this hearing is to outline the project's purpose, proposed location and alternate locations, if any, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and

**Resolution No. 365 - Continued**

adjacent parcels. This project involves, insofar as concerns the Eminent Domain Procedure Law, the Town's proposed acquisition of certain property interests including temporary and permanent easements, in certain private properties within the Town, so that the Town can insert and/or repair and/or enlarge underground pipes and other apparatus that will improve the flow and removal of water in order to alleviate flooding and poor drainage.

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

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 05-B-06, and made a part of these minutes.

William Reddy, Deputy Town Attorney, said that registered with return receipt requested letters were sent out to every property owner from whom an easement will be needed. He asked that the Town Board adjourn this public hearing for two weeks, because the Law requires this in order for the residents have a submission period to review any documents. The minutes of the hearing will be available at the Town Clerk's Office as well as the Rockland County Clerk's Office. These minutes will be available for review or for a copy at \$.25 a page. He also stressed that he or Mr. Delo will be available by phone for any questions.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., said the retention basin off of Crooked Hill Road is completed. Phase II involves further modifications to the basin, paralleling pipes for bottlenecks to sections of the drainage system, redirecting water from E. Carroll St., E. Lewis St. and George Ave. by gravity through a pipe back to the retention basin, which would eliminate a pump station, Project 2 and 3 on the map causing a savings of \$600,000. A meeting is planned with all property owners who will be affected by this work.

Harry Goldberg, HDR/LMS, explained the work that has to still be done along the Cherry Brook Drainage system.

The public portion was opened and the following people spoke:

Michael Mandel, Pearl River, said this problem dates back to the 1970s due to over development and agrees that it is time for this project to be adopted.

Stan Taylor, Pearl River, said his house has structural problems from continued flooding and asked where the new pipe would start?

Martin Duffy, Pearl River, said there wasn't proper notification, residents were not told maps were available for review and all questions should be on record. He asked if 54" pipe will be used, whether 9 ft. or 20 ft. of property is needed and if residents will receive a reduction in taxes?

Dean Hanson, Pearl River, said he a received registered letter but didn't know the Town was taking any property. He's not sure if this project will work and asked that the Town sit down with specific property owners and explain the project.

Roy Lugris, Pearl River, is concerned whether modifications to the plan will be adequate.

Philip Zannetti, Pearl River, believes this project will help the top end but not the bottom end. He said a normal rain in the Kerry Ct. area is high tide.

Andrew Wiley, Pearl River, asked why are we paying for flooding that is caused by Wyeth? He spoke regarding this information which should be available on-line along with maps and explanations.

Kevin Duffy, Pearl River, re: his son's property, wanted to know how much property his son would loose. He said the Town should know if 54" pipe is needed and the amount of property that is required. He also asked if this acquisition of land would prevent property owners from adding any extensions onto their homes and will this reduce their taxes?

Larry Kopferschmid, Orangetown, wanted to know if the engineers will be liable for this project and will we have a warrantee, if this project is not effect.

**RESOLUTION NO. 366****TOWN BOARD DECISION/CHERRY  
BROOK DRAINAGE LOCATIONS  
EMINENT DOMAIN**

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

RESOLVED, that said public hearing and public portion regarding the Cherry Brook Drainage Improvement Project is hereby adjourned to May 22, 2006, 8:10 p.m.

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

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**RESOLUTION NO. 367****PHASE I SEWER DISTRICT  
WASTEWATER FACILITIES  
LOCATIONS/EMINENT DOMAIN  
OPEN PH**

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

RESOLVED, that the 8:10 p.m. public hearing regarding Phase I of the Capital Improvement Plan for Orangetown's Sewer District Wastewater Facilities is hereby opened. The purpose of this hearing is to outline the project's purpose, proposed location and alternate locations, if any, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels. This project involves, insofar as concerns the Eminent Domain Procedure Law, the Town's proposed acquisition of certain property interests including temporary and permanent easements, in certain private properties within the Town, so that the Town can repair and/or replace portions of its already existing sewer wastewater facilities in order to improve the flow and removal of sewage and wastewater within and throughout the Town.

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

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 05-C-06, and made a part of these minutes.

