

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, MAY 22, 2006**

This Regular Town Board Meeting was opened at 7:43 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  
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.  
Kevin Nulty, Chief of Police  
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.

Supervisor Kleiner announced that National Public Works Week is May 21-27, 2006 and the Special Election for the ball-fields Bond will be held June 13, 2006 from 6:00 a.m. to 9:00 p.m.

The Town Board honored EMS workers and volunteers for the Annual EMS Recognition Awards. The Town Board expressed their sincere appreciation to all of our first responders for their dedication and service they provide to the residents of the Town of Orangetown. The South Orangetown Ambulance Corps (SOAC) was recognized as the EMS Agency of the year and Karen Zimmerman was recognized Youth Member of the Year. SOAC has served its residents for the past five decades and has responded to over 1900 calls just in the last year. They initiated CARELINK, a community outreach program providing public awareness and education, and provide annual CPR training to the local high school.

Les Storch, Bennet Kielsen Storch DeSantis, gave a review of Town's 2005 financial state. Mr. Storch said the Town is still fantastic when it comes to financial reporting and in outstanding financial condition. Even though interest rates are rising the Town is smart by locking in lower interest rates. The Town can report positive fund balances in all funds except the golf courses.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., gave an updated comprehensive report regarding Stormwater Discharges (copies of the MCC and SWMPAR forms and permits are filed in the Town Clerk's Office).

**RESOLUTION NO. 418**

**APPOINT POLICE OFFICER  
THOMAS MURRAY**

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

**Resolution No. 418 - Continued**

RESOLVED, that upon the recommendation of the Chief of Police, Thomas Murray is hereby appointed from Rockland County Civil Service List #(OC) 04200 Police Officer, to the position of Police Officer/Permanent effective May 23, 2006, at a salary of \$35,992.00.

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

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**RESOLUTION NO. 419****APPOINT POLICE OFFICER  
JOHNNY MAKARA**

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

RESOLVED, that upon the recommendation of the Chief of Police, Johnny Makara is hereby appointed from Rockland County Civil Service List #(OC) 04200 Police Officer, to the position of Police Officer/Permanent effective May 23, 2006, at a salary of \$35,992.00.

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

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**RESOLUTION NO. 420****APPOINT POLICE OFFICER  
FELICIA HEWITT**

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

RESOLVED, that upon the recommendation of the Chief of Police, Felicia Hewitt is hereby appointed from Rockland County Civil Service List #(OC) 04200 Police Officer, to the position of Police Officer/Permanent effective May 23, 2006, at a salary of \$35,992.00.

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

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**RESOLUTION NO. 421****APPOINT POLICE OFFICER  
CONRAD MCDOWELL**

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

RESOLVED, that upon the recommendation of the Chief of Police, Conrad McDowell is hereby appointed from Rockland County Civil Service List #(OC) 04200 Police Officer, to the position of Police Officer/Permanent effective May 23, 2006, at a salary of \$35,992.00.

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

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**RESOLUTION NO. 422****APPOINT POLICE OFFICER  
JOEL SPOELSTRA**

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

**Resolution No. 422 - Continued**

RESOLVED, that upon the recommendation of the Chief of Police, Joel Spoelstra is hereby appointed from Rockland County Civil Service List #(OC) 04200 Police Officer, to the position of Police Officer/Permanent effective May 23, 2006, at a salary of \$35,992.00.

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

Kevin Nulty, Chief of Police, explained the process of becoming a Police Officer and welcomed the new officers to serve the people in the Town of Orangetown.

Charlotte Madigan, Town Clerk, administered the Oath of Office to each of the newly appointed Police Officers.

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**RESOLUTION NO. 423****SEWERS/RULES/REGULATIONS  
CHAPTER 30 SECT 30-28/OPEN PH**

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

RESOLVED, that the public hearing to consider an amendment to the Town Code (currently known as Chapter 30 entitled "Sewers – Rules and Regulations"), so as to amend Section 30-28 is hereby opened.

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

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting, copies are labeled Exhibit 5-L-06 and made a part of these minutes.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., explained that any devices that require the removal of grease, oils, petroleum products, mud or grit in emulsion or suspension, which discharge to the wastewater treatment works of the Orangetown Sewer District, shall require a three-year permit and pay a permit fee.

