

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JULY 18, 2005**

The Regular Town Board Meeting was opened at 7:48 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
John S. Edwards, First Deputy Town Attorney
Dennis Michaels, Deputy Town Attorney
William Reddy, Deputy Town Attorney
Suzanne Barclay, Exec Asst. to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Ron Delo, Director of Dept. Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
Paul Witte, Code Enforcement Officer
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

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On July 20th, 7:30 p.m., an informational meeting will take place regarding paving of the J.B. Clarke Rail Trail.

The public hearing regarding the "Formation of a Town-wide Sewer District" has been postponed to August 8, 8:00 p.m.

Mary Cardenas and Julie Trumpler of Orangetown's Historical Museum and Archives gave a beautiful presentation, "Build the Roads and They Will Come". The exhibit tells the story of how the roads were developed in Orangetown and the surrounding area. Decisions made by our forefathers directed the development we see today. The exhibit will be in Town Hall for two weeks before moving to the Pearl River Library.

The Town Board recognized Bernard J. Albin for his 40 years (39 yrs as chairman) for his dedication, foresight and significant service on the Architecture and Community Appearance Board of Review (ACABOR). He worked for some of the largest architectural firms in the country and took pride in his work. The Town received several awards from the American Institute of Architects Westchester Mid-Hudson Chapter for Bernard Albin's work. Such as his landscape design on the Palisades Interstate Parkway, designs for a passive recreation park in Tappan, an architectural design of Nyack's Mobil Communications Headquarters, the student alumni center at STAC and IBM Advanced Business Institute.

Kevin & Eileen Emsworth, Pearl River, came in, to tell the Town Board about the emergency flooding, which again caused damage to their home.

Ron Delo, Director, Dept. Environmental Mgt. & Eng., spoke regarding Cherry Brook Drainage Study, Phase II Findings & Recommendations. Wyeth's campus and the runoff is part of the problem and Wyeth must be part of the solution. Flooding solutions are costly and they must include open drainage basins, improvement to the storm drain system and deepening storage basins. The water must be able to be fed back into the system at a controlled rate.

LMS gave an excellent overview of their findings regarding the Cherry Brook Study. They recommend focusing on solving the flooding between Crooked Hill Rd. and north of George Ave. Different solutions consisted of a low-grade storage basin and deepening the depression on

Wyeth’s property, a sewer to carry water to the storage basin in the Franklin Ave. School field, a below ground pipe storage system, piping all overflows separate from the existing sewer system to a storage basin, or enlarging the sewer pipes.

Marc Perel, Vice-President of ARC Properties, reaffirmed their plans and commitments to the Town. He requested the Town Board to schedule a PAC zone change public hearing for the Mercedes-Benz property (73.10-1-4,5,6).

Public Comment

Dan Logue, Sparkill, spoke against paving the Rail Trail. He said the abutting property owners should have been notified and an environmental impact study should have been done. He feels the runoff will affect the Sparkill Creek.

Ellen Logue, Sparkill, is against paving the Rail Trail, which she said is a nature trail not a bike path. The abutting property owners should have been notified. She is concerned about people’s safety along the trail.

Sheila Skae, Sparkill, is against paving the Rail Trail. She is also concerned about people’s safety along the trail.

Walter Ostermeir, Pearl River, would like affordable senior housing so he can continue living in Pearl River.

Mike Mandel, Pearl River, spoke about the Cherry Brook flooding area. The drains are not adequate and cannot handle flash flooding. A public discussion is needed.

Ray Ortel, Sparkill, reiterated resident concerns and is against paving the Rail Trail.

Eileen Larkin, Palisades, the Town Board needs to listen to the residents and act upon their requests. She also spoke about senior housing.

Bervin Harris, Orangeburg, his son was a victim of a hate crime (graffiti to his car), questioned the Police Departments policy and procedure for handling this crime. Police Chief Kevin Nulty took information and arranged to meet with Mr. Harris.

Andrew Wiley, Pearl River, spoke about the \$2 million bond resolution regarding the sewer system. He shared his views on zone changes, open space, development on Rockland Psychiatric Center.

Shelly Morgan, Tappan, why are Orangetown residents billed more then Piermont residents for the Piermont pier. Did we collect money for the Collin’s property?

