

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, AUGUST 14, 2006**

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

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

Also present: Teresa Sebastian, Deputy Town Clerk
Eliot Tozer, Deputy Supervisor
Teresa Kenny, Town Attorney
Suzanne Barclay, Exec Asst. to Supervisor
Charles Richardson, Director of Finance
Ann Maestri, Supervisor of Fiscal Services
James Dean, Superintendent of Highways
Ron Delo, Director of Dept. Environmental Mgt. & Eng.
Robert Zimmerman, Police Captain
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardello, Director, OBZPAE

The Pledge of Allegiance to the Flag was led by Supervisor Kleiner.

Supervisor Kleiner recognized Ann Pinzow, Our Town Newspaper, returning from a 5-day visit to Israel and Connie Coker, Rockland County Legislature.

Mr. Ron Delo, Director, Dept. Environmental Mgt. & Eng., and others gave a presentation at last week's workshop in regards to Performance Contracting. The purpose of this contracting is to work with others who can assist the Town with saving money in various fields.

A new law is being drafted and public hearings are to follow for the downtown Sparkill zoning.

Public Comments

Carol Silverstein, Orangeburg and Member of the Golf Committee, spoke about a "Zagat Review" article which stated "T" times are difficult to schedule at Blue Hill, the staff being cranky, and a loss of over half a million dollars.

Shelly Morgan, Tappan, spoke regarding the part-time Town Board medical and retirement benefits and his plans to pursue this with the NYS Attorney General & Controller's Office and the FBI.

Eileen Larkin, Palisades Civic Association, concerned about medical/retirement benefits, cutting Town expenses, commercial taxes and tax certioraris.

Michael Mandel, Pearl River, spoke regarding Town Board and employees contributing to health and retirement benefit to lower taxes.

Dr. Ed Fitzpatrick, Pearl River, talked about the Town Board giving itself full-time pension credits and health benefits and employees paying for their benefits.

Esta Baitler, Sparkill, informed everyone that the Supervisor and herself met with Senator Tom Morahan regarding more money for additional sidewalks on Route 340.

Marty Goldstein, Piermont Community Playgroup, encourage the Town Board to approve funding for this non-profit group.

Gail Raffaele, Tappan, said the Town Board doesn't have any contractual relationship regarding health and retirement benefits.

RESOLUTION NO. 574

**OPEN PH CONTINUATION/FELDI
FAMILY LIMITED PARTNERSHIP
OAK TREE RD**

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

Resolution No. 574 - Continued

RESOLVED, that the 8:00 p.m. continuation of public hearing from July 24, 2006 to consider the petition of the Feldi Family Limited Partnership, for an amendment to the Zoning Code, changing the zoning district designation for property located at 200 Oak Tree Road, Tappan, New York, and Tax Map No. 77.15-3-20, from Light Industrial ("LIO") Zone district to a Residential ("R-15 Medium Density") Zone pursuant to Section 2.2, Chapter 43 of the Town Code is hereby opened.

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

Teresa Sebastian, Deputy Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 8-A-06 and made a part of these minutes.

Public Comment

Donald Brenner, Attorney for Petitioner, gave the history and background of the property and the benefits of a single-family residence.

Michael Piazza, Real Estate Agent, requested this property be a residential site, which will have a little or no impact on the area.

Eileen Larkin, Palisades, would like to see only one home and doesn't believe the Town should receive the wetland area of the parcel.

RESOLUTION NO. 575**CLOSE PH/FELDI FAMILY LIMITED PARTNERSHIP/OAK TREE RD**

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

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

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

* * *

RESOLUTION NO. 576**LEAD AGENCY/FELDI FAMILY LIMITED PARTNERSHIP/OAK TREE RD**

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

RESOLVED, that the Town Board hereby declares itself Lead Agency in this matter.

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

* * *

RESOLUTION NO. 577**SEQRA DECLARATION/FELDI FAMILY LIMITED PARTNERSHIP OAK TREE RD**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted.

