

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, AUGUST 9, 2004**

The Regular Town Board Meeting was opened at 7:40 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Denis O'Donnell
Councilman Denis Troy (arrived at 9:10 p.m.)
Councilwoman Marie Manning
Councilman Thomas A. Morr

Also present: Charlotte Madigan, Town Clerk
Suzanne Barclay, Executive Asst. to Supvr.
Teresa M. Kenny, Town Attorney
John S. Edwards, First Deputy Town Attorney
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardello, Director, OBZPAE
Richard Rose, Jr., Supt. Parks-Rec. & Building Maint.

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

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Thom Kleiner introduced John Canning, of Adler Consulting, Transportation Planning and Traffic Engineering who presented the traffic studies for the zone changes for The Pointe at Lake Tappan and the Hollows. Traffic will increase at the Hollows by 40 residential trips and at the Pointe by 50 residential trips.

Request for Qualification (RFQ) for RPC Redevelopment will be followed by RFP's and presented to the public when the information is available.

RESOLUTION NO. 508

**OPEN PH /ZONE CHANGE APPL
THE POINTE AT LAKE TAPPAN**

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

RESOLVED, that the public hearing to consider the request for a zone change for *The Pointe at Lake Tappan*, Veterans Memorial Parkway, Pearl River, from Office Park (OP) to Planned Adult Community (PAC) Floating Zone is hereby opened.

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

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 8-C-04 and made a part of these minutes.

Donald Brenner, Attorney for the applicant, gave a general description regarding the Senior/Adult Housing with a price range between \$275,000 and \$500,000. He will give a formal

presentation, once he and the Town Board has had a chance to review the Rockland County Environmental comments.

Public Comment

Andrew Wiley, Pearl River, questioned certain impacts regarding zone change – impact of traffic and sewer conditions. What will be the effects on the Pearl River School District?

Harold McCartney, Jr., Nyack, Attorney representing Hilton Hotels, advised the Town Board of 1969 Local Law and 1985-86 Resolutions, which included Restricted Covenants for one (1) hotel, that runs with the land. ARC has been apprised of this but has not formally acknowledged that this covenant exists. The Town Board asked the Town Attorney to take a look at this information.

Eileen Larkin, Palisades, she would like to see The Pointe built as soon as possible.

Alan Post, Tappan, 900 families are looking for this adult housing and only 143 units available. Would we have a lottery system?

Mary Cardenas, Orangetown Historian, history should be preserved and Orangetown has the perfect opportunity with the Seth House to protect one of these historic homes. This opportunity may not be available in the future. Mary requested the Town Board to act now to preserve this home.

Frank Neeson, Pearl River, spoke regarding the traffic study and question if all units will be senior housing?

RESOLUTION NO. 509

CONTINUE PH/ 9/7/04 ZONE CHANGE APPL - THE POINTE AT LAKE TAPPAN

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

RESOLVED, that the Town Board continues and reserves the decision for this public hearing until September 7, 2004, 8:00 p.m.

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

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RESOLUTION NO. 510

NOTICE OF INTENT LEAD AGENCY/ZONE CHANGE APPL THE POINTE AT LAKE TAPPAN

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

RESOLVED, that the Town Board gives Notice of Intent to declare itself Lead Agency for the purpose to consider the request for a zone change for *The Pointe at Lake Tappan*, Veterans Memorial Parkway, Pearl River, from Office Park (OP) to Planned Adult Community (PAC) Floating Zone.

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

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RESOLUTION NO. 511

**OPEN CONTINUATION OF PH
ZONE CHANGE APPLICATION
THE HOLLOWS AT BLUE HILL**

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

RESOLVED, that the continuation of the public hearing to consider the request for a zone change for *The Hollows at Blue Hill*, Veterans Memorial Parkway, Pearl River, from Office Park (OP) to Planned Adult Community (PAC) Floating Zone, *specifically for SEQRA*, is hereby opened.