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

**RESOLUTION NO. 424****CLOSED PUBLIC COMMENT  
SEWERS/RULES/REGULATIONS  
CHAPTER 30 SECT 30-28**

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

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

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

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**RESOLUTION NO. 425****TOWN BOARD DECISION  
SEWERS/RULES/REGULATIONS  
CHAPTER 30 SECT 30-28**

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

**Resolution No. 425 -Continued**

RESOLVED, that the amendment to the Town Code (currently known as Chapter 30 entitled "Sewers – Rules and Regulations"), so as to amend Section 30-28 is hereby adopted.

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

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**RESOLUTION NO. 426**

**CONTINUANCE/CHERRY BROOK  
DRAINAGE EMINENT DOMAIN  
PUBLIC HEARING**

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

RESOLVED, that the public hearing regarding the Cherry Brook Drainage Improvement Project is hereby continued. 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 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 Manning, Troy, Morr  
Supervisor Kleiner  
Noes: None  
Absent: Councilman O'Donnell

Supervisor Kleiner explained the purpose of this public hearing is to give the Town Board Eminent Domain authority but only if it is needed.

William Reddy, Deputy Town Attorney, recommended to the Town Board to delay their decision so that they can deliberate over the additional information and comments. He also summarized the legal procedure for the Town to obtain these easements.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., said he is continuing to meet with every property owner, walking them through the process, explaining how the Town will restore their property and which changes may take place. At this time additional engineering work, surveys and appraisals need to be completed to know exactly which properties the Town will require easements.

**Public Comment**

Doris Pearson, Pearl River, said she didn't know her property was one of the properties until she read it in the newspaper. She is planning on building a garage and wants to know if this would prevent any building? She asked the Town Board not to vote on this project until everyone can absorb all the information.

Carol Dornbush, Pearl River, is very grateful for the meeting with Mr. Ron Delo but requests better communication. She also was surprised to see her property in the newspaper. She asked the Town Board to approve the least destructive process and not to vote until everyone can absorb and understand the whole process.

Kathleen McGourty, Pearl River, said work has been done on her property and would appreciate better communication. She needs to know what's been done and what will be done to her property in the future.

Dean Hanson, Pearl River, was blind-sided by the registered letter and at the last public hearing was told his property would not be affected. The maps have changed and his property will now be effected. He doesn't like the way this project is being handled and disagrees with the gravity flow to the Wyeth retention basin. Would like to know if the Town is sure this will work?

Judith Allen, Pearl River, is concerned why notice was not received and how is the Town going to replace her 40 yr old privacy shrubs.

Andrew Wiley, Pearl River, asked what action is being taken tonight, if there is a time limit and the extent of this project?

Bill Casey, Pearl River, is concerned regarding the carrying capacity of the creek from Gilbert Ave to Elizabeth St. He requested the engineers to check what the carrying capacity will be after all the work is done to make sure the creek in this area doesn't overflow.

Phil Zannetti, Pearl River, showed pictures and is concerned with any flooding that may occur due to all the changes.

Kevin Emsworth, Pearl River, said his home has been affected by flooding for the past nine years. On 11/28/05 work started on the Wyeth property retention basin, and to this date has prevented floodwaters. The Town Board should be sure that this project goes forward to protect others.

Rose Baldus, Tappan, said her house has been flooded twice during the three years she has lived here. She wants the Town Board to address all flooding in the Town.

**RESOLUTION NO. 427**

**CLOSED PUBLIC COMMENT  
CONTINUANCE/CHERRY BROOK  
DRAINAGE EMINENT DOMAIN/PH**

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

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

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

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**RESOLUTION NO. 428**

**TOWN BOARD DECISION/CHERRY  
BROOK DRAINAGE/EMINENT  
DOMAIN**

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

RESOLVED, that the public hearing regarding the Cherry Brook Drainage Improvement Project for eminent domain is hereby adjourned to June 12, 2006, 8:10 p.m.