Donald Brenner, Orangeburg, questioned how many houses are actually affected by the Cherry Brook flooding? He said perhaps it would be better to raise the houses affected by the flood.

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RESOLUTION NO. 463

CLOSE PUBLIC COMMENT

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

RESOLVED, that the public comment portion is hereby closed.

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

Noes: None

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RESOLUTION NO. 464

**OPEN PH/AMEND CODE/SEWERS-
RULES REGULATIONS/FATS OILS
GREASE INTERCEPTORS**

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

RESOLVED, that the 8:05 p.m. public hearing to consider an amendment to the Code of the Town of Orangetown (currently known as Chapter 30 entitled “Sewers-Rules and Regulations”) so as to add a new section to be designated as Section 30-35, entitled “Fats, Oils and Grease Interceptors” is hereby opened.

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

Noes: None

The Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 7-A-05, and made a part of these minutes.

The public portion was opened and there were no public comments.

RESOLUTION NO. 465

**CLOSE PH/AMEND CODE/SEWERS-
RULES REGULATIONS FATS OILS
GREASE INTERCEPTORS**

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

RESOLVED, that this public hearing is hereby closed.

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

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RESOLUTION NO. 466

**LEAD AGENCY/SEWERS RULES
REGULATIONS/FATS OILS
GREASE INTERCEPTORS**

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

RESOLVED, that the Town Board declares itself to be Lead Agency under S.E.Q.R.A. for purposes of revising Chapter 30 of the Code of Orangetown entitled "Sewers – Rules and Regulations" to add a new section to be designated Section 30-35, entitled "Fats, Oils and Grease Interceptors."

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

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RESOLUTION NO. 467

**SEQRA/SEWERS RULES
REGULATIONS/FATS OILS
GREASE INTERCEPTORS**

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

RESOLVED, that the Town Board adopt a negative declaration, pursuant to SEQRA, with regard to revision of the Chapter 30 of the Code of Orangetown entitled "Sewers – Rules and Regulations" to add a new section to be designated Section 30-35, entitled "Fats, Oils and Grease Interceptors" adopting the findings and conclusions of the Short Form Environmental Assessment Form (EAF) and the Negative Declaration Notice of Determination of Non-Significance, copy is labeled Exhibit 7-B-05 and made a part of these minutes.

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

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RESOLUTION NO. 468

**SEWERS RULES REGULATIONS
FATS OILS GREASE INTERCEPTORS
TOWN BOARD/DECISION**

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

Resolution No. 468 – Continued

RESOLVED, that a local law amending Chapter 30 of the Code of Orangetown entitled “Sewers – Rules and Regulations” to add a new section to be designated Section 30-35, entitled “Fats, Oils and Grease Interceptors” is hereby adopted.

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

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RESOLUTION NO. 469

**BLAUVELT FIRE DEPT
 SEAN MCLAUGHLIN &
 RAYMEND PESCE**

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

RESOLVED, that the election of Sean McLaughlin and Raymond Pesce to the position of firefighter in the Blauvelt Volunteer Fire Company is hereby approved.

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

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RESOLUTION NO. 470

**RIVERTOWN FILM SOCIETY
 FUNDING**

Councilman O’Donnell offered the following resolution, which was seconded by Councilwoman Manning and failed on a Roll Call.

RESOLVED, that the request of the Rivertown Film Society for funding in the amount of \$2,000 for the screening of two movies in Memorial Park on July 22 and a date in August 2005 to be charged to the Celebrations account failed.

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

Supervisor Kleiner amended the above motion, which was seconded by Councilwoman Manning, by reducing the funding to \$500.00, which on a roll call failed.

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

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RESOLUTION NO. 471

**MEMORIALIZING RESOLUTION
 NYS PAROLE BOARD/RICHARD
 LABARBERA/ROBERT MCCAIN
 MURDERED PAULA BOHOVESKY**

Councilman Troy offered the following resolution, which was seconded by Supervisor Kleiner, Councilwoman Manning, Councilman O’Donnell and Councilman Morr and was unanimously adopted:

WHEREAS, the Town of Orangetown wishes to express its continuing condolences to, and support for, the family of Paula Bohovesky, who was brutally raped and murdered twenty-five years ago as Paula’s family asks the New York State Parole Board not to release her killers; and