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

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Public Comment

Andrew Wiley, Pearl River, questioned the density, the three (3) acres being leased to us, the wetlands, drainage and average density? Conflict of interest Town Board being Lead Agency. Less than 30 ft. wide roads are health and safety issues.

Eileen Larkin, Palisades, questioned if the Rockland County Planning Board voted unanimously, how many members, and their comments? She is in favor of promoting commercial development.

RESOLUTION NO. 512

**CLOSECONTINUATION OF PH
ZONE CHANGE APPLICATION
THE HOLLOWS AT BLUE HILL**

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, Manning
Supervisor Kleiner
Absent: Councilman Troy
Noes: None

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RESOLUTION NO. 513

**SEQRA DECLARATION ZONE
CHANGE APPLICATION THE
HOLLOWS AT BLUE HILL**

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

RESOLVED THAT THE TOWN BOARD OF THE TOWN OF ORANGETOWN ISSUING A NEGATIVE DECLARATION WITH RESPECT TO THE ADOPTION OF LOCAL LAW NO. 8, A ZONING TEXT AMENDMENT, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR PROPERTY LOCATED ON THE EAST SIDE OF VETERANS MEMORIAL DRIVE APPROXIMATELY 400 ± FEET SOUTH OF THE INTERSECTION WITH GILBERT AVENUE, AND ALSO ON THE SOUTH SIDE OF GILBERT AVENUE, APPROXIMATELY 1000 FEET ± EAST OF THE INTERSECTION WITH VETERANS MEMORIAL DRIVE, AND SHOWN ON THE TAX MAP OF THE TOWN OF ORANGETOWN AS SBL 73.5-1-53.2.

Resolution No. 513 – Continued

WHEREAS, the Town Board of the Town of Orangetown (the “Town Board”) is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town’s Zoning Law, and an “involved agency” under the State Environmental Quality Review Act (“SEQR”) with respect to the adoption of zoning text amendments applicable to property located within the Town of Orangetown; and

WHEREAS, by Petition dated April 23, 2004, and accompanying application, STEJ, L.L.C., as owner of property located on the east side of Veterans Memorial Drive, approximately 1400 ± feet south of the intersection with Gilbert Avenue, and also on the south side of Gilbert Avenue, approximately 1000 ± feet east of the intersection with Veterans Memorial Drive, and shown on the Tax Map of the Town of Orangetown as SBL 73.5-1-53.2, formally requested that the Town Board change the zoning classification of the said property from Office-Park (“OP”) to Planned Adult Community (“PAC”); and

WHEREAS, on or about May 13, 2004, the Town Board circulated amongst all other involved agencies notice of its intention to assume Lead Agency status for the purpose of environmental review of the above referenced action; and

WHEREAS, more than thirty (30) calendar days have passed since the Town declared its intent to be Lead Agency for environmental review, and no other involved agency has expressed a desire or intent to act as Lead Agency, or otherwise to contest the Town Board’s authority to act in that capacity with respect to the referenced actions, the Town Board has assumed the role of Lead Agency for environmental review; and

WHEREAS, the Town Board, acting in its capacity as Lead Agency for environmental review, having carefully considered all of the potential environmental impacts that might result from the proposed action, has concluded that there will be no significant environmental impacts or effects caused or occasioned by the change in the zoning classification of the subject parcel and its eventual improvement with adult or senior residential housing,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts the findings and conclusions relating to probable environmental impacts contained in the Long Form Environmental Assessment Form, Parts 1 through 3, inclusive, and the Negative Declaration annexed hereto, as Exhibit 8-D-04, and authorizes the Town Supervisor, or his designated agent, to execute the Environmental Assessment Form and to file the Negative Declaration in accordance with the applicable provisions of law; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor, or his designated agent, to take such further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency.

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

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Councilman Morr discussed at length the primary benefit of this senior/adult housing. He encouraged a lottery system be used for applying for affordable units only. He also suggested that caps on resale also be only on the affordable units.