William Reddy, Deputy Town Attorney, again said that registered with return receipt requested letters were sent out to every property owner from whom an easement will be needed. He asked that the Town Board adjourn this public hearing for two weeks, because the Law requires this in order for the residents have a submission period to review any documents. The minutes of the hearing will be available at the Town Clerk's Office as well as the Rockland County Clerk's Office. These minutes will be available for review or for a copy at \$.25 a page. He also stressed that he or Mr. Delo will be available by phone for any questions.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., explained that the easements are needed in order to upgrade and expand 17 pumping stations and replace or parallel existing sewer lines.

Stearns & Wheler explained in detail, by showing on a map, the fourteen effective areas.

The public portion was opened and the following people spoke:

Dean Lynch said the notices should have been clearer, they were not adequate and they didn't satisfy his due process.

A Yacht Club member said he has had problems with overflowing and the odor is a problem. He requested the odor be controlled.

Andrew Wiley, Pearl River, asked if the work near Hunt Rd. will affect the reservoir?

**RESOLUTION NO. 368****TOWN BOARD DECISION/PHASE I  
SEWER DISTRICT WASTEWATER  
FACILITIES/LOCATIONS/EMINENT  
DOMAIN**

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

RESOLVED, that said public hearing and public portion regarding the Phase I of the Capital Improvement Plan for Orangetown's Sewer District Wastewater Facilities is hereby adjourned to May 22, 2006, 8:20 p.m.

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

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**RESOLUTION NO. 369****SIDEWALK INJURIES/LIABILITY  
OPEN PH**

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

RESOLVED, that the 8:30 p.m. public hearing to consider a proposed local law amending existing Local Laws contained in the following sections of the Town Code: Section 32-15(A) and Section 32-16 is hereby opened. The purpose of this Local Law is to ensure that the Town is not liable for injuries or damage resulting from sidewalks to which it, by already existing Local Law, is not responsible to maintain, repair, keep clean, and keep clear of snow, ice and debris.

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

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 05-D-06, and made a part of these minutes.

The public portion was opened and there was no public comment.

**RESOLUTION NO. 370****CLOSED PUBLIC COMMENT  
SIDEWALK INJURIES/LIABILITY**

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

RESOLVED, that the public comment portion of the public hearing to consider a proposed local law amending existing Local Laws contained in the following sections of the Town Code: Section 32-15(A) and Section 32-16 is hereby opened. The purpose of this Local Law is to ensure that the Town is not liable for injuries or damage resulting from sidewalks to which it, by already existing Local Law, is not responsible to maintain, repair, keep clean, and keep clear of snow, ice and debris hearing is hereby closed.

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

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**RESOLUTION NO. 371****TOWN BOARD DECISION/ADOPT  
SIDEWALK INJURIES/LIABILITY**

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

RESOLVED, that a proposed local law amending existing Local Laws contained in the following sections of the Town Code: Section 32-15(A) and Section 32-16 is hereby adopted. The purpose of this Local Law is to ensure that the Town is not liable for injuries or damage resulting from sidewalks to which it, by already existing Local Law, is not responsible to maintain, repair, keep clean, and keep clear of snow, ice and debris.

Ayes: Councilpersons, Troy, Morr, Manning  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 372****FEES - SECTION 14-13 AND SECTION  
14-14(A) & (B)/GEOGRAPHIC INFO SYS  
OPEN PH**

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

RESOLVED, that the 8:35 p.m. public hearing to consider a proposed local law amending existing Local Laws Article V of the Town Code by adding the following Sections: Section 14-13 and Section 14-14(A) & (B) is hereby opened. The purpose of this Local Law is to establish fees to be collected by the Town in order to pay for a Geographic Information System (GIS), which will display certain land use information and other municipal information relating to properties within the Town.

Ayes: Councilpersons, Troy, Manning, Morr  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 05-E-06, and made a part of these minutes.

The public portion was opened and the following person spoke:  
Andrew Wiley, Pearl River, said fees creating maps should be paid by use of software fees.

**RESOLUTION NO. 373****CLOSED PUBLIC COMMENT  
FEES - SECTION 14-13 AND SECTION  
14-14(A) & (B)/GEOGRAPHIC INFO SYS**

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

RESOLVED, that the public comment portion of the public hearing to consider a proposed local law amending existing Local Laws Article V of the Town Code by adding the following Sections: Section 14-13 and Section 14-14(A) & (B) is hereby closed. The purpose of this Local Law is to establish fees to be collected by the Town in order to pay for a Geographic Information System (GIS), which will display certain land use information and other municipal information relating to properties within the Town.