WHEREAS, in 1980, Paula Bohovesky was a talented artist, an aspiring actress and a well-regarded member of the Junior class at Pearl River High School; and

Resolution No. 471 - Continued

WHEREAS, tragically, this young woman, burgeon with energy and a zest for life, was tragically and senselessly murdered just two blocks from her home; and

WHEREAS, the two young men who committed this heinous crime after a day spent drinking in a local bar received the maximum penalty for murder then allowed in New York State, twenty-five years to life in prison; and

WHEREAS, these men are now seeking parole and release from prison, having served the minimum sentence – twenty-five years; and

WHEREAS, Paula’s family and friends, as well as those living in Orangetown at the time, can still recall the horror of that day; and

WHEREAS, Paula’s mother, Lois Bohovesky, must now relive that day as she fights to keep Paula’s killers in jail by asking the Parole Board not to authorize the men’s release, a task that she will have to often undertake because State Law allows inmates seeking parole to reapply every two years; and

WHEREAS, the Town Board of Orangetown has met, considered and by a unanimous vote approved this resolution; now therefore be it

RESOLVED, that the Town Board of Orangetown wishes to express its continuing condolences to and support for the family of Paula Bohovesky, who was brutally raped and murdered twenty-five years ago as Paula’s family asks the New York State Parole Board not to release her killers; and be further

RESOLVED, the Town is hereby authorized and directed to send a certified copy of this resolution to Ms. Lois Bohovesky; and to such other persons proper in order to effectuate the purpose of this resolution.

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

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RESOLUTION NO. 472

**LAURA E MUNNO LODGE
ITALIAN FESTIVAL/STREET
FAIR/AID APPROVED**

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

RESOLVED, that Resolution No. 422/05 is hereby amended as follows: the request of the Laura E. Munno Lodge, Inc. for their Italian Festival and Street Fair in Pearl River on September 10th and September 11th for the use of 2 portable toilets, the sound system, trash containers and close the portion of Central Ave between John St. and Main St. and waive any permit fees (the street closing only on 9/11/05) is hereby approved.

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

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RESOLUTION NO. 473

COMBINE AGENDA ITEMS

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

Resolution No. 473 - Continued

RESOLVED, that agenda items ten (10) through thirty-five (35) are hereby combined.

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

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RESOLUTION NO. 474

**POLICE REGULATION/TEMP
STOP SIGNS/BLAUVELT
WESTERN HWY/SYLVANUS CT
ERIE ST/EASTIDE/COLONY/W**

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

RESOLVED, that temporary "No Parking" signs be placed on Western Highway in Blauvelt from Sylvanus Court to Erie Street on the east side and from Colony Drive to Old Western Highway on the west side for a six (6) month trial period is hereby approved.

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

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RESOLUTION NO. 475

**POLICE REGULATION
STOP/SIGN/TAPPAN/FLITT
WASHINGTON ST**

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

RESOLVED, that a temporary stop sign on Flitt Street at Washington Street in Tappan for a six (6) month trial period is hereby approved.

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

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RESOLUTION NO. 476

**AWARD /SHADYSIDE/BID
HUDSON CANYON CONSTRU**

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

WHEREAS, the Director of the Dept. of Environmental Management & Engineer duly advertised for sealed bids for the Shadyside Avenue sewer replacement, which was received and publicly opened on June 29, 2005. The Director made a recommendation to the Town Board; a copy is labeled Exhibit 7-C-05, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to the lowest eligible bidder, Hudson Canyon Construction, Inc., of Millwood, NY at a cost of \$314,903.00 to be charged to Account No. H8130793/50300.

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

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RESOLUTION NO. 477

**AWARD /ROOF REPAIR/BID
BEST ROOF OF NEW JERSEY**

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

Resolution No. 477 – Continued

WHEREAS, the Director of the Dept. of Environmental Management & Engineer duly advertised for sealed bids for the roof repair to the Town Sewer Plant, which was received and publicly opened on June 29, 2005. The Director made a recommendation to the Town Board; a copy is labeled Exhibit 7-D-05, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to the lowest eligible bidder, Best Roof of New Jersey, of Wayne NJ, at a cost of \$224,000.00, to be charged to Account No. H8130022/50200.