Councilwoman Manning said this is the first major senior/adult housing project. She agrees with much of Councilman Morr in regards to the pricing and fairness. Orangetown residents should be given first preference.

Councilman O’Donnell explained this vote is critical because the residents have been requesting this for years. He will vote yes but requests Orangetown be kept rural.

Supervisor Kleiner said this was a lengthy process, and commented that the developers worked with the Town regarding all of the Boards’ concerns (trails, golf course, buffers).

RESOLUTION NO. 514**TOWN BOARD DECISION/ADOPT
ZONE CHANGE APPLICATION
THE HOLLOWS AT BLUE HILL**

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

RESOLVED THAT THE TOWN BOARD OF THE TOWN OF ORANGETOWN ADOPTING LOCAL LAW NO. 8 OF 2004, RELATING TO A ZONING TEXT AMENDMENT, CHANGING THE ZONING DISTRICT CLASSIFICATION FROM “OP” TO “PAC” FOR PROPERTY LOCATED ON THE EAST SIDE OF VETERANS MEMORIAL DRIVE APPROXIMATELY 400 ± FEET SOUTH OF THE INTERSECTION WITH GILBERT AVENUE, AND ALSO ON THE SOUTH SIDE OF GILBERT AVENUE, APPROXIMATELY 1000 FEET ± EAST OF THE INTERSECTION WITH VETERANS MEMORIAL DRIVE, AND SHOWN ON THE TAX MAP OF THE TOWN OF ORANGETOWN AS SBL 73.5-1-53.2.

WHEREAS, the Town Board of the Town of Orangetown (the “Town Board”) is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town’s Zoning Law; and

WHEREAS, by Petition and accompanying application dated April 23, 2004, STEJ, L.L.C., as owner of property located on the east side of Veterans Memorial Drive, approximately 1400 ± feet south of the intersection with Gilbert Avenue, and also on the south side of Gilbert Avenue, approximately 1000 ± feet east of the intersection with Veterans Memorial Drive, and shown on the Tax Map of the Town of Orangetown as SBL 73.5-1-53.2, formally petitioned the Town Board to change the zoning classification of the said property from Office-Park (“OP”) to Planned Adult Community (“PAC”) in accordance with the provisions of Local Law No 1 of 2004, by which the PAC zoning district was created as a “floating” district; and

WHEREAS, after notice duly given, and no other involved agency having a desire or intention to act as Lead Agency, or otherwise having contested the Town Board’s authority to act in that capacity with respect to the referenced action, the Town Board assumed the role of Lead Agency for environmental review; and

WHEREAS, by resolution duly adopted of even date herewith, but prior to the adoption of this resolution, the Town Board, acting in its capacity as Lead Agency for environmental review, concluded that there will be no significant environmental impacts or effects caused or occasioned by the change in the zoning classification of the subject parcel and its eventual improvement with adult or senior residential housing; and

WHEREAS, in addition to the Petition, the Town Board also has considered the following in furtherance of its obligation to evaluate whether the proposed site is both eligible and, in the Town Board’s discretion, appropriate for PAC zone designation:

- (1) The application of the Petitioner / Owner, including :
 - The project description and Illustrative Site Plan;
 - A Traffic Evaluation by John Collins, P.C., dated March 16, 2004;
 - A Market Analysis Report, prepared by Tracy Sayers;
 - An Amended Market Analysis, prepared by Cushman & Wakefield, Inc;
 - Descriptive information relating to the proposed housing units.
- (2) The Full Environmental Assessment Form for the action, consisting of :
 - Part 1, prepared by the Petitioner / Owner, STEJ, LLC, dated April 23, 2004;
 - Part 2, prepared by Saccardi & Schiff, Inc., the Town’s Planning Consultant;
 - Part 3, prepared by Saccardi & Schiff.
- (3) A Supplemental Traffic Analysis by John Collins, P.C., dated July 14, 2004;