Ayes: Councilpersons Troy, Morr, Manning  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

**RESOLUTION NO. 374****TOWN BOARD DECISION  
FEES - SECTION 14-13 AND SECTION  
14-14(A) & (B)/GEOGRAPHIC INFO SYS**

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

RESOLVED, that a proposed local law to consider amending existing Local Laws Article V of the Town Code by adding the following Sections: Section 14-13 and Section 14-14(A) & (B) is hereby adopted. The purpose of this Local Law is to establish fees to be collected by the Town in order to pay for a Geographic Information System (GIS), which will display certain land use information and other municipal information relating to properties within the Town.

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

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**RESOLUTION NO. 375****ESTABLISHING THE DOLLAR AMOUNT  
OF THE GIS FEES ESTABLISHED BY  
LOCAL LAW 9, 2006**

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

WHEREAS, The Town Board of the Town of Orangetown, New York has established, through Local Law 9, 2006, Sections 14-13 and 14-14 of the Town Code for the Town of Orangetown, setting forth fees that shall be paid in accordance with said Local Law, and

WHEREAS, said Local Law requires that the dollar amount of these fees are to be determined by Resolution of said Town Board, be it

RESOLVED, that the Town Board hereby sets forth that the fees to be paid as required by Local Law 9, 2006, establishing Sections 14-13 and 14-14 of the Town Code for the Town of Orangetown, are as follows:

Project of any kind before the Planning Board - \$65;  
Project of any kind before the Zoning Board - \$65;  
Application for any type of Building Permit from the Office of Building, Zoning, Planning Administration and Enforcement - \$20 for residential application, \$190 for all other applications;  
Application of any type submitted to the Highway Department - \$10;  
Application of any type submitted to the Department of Environmental Management and Engineering - \$10.

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

**RESOLUTION NO. 376****BLAUVELT VOLUNTEER FIRE  
ELECTION/BRENDAN MULLENS**

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

RESOLVED, that upon the recommendation of the Blauvelt Volunteer Fire Company, Inc., the election of Brendan Mullens to the position of Firefighter in the Blauvelt Volunteer Fire Company, Inc. is hereby approved.

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

**RESOLUTION NO. 377****PR HOOK & LADDER/CARNIVAL  
AID APPROVED**

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

RESOLVED, that the request of the Pearl River Hook and Ladder Company for the use of 4 portable toilets (1 handicap), 15 trash receptacles and a dumpster for their annual Carnival to be held May 18<sup>th</sup>-21, 2006 at Central Avenue Field to be charged to Account No. A7550/50011 is hereby approved.

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

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**RESOLUTION NO. 378****FELDI FAMILY ZONE CHANGE  
SET PUBLIC HEARING DATE/FAILED**

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

RESOLVED, that setting a public hearing date to consider a zone change from LIO to R-15 submitted by the Feldi Family Limited Partnership for property located on Oak Tree Road, Tappan (S/B/L 77.15-3-20); declare the Town Board's intent to Lead Agency; direct circulation of required notice of such intent to all relevant agencies and refer to the Rockland County Department of Planning for general municipal law review under Section 239 hereby failed.

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

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**RESOLUTION NO. 379****BOND/PHASE II IMPROVEMENT  
CHERRY BROOK DRAINAGE  
AUTHORIZED**

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

RESOLVED, that a bond for the Phase II improvement of the Cherry Brook Drainage System in the amount of \$3,570,000 is hereby authorized. A copy of the Extract of Minutes is labeled Exhibit 5-F-06 and made a part of these minutes.

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

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**RESOLUTION NO. 380****TOWN BOARD LEAD AGENCY  
BOND/PHASE II IMPROVEMENT  
CHERRY BROOK DRAINAGE**

Councilman Morr 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 the Bond in the amount of \$3,570,000.00 for Phase II Improvement of the Cherry Brook Drainage.

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



**RESOLUTION NO. 381****SEQRA DECLARATION/BOND  
\$3,570,000.00/PHASE II IMPROVEMENT  
CHERRY BROOK DRAINAGE**

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

RESOLVED, that a negative SEQRA declaration is hereby adopted for the Bond in the amount of \$3,570,000.00 for Phase II Improvement of the Cherry Brook Drainage. A copy of the State Environmental Quality Review (SEQR), Negative Declaration and the Full Environmental Assessment Form is labeled Exhibit 5-G-06 and made a part of these minutes.