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

* * *

RESOLUTION NO. 578**TOWN BOARD/FELDI FAMILY LIMITED
PARTNERSHIP OAK TREE RD**

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

RESOLVED, that the petition of the Feldi Family Limited Partnership, for an amendment to the Zoning Code, changing the zoning district designation for property located at 200 Oak Tree Road, Tappan, New York, and Tax Map No. 77.15-3-20, from Light Industrial ("LIO") Zone district to a Residential ("R-15 Medium Density") Zone pursuant to Section 2.2, Chapter 43 of the Town Code is hereby adopted.

RESOLVED FURTHER, the applicant further agrees that no more than one single-family residence building lot will be developed on the subject property. The applicant further agrees that a conservation easement, to remain undisturbed, will be established as follows:

30' on the western boundary of the property
20' on the eastern boundary of the property
30' on the southern boundary of the property with the primary intent to save significant trees.

Such conservation easement may be disturbed only for the purpose of reasonable access to the site for construction purposes, including the installation of a driveway for the premises, and for the installation of any drainage utilities required by any municipal official, entity or agency.

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

* * *

RESOLUTION NO. 579**OPEN CONTINUATION PH
ORANGEBURG COMMONS SPECIAL
PERMIT APPL**

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

RESOLVED, that the 8:05 p.m. continuation public hearing from July 24, 2006 to consider an application for a special permit under Chapter 43 of the Town Code for the proposed mixed-use development known as Orangeburg Commons located at 170 Route 303, Tappan, NY, and Tax Map No. 74.15-1-21 is hereby opened.

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

Teresa Sebastian, Deputy Town Clerk presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 8-B-06 and made a part of these minutes.

Public Comment

Terry Rice, Attorney for Applicant, said written materials were presented to the Town Board addressing the recent different comments the Town received.

Mr. Turner, consultant for the applicant, spoke about the above ground drainage retention basin, traffic issues, signage, landscaping/buffering of the PIP and further traffic studies will be done after school starts.

Eileen Larkin, Palisades, asked for traffic studies from the DOT and the developer? She is concerned about traffic on Route 303 and the project's impact on Town services.

Gail Raffaele, Tappan, is in favor of this project and tax rateables.

RESOLUTION NO. 580

**CONTINUE PUBLIC HEARING
ORANGEBURG COMMONS
SPECIAL PERMIT APPL**

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

RESOLVED, that this public hearing is to be continued September 11, 2006, 8:10 p.m.

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

* * *

RESOLUTION NO. 581

**COMMUNITY FUNDING/REMOVE
COMMUNITY PLAYGROUP**

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

RESOLVED, that Community Playgroup is hereby removed from the list of community funding.

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

* * *

RESOLUTION NO. 582

COMMUNITY FUNDING/APPROVED

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

RESOLVED, that the 2006 Community Funding is hereby approved and the Supervisor is hereby authorized to enter into contracts with the following service groups for the amounts as indicated with expenditures to be charged to Account No. A732004-50457.

Big Brothers Big Sisters	\$ 900
Camp Venture	\$13,500
CARE Link (SOAC)	\$ 900
Chore (Volunteer Action Ctr)	\$ 900
Foster Grandparents	\$ 1,080
Headstart of Rockland	\$11,700
Jewish Family Services	\$ 225
Meals on Wheels	\$11,700
Nyack Center (current programs)	\$ 1,350
Retired and Sr.Volunteer Program	\$ 720
Rockland Com. Coll Sr Citizens	\$ 900
Rockland County Historical Soc	\$ 720
Rockland Family Shelter	\$ 2,430
Volunteer Counseling Services	<u>\$ 900</u>
Total	\$47,925

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

* * *

RESOLUTION NO. 583

COMBINE AGENDA ITEMS

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

Resolution No. 583 - Continued

RESOLVED, that agenda items twelve (12) through twenty-nine (29) are hereby combined.

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

* * *

RESOLUTION NO. 584**BLAUVELT LIONS/AID
APPROVED ANNUAL APPLE
FESTIVAL**

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

RESOLVED, that the request of the Blauvelt Lions for the use of two portable toilets (one handicapped) for its annual Apple Festival to be held on September 10, 2006 in Flywheel Park, Piermont to be charged to the Celebrations account (A7550001/50011 and 50457) is hereby approved.