Resolution No. 514 – Continued

- (4) Additional traffic studies previously filed with the Town in connection with the Town's recent adoption of the RPC-R recreation zoning district located in relatively close proximity to the site of the proposed zone change, including a Traffic Evaluation by John Collins, dated September 3, 2003, last revised May 20, 2004;
- (5) An independent review of Owner's traffic studies prepared for the Town by Adler Consulting, dated July 30, 2004;
- (6) The jurisdictional response of the N.Y.S. Department of Environmental Conservation dated June 24, 2004;
- (7) The comments of the Rockland County Planning Department pursuant to GML § 239, dated June 18, 2004;
- (8) The comments of the Rockland County Drainage Agency letter dated May 18, 2004;
- (9) The comments and recommendation of the Town of Orangetown Planning Board dated June 30, 2004;
- (10) The comments and the recommendation of the Town of Orangetown Architecture Review Board recommendation, dated July 6, 2004;
- (11) A Memorandum of Town Fire Inspector, June 24, 2004;
- (12) The comments and recommendation of the Town of Orangetown Traffic Advisory Board, date June 2, 2004;
- (13) The comments and recommendation of the Town of Orangetown Office of Parks and Recreation dated July 14, 2004;
- (14) The Town of Orangetown Comprehensive Plan, adopted by the Town Board on May 12, 2003, and, in particular, Section V, relating to innovative zoning techniques for Senior Housing;

And,

WHEREAS, following notice duly and properly given, a public hearing was conducted on the Petition, at which the Owner provided testimony from several consultants and experts regarding various aspects of the senior housing project proposed for the site under consideration, including consultants on traffic, taxes and the need for the proposed housing, and at which members of the public spoke almost uniformly in favor of the proposed zone change; and

WHEREAS the Town Board has considered both the need for adult housing within the Town as contemplated by the adoption of the PAC zoning classification, and the impact on the Town's stock of land available for OP uses at this time and following the zone change;

NOW, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS HEREINAFTER MADE, BE IT RESOLVED, that the Town Board hereby adopts Local Law No. 8, amending the Town's zoning map and zoning law to change the zoning classification from OP to PAC, property located on the east side of Veterans Memorial Drive, approximately 1400 ± feet south of the intersection with Gilbert Avenue, and also on the south side of Gilbert Avenue, approximately 1000 ± feet east of the intersection with Veterans memorial Drive, and shown on the Tax Map of the Town of Orangetown as SBL 73.5-1-53.2.

Specific Findings Relating to the Instant Petition

Pursuant to Chapter 43, Subsection 4.6.12, the Town Board makes the following specific Findings of Fact, pertaining to the instant Petition:

Resolution No. 514 - Continued**Marketability of the Proposed Units**

(1) Based on a market study conducted by Cushman & Wakefield, in 2003, there were 14,395 households in the age group of 55 to 74 located within a five-mile radius of site of the proposed zone change. As of the date of this resolution, in the Town of Orangetown, only one site has been re-zoned for the Planned Adult Community use, that being a site located on South Middletown Road, in the hamlet of Pearl River, on which site eleven (11) adult units was approved.

(2) There are two other senior housing project proposals that have been submitted for consideration, only one of which, at this time, is ripe for determination. That project, to be known as the "Pointe At Lake Tappan", and located off of Veterans Memorial Drive and Blue Hill South Drive, in close proximity to the site here under consideration, proposes a 143 unit adult housing project. Both projects, if approved, and coupled with the previously approved zone change for 11 units, would provide a total of 278 units available for the 14,395 senior households within the referenced five-mile radius. Under the circumstances, the combined three projects satisfy less than 2% of the current senior households eligible to purchase a unit or home.

(3) As testified to at the public hearing conducted by the Town Board on the instant Petition, on July 19, 2004, over 659 seniors have contacted the Petitioner, expressing interest in the project. In light of both the expressed interest and the obvious under supply of senior housing in the area, coupled further with the price structure proposed by the developer for the units, the 124 senior housing units proposed for the site appear to be very marketable.