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

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RESOLUTION NO. 478**AWARD/PHASE1/SEWER
CONTRACT \$2,000,000
STEARNS AND WHEELER**

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

RESOLVED, that the contract for design and construction administrative services for the \$22.1 million Phase I Capital Improvement Program (Sewer) is hereby awarded to Stearns and Wheeler, Suffern, NY at a cost of \$2.0 million, to be charged to Account No. H8132513/50200.

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

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RESOLUTION NO. 479**PRIOR PROPOSED SEWER
DISTRICT/NOT IN PUBLIC
INTEREST/VILLAGE/TOWN
LAW/209-e(2)(a)**

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

WHEREAS, a proposal has been made in the Town Board of the Town of Orangetown, New York, to establish a Sewer District within the unincorporated portion of the Town of Orangetown, New York, as well as within all incorporated Villages within the Town, as well as within the Village of Upper Nyack,

WHEREAS, on April 12, 2005 at 8:00 p.m. a public hearing was held with regard to the formation of a Sewer District within the unincorporated portion of the Town of Orangetown, New York, as well as within all incorporated Villages within the Town, as well as within the Village of Upper Nyack,

WHEREAS, at the conclusion of said public hearing the Town Board, through Resolution No. 271, reserved decision with regard to the formation of a Sewer District within the unincorporated portion of the Town of Orangetown, New York, as well as within all incorporated Villages within the Town, as well as within the Village of Upper Nyack, be it

RESOLVED, that the Town Board now finds, pursuant to Town Law Section 209-e(2)(a), that it is not in the public interest to accomplish the establishment of the said District because the Town Board presently lacks legal authority to include in said District properties that are outside the Town of Orangetown, said properties having been included in the proposal upon which the aforementioned Public Hearing was held.

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

RESOLUTION NO. 480**PH/ESTABLISH SEWER
DISTRICT/RE-SCHEDULE**

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

RESOLVED, that the public hearing for the establishment of a Town-wide Sewer District and add to this public hearing the \$22.1 million Phase I Capital Improvement Plan is re-scheduled to August 8, 2005 at 8:00 p.m. A copy of the Extract of Minutes is labeled Exhibit 7-E-05, and made a part of these minutes.

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

Noes: None

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RESOLUTION NO. 481**BOND/PLANS/ENGINEERING/
SEWER DEPT/\$2,000,000**

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

RESOLVED, that the issuance of a bond in the amount of \$2,000,000 for plans and engineering for the Town's Sewer Department is hereby authorized, a copy of the Extract of Minutes is labeled Exhibit 7-F-05, and made a part of these minutes.

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

Noes: None

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RESOLUTION NO. 482**TEMPORARY BORROWING
FROM GENERAL FUND
PLANS/ENGINEERING/SEWER**

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

RESOLVED, that temporary borrowing from the general fund for plans and engineering for the Town's sewer department is hereby approved.

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

Noes: None

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RESOLUTION NO. 483**SUPERVISOR OF FISCAL
SERVICES/ANNEMARIE
MAESTRI/APPOINT**

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

RESOLVED, that Annemarie Maestri is hereby appointed to the position of Supervisor of Fiscal Services from provisional to permanent, from Eligible List #05002, grade 16-2, annual salary of \$54,936.00 effective July 19, 2005.

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

Noes: None

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RESOLUTION NO. 484**POLICE RADIO DISPATCHER
ELIZABETH SHEEHAN-BONEY
NOMINATED**

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

RESOLVED, that Elizabeth M. Sheehan-Boney is hereby nominated to the position of Police Radio Dispatcher (CAD), at an annual salary of \$40,411, effective July 23, 2005, pending successful completion of the Police Radio Dispatcher (CAD) test and police department background investigation.

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

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RESOLUTION NO. 485**POLICE RADIO DISPATCHER
ADAM S. PERPER/NOMINATED**

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

RESOLVED, that Adam S. Perper is hereby nominated to the position of Police Radio Dispatcher (CAD), at an annual salary of \$40,411, effective July 23, 2005, pending successful completion of the Police Radio Dispatcher (CAD) test and police department background investigation.

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

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RESOLUTION NO. 486**LEADERSHIP CLASS 2006
POLICE/PERMISSION GRANTED**

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

RESOLVED, that permission is granted to Police Officer Joseph Artrip to participate in Leadership Rockland's Class of 2006, in an amount not to exceed \$1,000 and to be charged to Account No. B30120164/50441.