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

* * *

RESOLUTION NO. 585**NAM KNIGHTS OF AMERICA/POW-MIA
RECOGNITION DAY/AID APPROVED**

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

RESOLVED, that the request of the Nam Knights of America M/C Hudson Valley Chapter for the use of the Show mobile and two portable toilets for POW-MIA Recognition Day to be held on September 16, 2006 from 4:00 p.m. - 8:00 p.m. at Central Avenue Field to be charged to the Celebrations account (A7550001/50011 and 50457) is hereby approved.

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

* * *

RESOLUTION NO. 586**ROCKLAND ROAD RUNNERS/APPROVE
USE OF ROADS/TRAIL**

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

RESOLVED, that the request of the Rockland Road runners to use the section of South Broadway between Livingston Place and the entrance to the Esposito Memorial Trail and the portion of the trail, which is located in the unincorporated portion of the Town of Orangetown is hereby approved.

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

* * *

RESOLUTION NO. 587**CURRENT BASE & ADJUSTED BASE
PROPORTIONS/ADOPTED**

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

Resolution No. 587 - Continued

RESOLVED, that the Town Board hereby adopts the Certificate of Current Homestead Base Proportions and Adjusted Base Proportions, as indicated in Exhibit 8-C-06 (Forms RP 6701 and 6703), and made a part of these minutes, pursuant to Article 19, Section 1903 of the Real Property Tax Law for the Levy of Taxes on the 2006 Assessment Roll and the Town Clerk is authorized to affix the Town Certification.

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

* * *

RESOLUTION NO. 588**2006 BUDGET TRANSFERS/APPROVED**

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

RESOLVED, that the budget transfers for 2006 as shown in Exhibit 8-D-06, and made a part of these minutes, are hereby approved.

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

* * *

RESOLUTION NO. 589**CERTIFICATION OF REGISTRATION FOR SEWER WORK**

Councilwoman Manning offered the following resolution, which was seconded by Councilman O'Donnell 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 2006 Certificate of Registration for Sewer Work is hereby approved for: Tappan Landscaping, Inc., 58 Independence Ave., Tappan, NY and Ruckels, Inc., 16 Chester Avenue, Congers, NY.

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

* * *

RESOLUTION NO. 590**NYS OFFICE OF MENTAL HEALTH
SUICIDE PREVENTION/CRISIS
PERMISSION GRANTED**

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

RESOLVED, that permission is hereby granted for one police sergeant to attend the NYS Office of Mental Health Suicide Prevention and Crisis Intervention in Jails and Lockups Instructor Program from September 12-14, 2006 in Syracuse, NY at a cost of \$449.00 to be charged to Acct. B3120/0441/0480.

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

* * *

RESOLUTION NO. 591**CARDIOVASCULAR RESEARCH
FOUNDATION/CONSENT JUDGMENT
AND PILOT AGREEMENT**

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

Resolution No. 591 - Continued

(1) Cardiovascular Research Foundation - Consent Judgment

RESOLVED, upon the recommendation of the Town Attorney and the Assessor, and upon prior approval of the South Orangetown School District, settlement of the tax certiorari proceeding Cardiovascular Research Foundation v. Town of Orangetown, Tax Map Designation: 73.20-1-36, for tax assessment year 2005 (only) with interest on the Town's liability as a result of decrease waived if payment is made within sixty (60) days after a copy of the Court Order based upon the settlement is served on the Town is hereby approved.

(2) Cardiovascular Research Foundation - Letter Agreement

WHEREAS, the Town desires to exempt Cardiovascular Research Foundation the full payment of real estate taxes and to enter into a ten (10) - year agreement to provide for voluntary annual payments commencing with the termination of the current 2005 tax certiorari proceeding, reduction of the property assessment to \$1,336,500.00 for calculation of special district and use charges and refund of the previously paid January 2006 Town and County tax bill;

WHEREAS, the Town wishes to continue with an appropriate and reasonable tax increment of +3% compounded per year within the calculation of the attached 'in lieu of taxes' schedule;

NOW THEREFORE BE IT RESOLVED, it is agreed by and between the parties as follows:

In accordance with NYS Real Property Tax Law, the Town will exempt Cardiovascular Research Foundation, located at 8 Corporate Drive, Pearl River, NY, from the payment of all property taxes, including State, County, Town and School taxes with the exception of assessments for local special district and use charges.