Potential Saturation Within and About the Geographic Area of the Proposed Zone Change.

(4) Based on the findings set forth above, in terms of the number of eligible purchasers throughout the Town, and the relative absence of any Adult community housing, in this immediate area or elsewhere, the Town Board concludes that the approval of the instant zone change, permitting the construction of up to 124 senior housing units will not saturate the neighborhood in which the site is located.

Suitability of the Site for Senior Housing; Vehicular Access, Transportation, Walking and Traffic Concerns in General.

(5) The proposed residential development will be age restricted and individually owned in a condominiums type dwelling unit. A condominium association will be created and will be responsible for maintaining all of the common areas, including designated recreational areas and internal roadways.

(6) As shown on the architectural renderings by James H. Tanner, Architect, and his testimony on the public hearing, the community will include five possible plans, consisting of one, two and three bedroom homes. Out of the 124 homes proposed, eighty-two will be two-bedroom homes with one or two car garages ranging in size from 1,466 square feet to 1,939 square feet. The projected selling price of these homes will range approximately from \$335,000.00 to \$390,000.00. Four types of two bedroom homes will be available. Five three-bedroom end units, containing approximately 1,982 square feet, with a projected selling price of approximately \$385,000.00, also will be available. Seven, single-family three-bedroom homes are proposed containing approximately 1,982 square feet. The projected selling price for these homes is approximately \$405,000.00.

All of the proposed units are designed for ground floor habitability. The homes are comprised of a ground floor containing a master bedroom, kitchen, living room, dining room, master bathroom, washer and dryer. As such, they will avoid multi-levels and stairs on a daily basis.

A two-story garden apartment building, comprised of one and two bedroom units is also proposed. Six one-bedroom garden apartments will contain approximately 1,000 square feet of living space. The projected selling price for these homes is approximately \$235,000.00. There

Resolution No. 514 -Continued

are twenty-four two-bedroom garden apartments proposed, each containing approximately 1,200 square feet of living space. The projected selling price for these homes is approximately \$265,000.00. There will be parking underneath the garden apartment building with elevator access to all floors.

(7) Additionally, the garden apartment building will house a community center and possibly an indoor pool for exercise.

(8) The project will contain walking trails on the property, which will connect with the hiking trails situated on the adjacent property occupied by the Pearl River Middle School.

(9) The interior road system will be private and built in accordance with Orangetown Road and Street specifications. The majority of the roads are 30 feet wide and where pavement width is less parking will be prohibited. The project design accommodates 236 off-street parking spaces.

(10) Access to the interior road system will be serviced by two intersections with existing traffic lights situated on Veterans Memorial Drive. These intersections are located at the entrances to the Hilton Hotel and the Altera Assisted Living Facility and adequately provide for the access needs of the site.

(11) The location of the site further meets the needs of the senior community in that it is located relatively close to the downtown Pearl River, and the business corridor along Middletown Road. There is bus transportation available for those who do not have private means of travel.

(12) The Town Board further finds, based on the traffic studies conducted with respect to this proposed zone change and other unrelated projects, including those that have been reviewed at the former Rockland Psychiatric Center property, that the road system in and about the site will accommodate any added traffic volume that may be generated by the project proposed for the site.

Compatibility of a Planned Adult Community Project Within the Surrounding Environment.

(13) The proposed senior housing community is an appropriate use for the site sought to be re-zoned. While the site to the west is along a highway presently developed with office and similar type uses, it is also bordered on the north and on the east with residential type uses (assisted living and single family homes) as well as hotel and school uses. The Town Board finds, consistent with its Town-wide Comprehensive Plan that the contemplated Planned Adult housing use is consistent with the uses otherwise existing and permitted in the area.