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

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RESOLUTION NO. 487**ARTS STUDENTS LEAGUE
ROAD WIDENING DEED
RECEIVE/FILE**

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's Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, a copy of the Bargain and Sale Deed from the Art Students League of New York conveying an 8.5' road-widening strip (Section 74.16, Block 1, part of Lot 9) to the Town of Orangetown is accepted, received and filed in the Town Clerk's Office (the Town Attorney is to arrange for Title Insurance and send original deed for recording).

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

RESOLUTION NO. 488**AMERICAN CYANAMID
(WYETH/AMERICAN HOME
PRODUCTS) APPROVE &
AUTHORIZE SETTLEMENT**

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

RESOLVED that the Stipulation of Settlement for the property tax assessment years 2003 and 1991, between the Town of Orangetown and American Cyanamid a/k/a Wyeth a/k/a American Home Products, Inc., is hereby approved; and, Be It

RESOLVED FURTHER that the Town Attorney is hereby authorized to execute the proposed Stipulation of Settlement on behalf of the Town to settle the tax certiorari proceedings for years 2003 and 1991, filed by American Cyanamid a/k/a Wyeth a/k/a American Home Products, Inc., against the Town of Orangetown, regarding the tax assessment for real property described as Section 68.08, Block 1, Lot 1, on the Town of Orangetown Tax Map. The Stipulation of Settlement reduces the assessment by \$143,096,524, and the Stipulation provides that, upon receipt of the applicable refund by the property owner, both the 2003/2004 and 1991/92 tax year certiorari proceedings shall be discontinued.

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

Noes: None

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RESOLUTION NO. 489**PH DATE/PEARL RIVER PARKING
POLICIES PROCEDURES**

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

RESOLVED, that the date of August 8, 2005, 8:05 p.m. is set for a public hearing to amend a local law concerning policies and procedures to implement a new parking system in Pearl River effective upon completion of the installation and programming of all meters.

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

Noes: None

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RESOLUTION NO. 490**CERTIFICATE OF REGISTRATION
SEWER WORK/HEGARTY HOMES**

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 and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for Sewer Work for 2005 is hereby approved for Hegarty Homes, Inc., 4 Friar Tuck Court, Orangeburg, NY.

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

Noes: None

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RESOLUTION NO. 491**RETAIN BECKMANN/ PRE-TRAIL
APPRAISAL TAX CERT GISONDI
FAMILY/O & R/WENGER/**

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

Resolution No. 491 – Continued

RESOLVED, that upon the recommendation of the Town Attorney’s Office and the Assessor, the firm of Beckmann Appraisal, Inc. is hereby retained to prepare pre-trail preliminary appraisals for the following premises whose property tax assessments are the subject of pending Tax Certiorari proceedings:

Gisondi Family Partnership – 66.37-2-7, preliminary appraisal \$5,000,000; trial ready appraisal report (if needed) will be an additional \$2,500.00 plus expenses.

Gisondi Family Partnership - 66.29-2-54, preliminary appraisal \$10,000.00; trial ready appraisal report (if needed) will be an additional \$5,000.00 plus expenses.

Gisondi Family Partnership - 66.38-2-54, preliminary appraisal \$6,000.00; trial ready appraisal report (if needed) will be an additional \$2,500.00 plus expenses.

Orange & Rockland Utilities – 74.20-3-21; 640.666-1; 645.666.52; 660.666-18, preliminary appraisal \$10,000.00; trial ready appraisal report (if needed) will be an additional \$7,500.00 plus expenses.

Wenger N.A. – 73.20-1-34, preliminary appraisal \$5,000.00; trial ready appraisal report (if needed) will be an additional \$2,500.00 plus expenses.

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

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RESOLUTION NO. 492

**INTER-MUNICIPAL AGREEMENT
 COUNTY OF ROCKLAND/SUPER
 SAVER BUS TICKETS**

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

RESOLVED, that the Town Board for the Town of Orangetown, having reviewed a certain proposed inter-municipal agreement between the County of Rockland and the Town of Orangetown concerning the Town of Orangetown becoming a sales outlet for “Super Saver Tickets” to be used on the County of Rockland’s Transportation of Rockland (TOR) buses, hereby approves same and authorizes the Town Supervisor to execute same on behalf of the Town of Orangetown.