The parties agree to enter into an agreement for payment in lieu of taxes in accordance with "Schedule A" attached hereto and made a part hereof.

NOW BE IT RESOLVED, by this Resolution, the Town Board hereby authorizes Thom Kleiner, Town Supervisor, to execute said letter Agreement.

SCHEDULE A

**CARDIOVASCULAR RESEARCH FOUNDATION
TAX MAP DESIGNATION: 73.20-1-36**

AGREEMENT		
Tax Year	Municipal Taxing Authority	Amount
2006	Town of Orangetown	\$5,000.00
2007	Town of Orangetown	\$5,150.00
2008	Town of Orangetown	\$5,305.00
2009	Town of Orangetown	\$5,464.00
2010	Town of Orangetown	\$5,628.00
2011	Town of Orangetown	\$5,796.00
2012	Town of Orangetown	\$5,970.00
2013	Town of Orangetown	\$6,149.00
2014	Town of Orangetown	\$6,334.00
2015	Town of Orangetown	\$6,524.00

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

* * *

RESOLUTION NO. 592**TAX CERTIORARI SETTLEMENT
275 OAKTREE RD ORANGETOWN LLC**

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

RESOLVED, that upon the recommendation of the Town Attorney and the Assessor, and upon prior approval of the South Orangetown School District, settlement of the tax certiorari 275 Oaktree Road Orangetown, LLC, Tax Map designation, 77.20-1-2.2, for tax assessment years 2002/2003; 2003/2004; 2004/2005; and 2005/2006; for a total refund by the Town of \$97,778.00 with interest on the Town's liability as a result of decrease waived if payment is made within sixty (60) days after a copy of the Court Order based upon the settlement is served on the Town is hereby approved.

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

Noes: None

* * *

RESOLUTION NO. 593**11th EASTERN WINTER RD
MAINTENANCE SYMP/EQUIPMENT
PERMISSION GRANTED/HIGHWAY**

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

RESOLVED, that permission is hereby granted to James Dean, Michael Yannazzone, Stephan Munno, Anthony Limandri, Robert Yezarsky and Kenneth Schmidt to attend the 11th Eastern Winter Road Maintenance Symposium and Equipment in Atlantic City on September 6th and 7th 2006, with lodging costs of \$822 to be charged to A5010001/50441.

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

Noes: None

* * *

RESOLUTION NO. 594**2006 STORMWATER ED PROGRAM
AGRMT/CORNELL COOPERATIVE
AUTHORIZE AGRMT/DESIGNATE
JAMES DEAN**

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

RESOLVED, that the Supervisor is hereby authorized to execute the 2006 Stormwater Education Program Agreement with Cornell Cooperative Extension at a cost of \$6,800.00 in partial fulfillment of the Stormwater Phase II education requirements and James Dean, Superintendent of Highways, is designated the Town's representative for this agreement.

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

Noes: None

* * *

RESOLUTION NO. 595**ACCEPT MINUTES**

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

RESOLVED, that the Special Town Board Meeting and Executive Session minutes of July 17, 2006; Regular Town Board Meeting, Audit Meeting and Executive Session minutes of

Resolution No. 595 - Continued

July 24, 2006; and Workshop, Special Town Board Meeting and Executive Session minutes of August 7, 2006 are hereby accepted.

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

* * *

RESOLUTION NO. 596**CANDLE AGREEMENT/RECEIVE AND
FILE/TOWN CLERK'S OFFICE**

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

RESOLVED, that the signed Agreement between CANDLE, Inc. and the Town of Orangetown for the Candle Center at Tappan Zee High School for the calendar year 2006 is received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 597**RESTRICTIVE COVENANT DEMAPPING
OF FIRST STREET/PEARL RIVER**

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

RESOLVED, that the original Restrictive Covenant against further subdivision (along with the Recording Cover Sheet from the Rockland County Clerk's Office) with reference to the demapping of First Street, Pearl River is received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 598**DARBONNE VS GOLDBERGER, TOWN
OF ORANGETOWN/PLANNING BOARD
COURT DECISION**

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

RESOLVED, that the decision in the matter of Darbonne v. Goldberger, Town of Orangetown and Orangetown Planning Board for property located at 246B South Boulevard, Nyack NY (Sec 66.17, Blk 1, Lt 3) regarding a Restrictive Covenant Against Further Subdivision is received and filed in the Town Clerk's Office.