(14) The Petitioner, in accordance with the requirements of the Local Law 1 of 2004, presented to the Town Board an Illustrative Site Plan, prepared by Lawler, Matusky & Skelly Engineers LLP, which meets the bulk and area requirements of Local Law No. 1, except insofar as the 100 foot side yard and rear yard requirements are concerned, and, as to those yard requirements the Town Board, as authorized by Local Law No. 1 of 2004, establishes 50 feet as the minimum required yard. (The Illustrative Site Plan shows a 380 foot landscaped buffer between the proposed residential development and neighboring residential and single family dwellings to the north on Gilbert Avenue. Along Veterans Memorial Drive, the site plan illustrates a 100 foot landscaped buffer. There is a 50-foot buffer between the proposed development and the middle school and a 50-foot buffer to the golf course.)

(15) By reason of the proposed layout, and the average density concept embodied thereon, the Town Board further establishes 124 units as the maximum number of units permitted on the site, which number shall include six (6) affordable units under the PAC law, which units shall be disbursed throughout the project as required by the Planning Board.

(16) The illustrative site plan further satisfies the open space area requirement of Local Law No. 1. Specifically, the illustrative site plan reflects a total lot area of 31.3 acres with

Resolution No. 514 - Continued

maximum building coverage of 3.13 acres or 10%. Of the remaining lot area, there is a golf course area consisting of 3.3 acres (to be dedicated in fee to the Town); a designated recreational area of 1.9 acres; an undisturbed wetland area consisting of 6.0 acres; and other unpaved and unimproved areas consisting of 5.2 acres. The Town Board finds that the illustrative site plan reflects a suitable mix of open space and senior housing development as contemplated under the PAC Law (Local law No. 1 of 2004).

Other Findings and Conditions

(17) The Town Board, in granting this zone change, recognizes that the approval will place an added burden on the waste and sewer lines and pump station down flow from the site, and that, without certain improvements to the system, the system might not be able to accommodate the additional flow of effluent from this and the other PAC project proposed for a nearby site to be known as the "Pointe At Lake Tappan."

(18) In order to allow the Petitioner to move forward with its proposed development in a more timely manner, rather than await the outcome of improvements to the Town pump station and sewer lines down flow wholly funded by the Town, the Petitioner has agreed to contribute \$500,000.00 toward such improvements, with the understanding that such payment will be made at the time the Petitioner applies for its first building permit, and that no building permit shall issue unless and until such payment is received.

(19) The Petitioner, as part of its proposal has further offered to make a contribution toward the recreation needs of the Town in the sum \$500,000.00 to be paid at the time the Town undertakes the construction of athletic fields at the site known as the "Triangle" on the what was formerly a part of the Rockland Psychiatric Center property. Alternatively, at the Town's option, the Owner shall provide a gift of services and materials necessary to construct the athletic fields on the Triangle west of the designated wetlands in accordance with the specifications to be provided by the Town. Such labor and materials, if provided, shall be undertaken and provided in accordance with all legal requirements, including but not necessarily limited to the payment of prevailing wages.

(20) It is further understood, in regard to the recreation contribution offered by the Petitioner as hereinbefore set forth that the said fee shall not be due and owing if, in and between the adoption of this zone change and the grant of final site development plan approval, there is an amendment to the Town's zoning code requiring the payment of money-in-lieu of land applicable to the senior project proposed for this site affected by this zone change, unless the Town Planning Board as part of its site plan approval shall waive such money-in-lieu of land by reason of the recreation contribution agreed to be paid in connection with this zone change and other on-site recreation lands and amenities provided.

(21) The adoption of this resolution granting the requested zone change from OP to PAC based upon an illustrative site plan is not intended to, nor shall it be interpreted to, circumvent or usurp the authority of the Planning Board, or of any other Board having authority over site specific details, except insofar as the modified yard requirements are concerned as permitted by law.