Ayes: Councilpersons Morr, Manning, Troy  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 382****COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items twenty-nine (29) through thirty-nine (39) are hereby combined.

Ayes: Councilpersons Manning, Morr, Troy  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 383****PERMISSION GRANTED/DEME  
NEWEA/NYWEA CONFERENCE**

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

RESOLVED, that permission is hereby granted to Ron Delo, Director, Dept. Environmental Mgt. & Eng., to attend the annual meeting of the Joint NEWEA/NYWEA Spring Technical Conference and Exhibition to be held in Groton, CT from June 4-7, 2006 at a cost of \$1,125.00 to be charged to Account No. G8110/50441/50471.

Ayes: Councilpersons Manning, Morr, Troy  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 384****SEWER SYS REHABILITATION  
CONTRACT/AWARD BID/ALL STATE  
POWER VAC.**

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

WHEREAS, the Director of the Dept. Environmental Mgt. & Engineering duly advertised for sealed bids for a sewer system rehabilitation contract, which were received and publicly opened on April 26, 2006. The Director made this recommendation to the Town Board; a copy is labeled Exhibit 5-H-06, and made a part of these minutes, Now, Therefore, Be It

**Resolution No. 384 - Continued**

RESOLVED, that this bid is hereby awarded to All State Power Vac., Inc., the lowest, responsible bidder at a cost of \$115,637 for maintenance work for the sewer system to be charged to Account No. 68120/50443.

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

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**RESOLUTION NO. 385****STEARNS & WHELER/ADDITIONAL  
ENGINEERING/PHASE I SEWER &  
WASTEWATER PLANT WORK**

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

RESOLVED, that the engineering fees for Stearns & Wheeler in the amount of \$316,250 for additional engineering services related to the expanded Phase I sewer and wastewater treatment plant work to be charged to Acct. #H8132513/50200 is hereby approved.

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

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**RESOLUTION NO. 386****PROCLAIM WEEK OF MAY 1, 2006  
WATER WEEK**

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

RESOLVED, that the week of May 1, 2006 is proclaimed as Water Week in the Town of Orangetown.

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

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**RESOLUTION NO. 387****PEARL RIVER PARKING/REVENUE TO  
BE DEDICATED TO THE PARKING  
DISTRICT FUND**

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

Whereas, that Chapter 24 of the Town Code of the Town of Orangetown, entitled, "Parking Lots, Municipal", was modified pursuant to Local Law No. 2 of 2006; and a fine schedule for violations of said Local Law was set forth therein; and

Whereas, that Chapter 26 of the Town Code of the Town of Orangetown, entitled, "Parking Meters" was modified pursuant to Local Law No. 3, 2006; and a fine schedule for violations of said Local Law was set forth therein;

Now, therefore, it is hereby resolved that:

All fines collected for and/or revenue generated in connection with violations of Chapter 24 or Chapter 26 of the Town Code of Orangetown, as described with more particularity above, shall be delivered to a fund and/or funds for the use of the Pearl River Parking Meter District; whereupon said fine monies shall be used by said Pearl River Parking Meter District for

**Resolution No. 387 - Continued**

enforcement of said Local Laws (Chapter 24 and Chapter 26) and/or to defray the costs and expenses incurred in connection with the management of said Pearl River Parking Meter District (i.e., payment of employees' salaries).

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

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**RESOLUTION NO. 388** **2006 PROJECT GRADUATION**

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

RESOLVED, that upon the recommendation of the Finance Director, the following payments for Project Graduation are hereby approved and a total in the amount of \$7,000.00 is to be charged to Account number A4211/50457:

Nanuet High School -	\$ 450	Tappan Zee High School -	\$2,500
Nyack High School -	\$1,250	Albertus Magnus -	\$ 300
Pearl River High School -	\$2,500		

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

**RESOLUTION NO. 389** **VEHICLES/EQUIPMENT/SURPLUS**

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

RESOLVED, that the following vehicles and equipment are declared surplus to the Town's needs:

Vehicle #	Description
10	1996 Ford Crown Victoria (2FALP71W3TX165748)
29	1989 Dresser Roller (R250003U062194)
37	1991 Trojan Loader (3824302)
53	1991 Chevy 3500 Rack Truck (1GBHK34J7ME18364)
54	1991 Chevy Mason Dump (1GBHK34J0ME177968)
55	1991 Chevy 3500 Dump (1GBHK34JXME183227)
601	1989 Peterbilt Compactor (3NMYL50XHF702587)
L-19	1988 Tarco Leaf Machine (J23KA0648J00)