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

* * *

RESOLUTION NO. 599**PAYMENT IN LIEU OF TAXES
(P.I.L.O.T.)/CHURCH OF THE LORD
RECEIVED AND FILED**

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

Resolution No. 599 – Continued

RESOLVED, that the fully executed original “Payment in Lieu of Taxes (P.I.L.O.T.)” Agreement between Church of the Lord and the Town of Orangetown is received and filed in the Town Clerk’s Office.

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

* * *

RESOLUTION NO. 600**AMEND RESOLUTION NO. 441/2006
JOSEPH WOOLEY ESQ/HEARING
OFFICER/EMPLOYEE NO. 1422**

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

RESOLVED, that Town Board Resolution No. 441, approved by the Board at its regular Town Board meeting on May 22, 2006, is hereby amended as follows: "Appoint Joseph Wooley, Esq., with offices at 15-6 Granada Crescent, White Plains, New York 10603, to act as a hearing officer pursuant to the Rockland County Police Act at a rate of \$195.00 per hour, with respect to such charges and specification dated September 7, 2004, regarding Employee No.1422. The hearing officer is directed to conduct a hearing, make finding of facts and issue a recommendation to the Board.

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

* * *

RESOLUTION NO. 601**ENTER AUDIT MEETING**

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

RESOLVED, that Town Board entered the Audit Meeting at 9:42 p.m.

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

Resolution No.(s) 602 – 606 see Audit Meeting and Executive Session minutes.

RESOLUTION NO. 607**TRANSFER SICK LEAVE/LEN POST
BUILDING INSPECTOR/APPROVED**

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

RESOLVED, that transfer of sick leave credit by Town employees to a sick leave account for Town employee, Len Post, is hereby approved.

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

* * *

RESOLUTION NO. 608**CONFIDENTIAL SETTLEMENT
WITHDRAWAL AGREEMENT
POLICE/EMPLOYEE NO 1373**

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

RESOLVED, that the Town Board hereby adopts and ratifies a certain Confidential Settlement and Withdrawal Agreement, received August 4, 2006, by and between the Town of Orangetown, the Town of Orangetown Police Department and Town Employee No. 1373, which Agreement provides, among other things, for the resignation of the said employee and the payment by the Town of the sum of \$3,855.00, representing full payment for all accrued vacation time, and in satisfaction of any and all liabilities or obligations owed, alleged to be owed or which could have been alleged to be owed by the Town in connection with the said employee's past employment.

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

* * *

RESOLUTION NO. 609**REAFFIRM RESOLUTION NO 804/2004
TOWN JUSTICES/COUNCILPERSON
NYS RETIREMENT**

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

BE IT RESOLVED, that the Town Board hereby reaffirms Resolution No. 804 of 2004 and establishes that, for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System, the standard work day for Town Justices and Town Councilpersons is seven (7) hours and retirement hours for Town Justices and Town Councilpersons is seventy (70) hours bi-weekly, and that this time is to be reported into the Retirement System in the format established by New York State; and

BE IT FURTHER RESOLVED, that the aforesaid standard work day for Town Justices and Town Councilpersons (7 hours) and retirement hours for Town Justices and Town Councilpersons (70 hours bi-weekly) shall be applied retroactively with respect to all current Town Justices and Town Councilpersons, beginning from the commencement date of each said individual's participation in the plan going back to January 1, 1995. As such, each Town Justice and Town Councilperson who was appointed and/or employed by the Town of Orangetown in his or her present position prior to the adoption of Resolution No. 804 of 2004 shall be entitled to receive a service credit pursuant to the above-stated parameters.

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

* * *

RESOLUTION NO. 610**ADJOURNMENT**

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

RESOLVED, that the Town Board adjourned this meeting at 10:50 p.m.

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

Teresa Sebastian, Deputy Town Clerk