(22) As required by § 4.6.5 of Local Law No.1 of 2004, occupancy of the units to be developed on the site as a result of this zone change, at the time of initial conveyance, and thereafter, shall be restricted to persons fifty-five (55) years of age or older, or couples, one of whom is 55 years of age or older. Persons less than 18 years of age shall not be permanent residents under any circumstances. Provided, however, there may be one on-site caretaker / administrator, if so requested as part of the Petitioner's application, whose responsibilities shall be the maintenance and/or management of the PAC development. Households containing one or more adult handicapped persons (over the age of 21) shall also be eligible.

(23) The Petitioner, prior to the conveyance of the first unit, shall file with the record with the Rockland County Clerk, in a form acceptable to the Town Attorney, a covenant, which shall run with land, and bind all owners and subsequent owners, restricting the sale, re-sale and occupancy of the units within the PAC development as set forth at ¶ 21 of this resolution.

Resolution No. 514 - Continued

(24)The Town Board, within 90 days of this resolution, shall develop regulations and relevant procedures for unit sale or rental, re-occupancy, income verification and related costs. Such uniform regulations shall be applicable to all developments under the PAC zone. The Petitioner may await the development of such regulations before it submits for site plan approval, or may proceed at its own risk, understanding that the development shall be subject to such regulations and procedures.

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

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

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RESOLUTION NO. 515

**OPEN PH /SECTION 24C-15
 ABONDONED PROPERTY 234
 CARDEAN PL - PR**

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

RESOLVED, that the public hearing to consider action pursuant to Section 24C-15 of the Town Code with regard to the abandoned property located at 234 Cardean Place, Pearl River, (Sec 68.12, Blk 6, Lot 17) is hereby opened.

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

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting, copies are labeled Exhibit 8-E-04 and made a part of these minutes.

Public Comment

William Reddy, Deputy Town Attorney, explained that this public hearing is in pursuant to the Town's Property Maintenance Code. This Public Hearing is particular to Cardean Place Pearl River. This property owner is deceased. He asked that the following persons from the Building Department speak:

John Giardello, Director, OBZPAE, and Paul Witte, the Code Enforcement Officer, said they made several attempts to contact the property owners, or descendents. Violation notices, certified mail, car license plates were used to contact the owner, or descendants to no avail. Witte has also attempted to receive estimates for the clean up. The property is in disrepair. Two cars need to be removed, landscaping is overgrown, and the garage and cars are filled with boxes. The property is being used as a dumping ground. Only the exterior of the property will be cleaned unless there is a health hazard. The intent of the law is that if a health hazard, the Town can go in and clean the place out. Mr. Giardello recommends the Town contact the County Health Dept. to send out an inspector to check for vermin.

Bob Simon, Receiver of Taxes, records show 2003 –2004 taxes are due. The County is due to start foreclosure in March of 2005.

Mike & Eileen Murphy, Pearl River, property meets all criteria in Town Code Sec 24C-15, in respect to debris, propane tanks, and health and safety hazards. They are in favor of clean up but request none of the overgrowth be removed.

Jim Murphy, Pearl River, lives opposite and would like something to be done.

Pamela & Frank McDonald, Pearl River, speaking for a group of neighbors. Concerned with the safety of all children in the area and requests the Town to clean up. Please leave all shrubs and all trees; this helps hide the shabby conditions.

Michael Rabin, Pearl River, house has always been this way. He has seen animals in the house. Would like to see the Town cleanup this area.

RESOLUTION NO. 516

**CLOSE PH/ SECTION 24C-15
ABONDONED PROPERTY
234 CARDEAN PL - PR**

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

RESOLVED, that this public hearing is hereby closed.

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

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RESOLUTION NO. 517

**DESIGNATION OF LEAD
AGENCY/ SECTION 24C-15
ABONDONED PROPERTY
234 CARDEAN PL - PR**

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

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

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

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RESOLUTION NO. 518

**SEQRA DECL/SECTION 24C-15
ABONDONED PROPERTY
234 CARDEAN PL - PR**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted, copy is labeled Exhibit 8-F-04 and made a part of these minutes.