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

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**RESOLUTION NO. 429**

**CONTINUANCE/PHASE I/CAPITAL  
IMPROVT/SEWER DISTRICT  
WASTEWATER FACILITIES  
EMINENT DOMAIN/PH**

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

RESOLVED, that the public hearing regarding Phase I of the Capital Improvement Plan for Orangetown's Sewer District Wastewater Facilities is hereby continued. 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

**Resolution No. 429 - Continued**

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

**Public Portion**

Michael Mandel, Pearl River, is concerned that sewers will not be able to handle new developments and asked will there be another bond to expand sewer capacities in the future? Bob White, Tappan, said for 35 years he has smelled sewerage. He asked if the bond and all the costs would stop the smell? He believes we should have assessment charges to all people who use the sewer system.

Andrew Wiley, Pearl River, asked if Hunt Rd will affect the reservoir and asked for answers regarding bottlenecks and overflows?

Rose Baldus, Tappan, said she lives behind the recycling plant and the smell is terrible. She has spoken to the County and was told to alert the Town of this poor air quality.

**RESOLUTION NO. 430**

**CLOSED PUBLIC COMMENT  
 CONTINUANCE/PHASE I/CAPITAL  
 IMPROVT/SEWER DISTRICT  
 WASTEWATER FACILITIES  
 EMINENT DOMAIN/PH**

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

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

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

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**RESOLUTION NO. 431**

**TOWN BOARD DECISION/PHASE I  
 CAPITAL IMPROVT/SEWER DISTRICT  
 WASTEWATER FACILITIES /EMINENT  
 DOMAIN**

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

RESOLVED, that the public hearing regarding the Phase I of the Capital Improvement Plan for the Sewer District Wastewater Facilities for eminent domain is hereby adjourned to June 12, 2006, 8:10 p.m.

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

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**Public Comment**

Andrew Wiley, Pearl River, is against not having absentee ballots and wants the vote to be held in November for all voters.

Ellen McCarty, Tappan, has been waiting over two years for the plantings and retaining wall, on her property, to be completed.

Bob White, Tappan, questioned budget increases and asked who in Town Hall solicits for Federal aid? He stated that dredging the Sparkill Creek on a yearly basis would solve many of the problems of the Creek.

Michael Mandel, Pearl River, The Our Town Newspaper's ads that ran backing the fields was not correct and some of the backers have, he believes, a conflict of interest. He also has questions about the OMM website.

Bill Schule, OMM, discussed facts versus fiction of information disbursed by the persons who initiated the petition regarding costs, size and voting.

**RESOLUTION NO. 432****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 of this meeting is hereby closed.

Ayes: Councilpersons Troy, Manning, Morr  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 433****COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items nineteen (19) through thirty (30) are hereby combined.

Ayes: Councilpersons Manning, Troy, Morr  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 434****JUNE 5<sup>TH</sup> WORKSHOP  
RESCHEDULED TO JUNE 7<sup>TH</sup>**

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

RESOLVED, that the Workshop Meeting of June 5<sup>th</sup> is hereby rescheduled to June 7<sup>th</sup>, this meeting to start at 6:30 p.m. (to be followed at about 7 p.m. in Executive Session, Police Department).

Ayes: Councilpersons Manning, Troy, Morr  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 435****PR ROTARY/SOAP BOX DERBY  
APPROVE AID**

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

RESOLVED, that the request of the Pearl River Rotary for the use of two portable toilets, barricades and trash receptacles for the Rotary Soap Box Derby trial run on May 21, 2006 and for the Derby on June 4, 2006 (rain date June 11) to be charged to Account No. 7550/50457 is hereby approved. The portable toilets will already exist May 21<sup>st</sup> due to a carnival.

Ayes: Councilpersons Manning, Troy, Morr  
Supervisor Kleiner

Noes: None

Absent: Councilman O'Donnell

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**RESOLUTION NO. 436****FRIENDS OF THE NYACKS/ANNUAL  
MOSTLY MUSIC FESTIVAL  
APPROVE AID**

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

RESOLVED, that the request of the Friends of the Nyacks for \$2,000 for the 17th Annual Mostly Music Festival, to be charged to Account No. A7550/50457 is hereby approved.

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

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**RESOLUTION NO. 437****STOP SIGN/BRANDT AVE/MAIN ST  
TAPPAN/APPROVED**

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

RESOLVED, that it is hereby approved to change the existing "yield" sign on the right-of-way at Brandt Avenue and Main Street, Tappan to a "stop" sign.