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

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RESOLUTION NO. 493

ACCEPT MINUTES

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

RESOLVED, that the Regular Town Board Meeting minutes of June 13, 2005 and June 27, 2005, Audit Meeting minutes of June 27, 2005, Executive Session minutes of June 27, 2005, and Special Town Board Meeting minutes of June 29, 2005, July 11, 2005 and July 12, 2005 are hereby accepted.

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

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RESOLUTION NO. 494**APPROVE/FIRE HYDRANT/TROOP
WOODS SUBDIVISION/MURPHY CT
N TROOP RD/BLAUVELT**

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

RESOLVED, that upon the recommendation of the Town's Fire Inspector, the installation of one (1) fire hydrant n/s of Murphy Ct., approximately 240' s/o North Troop Rd. in the Troop Woods Subdivision, Blauvelt, NY is hereby approved.

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

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RESOLUTION NO. 495**PROFESSIONAL SERVICES AGRMT
LABOR RELATIONS/AMTEK
HUMAN RESOURCE CONSULTS**

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

RESOLVED, that an original fully executed Professional Services Agreement for labor relations between the Town of Orangetown and AMTEK Human Resource Consultants is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 496**COMPREHENSIVE ANNUAL
FINANCIAL REPORT 2004**

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

RESOLVED, that the Town of Orangetown's Comprehensive Annual Financial Report for Fiscal Year Ending December 31, 2004 is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 497**COVENANT STORM WATER
S MIDDLETOWN RD/TRI-BEE**

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

RESOLVED, that the original Declaration of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities in reference to property located South Middletown Rd., Pearl River (69.17-1-59), Tri-Bee, Ltd., which was re-zoned to a Planned Adult Community is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 498**ORANGEBURG FIRE DEPT
HIGHWAY STORAGE YARD**

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

RESOLVED, that the request of the Orangeburg Fire Department, to use the Highway Department's Material Storage Yard lot, located adjacent to the Drop-Off Center, on Saturday, August 6, 2005, for training exercises/competitions with our local volunteer fire departments is hereby approved.

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

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RESOLUTION NO. 499**COMMUNITY FUNDING \$200.00
ANONYMOUS DONATION
RIVERTOWN FILM SOCIETY**

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

RESOLVED, that an anonymous donation of \$200.00 for community based funding is hereby accepted and authorized this \$200.00 funding to Rivertown Film Society, to be charged to Account No. A732004/50457.

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

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RESOLUTION NO. 500**ENTER AUDIT MEETING**

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

RESOLVED, that the Town Board entered the Audit Meeting at 10:41 p.m.

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

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Resolution No(s). 501, 502, 503, 504, 505 see Audit and Executive Session. After the Executive Session, the Town Board re-entered the RTBM and voted on the following.

* * *

RESOLUTION NO. 506**POLICE/REASSIGN DUTIES
MATTHEW RYDER/DETECTIVE**

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

RESOLVED, that upon the recommendation of the Chief of Police, reassign the duties of Matthew Ryder (Employee No. 1541) to those of a detective in his current county assignment at an annual salary of \$99,492, effective July 23, 2005 is hereby approved.

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

RESOLUTION NO. 507**POLICE/REASSIGN DUTIES
JOSEPH ARTRIP/DETECTIVE**

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

RESOLVED, that upon the recommendation of the Chief of Police, reassign the duties of Joseph Artrip (Employee No. 1262) to those of a detective for special and administrative investigations at an annual salary of \$99,492, effective July 23, 2005 is hereby approved.

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

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RESOLUTION NO. 508**LAND USE BOARD MEMBER
EMPLOYEE NO. 1243 HEARING**

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

RESOLVED, that the Town Board is hereby authorized to schedule a public hearing for the purpose of determining if a member of a Land Use Board should be removed.

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

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RESOLUTION NO. 509**ADJOURNMENT/MEMORY**

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

RESOLVED, that the Regular Town Board Meeting and Executive Session hereby adjourned at 11:55 p.m. in memory of Charles Fasano, Pearl River, Gladys McLean, Pearl River, Dellia McAuliff, Pearl River, Michael Shortell, Pearl River.

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

Charlotte Madigan, Town Clerk