**Equipment**

Air Compressors  
1990 Belaire IMC Model 318V  
1962 Ingersoll Rand Type 30, Model 253D  
1970 Saylor Beall Model DD66664  
1984 Manchester

Portable Scott ARC Welder 16 Hp Gas Engine

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

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**RESOLUTION NO. 390****NATIONAL PUBLIC WORKS WEEK**

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

RESOLVED, that the week of May 21-27, 2006 is declared National Public Works Week in the Town of Orangetown.

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

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**RESOLUTION NO. 391****STREET SWEEPER/BID AWARDED  
TRIUS INC.**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for a street sweeper, which were received and publicly opened on March 8, 2006. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 5-I-06, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Trius Inc., of Bohemia, NY in the amount of \$154,447.00, the sole bidder to be charged to Account No. H5130042/50200.

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

\* \* \*

**RESOLUTION NO. 392****HEAVY DUTY CAB & CHASSIS/BID  
AWARDED/TRACEY ROAD EQUIP**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for a heavy-duty cab and chassis, which were received and publicly opened on March 15, 2006. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 5-J-06, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Tracey Road Equipment of East Syracuse, NY in the amount of \$107,870.00, the lowest, qualified bidder to be charged to Account No. H5130042/50200.

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

\* \* \*

**RESOLUTION NO. 393****PERMISSION GRANTED/HIGHWAY  
2006 HIGHWAY SCHOOL**

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

**Resolution No. 393 -Continued**

RESOLVED, that permission is granted to Stephen Munno, Mike Yannazzone, Anthony Limandri and Michael Dillon to attend the 2006 Highway School in Ithaca, NY, from June 5-7, 2006 at a cost of \$1,694.00 to be charged to Account No. A5010/50441.

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

\* \* \*

**RESOLUTION NO. 394****AUTHORIZE FUNDING/YOUTH  
DEVELOPMENT DELINQUENCY  
PREVENTION PROGRAM**

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

RESOLVED, that the Supervisor is hereby authorized to apply for funding through the Youth Development Delinquency Prevention Program of the New York State Office of Children and Family Services for 2007.

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

\* \* \*

**RESOLUTION NO. 395****SUMMER CAMP BUS  
TRANSPORTATION/BID AWARDED  
RINALDI TRANSPORTATION**

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

WHEREAS, the Superintendent of Parks, Recreation and Buildings duly advertised for sealed bids for Summer Day Camp bus transportation, which were received and publicly opened on April 21, 2006. The Superintendent made this recommendation to the Town Board; a copy is labeled Exhibit 5-K-06, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Rinaldi Transportation, the lowest and sole qualified bidder, to be charged to A7310/50457.

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

\* \* \*

**RESOLUTION NO. 396****SUBDIVISION TRUST FUND/FEE-IN-  
LIEU OF LAND/INCREASE FEES**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings, the Orangetown Park Development Advisory Committee and the Orangetown Youth Sports Advisory Committee, increasing the Subdivision Trust Fund "fee-in-lieu of land" fees as follows is hereby adopted: \$9,000 per lot or per housing unit (3 or more bedrooms) or

**Resolution No. 396 - Continued**

single-family houses, \$6,300 per lot or per housing unit for two-bedroom units and \$4,200 per lot or per housing unit for one-bedroom units.

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

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**RESOLUTION NO. 397****ESTABLISH CLERK/TYPIST  
PERSONNEL DEPT**

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

RESOLVED, that the position of Clerk/Typist in the Personnel Department, grade 2, effective May 8, 2006 is hereby established.

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

\* \* \*

**RESOLUTION NO. 398****APPOINT EILEEN FITZPATRICK  
CLERK-TYPIST/PERSONNEL DEPT**

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

RESOLVED, that Eileen Fitzpatrick is hereby appointed to the position of Clerk/Typist (LFT) in the Personnel Department from the Rockland County Personnel Eligible List #03110, Grade 2-1 at a starting salary of \$20,361 effective May 9, 2006.