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

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**RESOLUTION NO. 438****WASTEWATER SECURITY WORKSHOP  
PERMISSION GRANTED/RON DELO**

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

RESOLVED, that permission is hereby granted to Ronald C. Delo to attend the Wastewater Security Workshop, in Providence, RI, September 19-21, 2006 at a cost of \$750.00 to be charged to Acct. G8110/50441/50480.

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

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**RESOLUTION NO. 439****MBIA MUNICIPAL INVESTORS  
FINANCIAL INSTITUTION/APPROVED**

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

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o ("Section 119-o) empowers municipal corporations (defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages) and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Town of Orangetown, wishes to invest certain of its available investment funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement;



**Resolution No. 439 - Continued**

WHEREAS, the Town of Orangetown, wishes to assure the safety and liquidity of its funds;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Town of Orangetown is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of the Town of Orangetown.

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

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**RESOLUTION NO. 440**

**APPOINT CODE ENFORCEMENT OFFICER II/RICHARD A OLIVER**

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

RESOLVED, that Richard A. Oliver is hereby appointed to the position of Code Enforcement Officer II in the Building Department, provisional, grade 13-1, annual salary \$46,996.00, effective May 23, 2006.

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

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**RESOLUTION NO. 441**

**APPOINT/JOSEPH WOOLEY ESQ HEARING OFFICER/DISCIPLINARY HEARING/P O EMPL #1422**

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

RESOLVED, that Joseph Wooley, Esq., with offices at 15-6 Granada Crescent, White Plains, NY is hereby appointed to act as a hearing officer in the disciplinary hearing of the police officer with Employee Number 1422 at a rate of \$195.00 per hour, in accordance with and pursuant to the provisions of the Rockland County Police Act.

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

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**RESOLUTION NO. 442**

**ITW MINIGRIP/TAX CERT SETTLEMENT 74.15-1-13/APPROVED**

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 Town Assessor, and upon approval of the South Orangetown Central School District, the settlement of the tax certiorari, ITW Minigrip, Inc., Tax Map designation, 74.15-1-13, for tax assessment years 2002/2003; 2003/2004; and 2004/2005; for a total refund by the Town of \$60,354.00 is hereby approved. Interest on the Town's liability as a result of decrease is waived if payment is made

**Resolution No. 442 - Continued**

within sixty (60) days after a copy of the order based upon the settlement being served on the Town.

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

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**RESOLUTION NO. 443**

**SICKELS FARM SUBDIVISION  
 LABOZZ-2 BUILDERS CORP/LETTER  
 OF CREDIT/REPLACM'T  
 PERFORMANCE BOND**

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

RESOLVED, that the Irrevocable Letter of Credit of LaBozz-2 Builders Corp., No. 30162999 of Trustco Bank in the sum of \$286,452 naming the Town of Orangetown as Beneficiary, in place of the assignment of Account #100009859 held with Union State Bank in the same amount, and in the name of LaBozz-2 Builders Corp., for Sickels Farm Subdivision (which was accepted, received and filed by Town Board Resolution No. 587 of 2005), is accepted, received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 444**

**ACCEPT MINUTES**

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

RESOLVED, that the Executive Session minutes for April 17, 2006, April 24, 2006 and May 1, 2006; Special Town Board minutes for April 24, 2006; and Audit Meeting minutes for April 24, 2006 are hereby accepted.

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

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**RESOLUTION NO. 445**

**FINANCIAL STATEMENT  
 SUPPLEMENTARY INFORMATION  
 YEAR ENDED 12/31/05 RECEIVED/FILED**

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

RESOLVED, that the Financial Statements and Supplementary Information Year Ended December 31, 2005 with independent Auditor's Report are received and filed in the Town Clerk's Office.

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

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**RESOLUTION NO. 446**

**ADJOURNMENT/MEMORY/ENTER  
AUDIT MEETING**

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

RESOLVED, that the Town Board adjourned this Regular Town Board Meeting and entered the Audit Meeting at 10:10 p.m. in memory of Christian Hofsommer, Tappan.

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

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**Charlotte Madigan, Town Clerk**