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

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**RESOLUTION NO. 399****BUILDING PLANS EXAMINER/BLDG  
DEPT/CREATE POSITION**

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

RESOLVED, that upon the recommendation of John Giardiello, Director, Office of Building, Zoning and Planning Administration and Enforcement, the position of Building Plans Examiner in the Building Department is hereby created.

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

\* \* \*

**RESOLUTION NO. 400****APPOINT PROVISIONAL EMPLOYEE  
TO PERMANENT/ROSEMARIE  
MAIORANO**

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

**Resolution No. 400 - Continued**

RESOLVED, that provisional employee, Rosemarie Maiorano, Senior Account Clerk in the Town Clerk's office is hereby appointed to permanent, from Eligible List No. 06130, effective May 9, 2006.

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

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**RESOLUTION NO. 401****ROCKLAND CTY NARCOTICS TASK  
FORCE/REIMBURSEMENT**

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

RESOLVED, that the Supervisor is hereby authorized to sign an agreement between the Town of Orangetown and the County of Rockland for reimbursement, from the county, in the amount of \$70,000 for the assignment of one full-time Orangetown police officer to the Rockland County Narcotics Task Force for the period January 1 through December 31, 2006.

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

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**RESOLUTION NO. 402****ROUTE 9W GOLF SUBDIVISION  
INSTALLATION FIRE HYDRANTS**

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

RESOLVED, that upon the recommendation of United Water New York and the Town of Orangetown Fire Inspector, the installation of three (3) fire hydrants in the subdivision known as "Route 9W Golf Subdivision" located o Route 9W Palisades, which shall be paid for by MWD Star Group, LLC, the developer of this subdivision is hereby approved.

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

**RESOLUTION NO. 403****SILVERSTEIN RESIDENCE SITE  
PLAN/SHADYSIDE AVE/UPPER  
GRANDVIEW/66.17-2-22/HOLD  
HARMLESS AGRMT/REC/FILED**

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

RESOLVED, that upon the recommendation of the Town Attorney, the Hold Harmless Agreement in favor of the Town regarding Silverstein Residence Site Plan, 24 Shadyside Ave., Upper Grandview (66.17-2-22) is accepted, received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 404****APPROVED/CONSOLIDATION OF  
ELECTION DISTRICTS/ SPECIAL  
ELECTION/JUNE 13, 2006**

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

RESOLVED, that the consolidation of Election Districts for the Special Election, June 13, 2006 is hereby approved as follows:

Election District: #19, 23, 24, 25, 30, 31, 43, 45, 53. The voters from these districts will vote at Nauraushaun Presbyterian Church (District #45).  
Election District #9, 10, 17, 20, 28, 29, 34, 37, 44, 54. The voters from these districts will vote at St. Margaret's Church (District#10).  
Election District #1, 14, 33. The voters from these districts will vote at Piermont Village Hall (District #1).  
Election District #2, 4, 5, 7, 8, 11, 15, 18, 32, 46, 48. The voters from these districts will vote at Depew Manor (District #2).  
Election District #12, 13, 21, 38, 39, 47, 49, 51. The voters from these districts will vote at Manse Barn (District #47).  
Election District #27, 35, 36, 55, 56, 57. The voters from these districts will vote at Orangetown Town Hall (District #56)  
Election District #3, 22, 26, 40, 41, 52. The voters from these districts will vote at the Blauvelt Fire House (District #3).  
Election District #6, 16, 42, 50. The voters from these districts will be voting at the John Paulding Fire House (District# 6).

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

Andrew Wiley, Pearl River, is against all the polling places not being available for public use. He feels it's a conflict of interest and the vote should be done in November.

**RESOLUTION NO. 405****SENIOR CLERK/TYPIST/JUSTICE  
DEPT/APPOINT/LAURA NEUENDORF**

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

RESOLVED, that Laura M. Neuendorf is hereby appointed to the position of Senior Clerk/Typist in the Justice Department, provisionally, from Eligible List No. 05083, grade 5-1, annual salary \$32,793.00, effective May 9, 2006.

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

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**RESOLUTION NO. 406****ADJOURNMENT/MEMORY/ENTER  
AUDIT MEETING**

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

RESOLVED, that the Town Board adjourned this Regular Town Board Meeting and entered the Audit Meeting at 10:45 p.m. in memory of Stephen A. Baxter, Pearl River, Robert A. Dosch, Sparkill and Mae Doherty, Pearl River.

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

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Charlotte Madigan, Town Clerk