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

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RESOLUTION NO. 519

**TOWN BOARD DECISION/
SECTION 24C-15 ABONDONED
PROPERTY-234 CARDEAN PL-PR**

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

RESOLVED, upon the failure of the owner, tenant or occupant with Notice to correct conditions complained of and upon the Public Hearing held and closed on August 9, 2004, the Town Board of the Town Orangetown directs that vermin, nuisance, hazard, debris, litter and

Resolution No. 519 – Continued

illegally parked or stored vehicle(s), as those terms are defined in Chapter 24C of the Town Code, be removed by the Town of Orangetown, its designee or agent, or a private contractor, at the property known and designated as: Norman Thompson, 234 Cardean Place, Pearl River, NY, Section 68.12, Block 6, Lot 17.

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

* * *

RESOLUTION NO. 520

**OPEN PH /SECTION 24C-15
ABONDONED PROPERTY - PR
“STEVE’S DINER”-E CENTRAL**

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

RESOLVED, that the public hearing to consider action pursuant to Section 24C-15 of the Town Code with regard to the abandoned property -“Steve’s Diner”, 20 East Central Ave., Pearl River, (Sec 68.20, Blk 1, Lot 14) is hereby opened.

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

* * *

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting, copies are labeled Exhibit 8-G-04 and made a part of these minutes.

Public Comment

William Reddy, Deputy Town Attorney, explained that this public hearing is in pursuant to the Town’s Property Maintenance Code. Property owners are not abiding by regulations after receiving violation notices. The clean-up resolution should be very specific.

Teresa Kenny, Town Attorney, spoke with the owner today. She recommends giving the owner a limited time to adhere to the Town Board’s recommendations. The Town Board decided that 30 days would be a fair time allotment.

Paul Witte, Code Enforcement Officer, reported that the diner has been closed for at least 2-3 years. Paint is peeling and interior is a mess. The area used by the adjacent Chinese Restaurant is part of the same building and owned by same owner. The tiles are falling off the outside of the building.

A discussion took place between Witte, Teresa Kenny and the Town Board.

Eileen Murphy, Pearl River Chamber of Commerce, property is in disrepair.

Sheila O’Donnell, Pearl River Chamber of Commerce, lack of attention to this property is detrimental to the revitalization of Pearl River.

Lisa Gorman, Pearl River Chamber of Commerce, enough time has been given already. It’s an eyesore to existing businesses paying taxes. Urges the Board to give a 30-day deadline.

RESOLUTION NO. 521

**CLOSE PH/ SECTION 24C-15
ABONDONED PROPERTY- PR
“STEVE’S DINER”-E CENTRAL-**

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

RESOLVED, that this public hearing is hereby closed.

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

* * *

RESOLUTION NO. 522

**DESIGNATION OF LEAD
AGENCY/ SECTION 24C-15
ABANDONED PROPERTY- PR
“STEVE’S DINER”-E CENTRAL**

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

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

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

* * *

RESOLUTION NO. 523

**SEQRA DECL/SECTION 24C-15
ABANDONED PROPERTY- PR
“STEVE’S DINER”-E CENTRAL**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted, copy is labeled Exhibit 8-H-04 and made a part of these minutes.

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

* * *

RESOLUTION NO. 524

**TB DECISION/ SECTION 24C-15
ABANDONED PROPERTY - PR
“STEVE’S DINER”-E CENTRAL**

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

RESOLVED, upon the failure of the owner, tenant or occupant with Notice to correct conditions complained of and upon the Public Hearing held and closed on August 9, 2004, the Town Board of the Town Orangetown directs that vermin, nuisance, hazard, debris, litter and illegally parked or stored vehicle(s), as those terms are defined in Chapter 24C of the Town Code, be removed by the Town of Orangetown, its designee or agent, or a private contractor, at the property known and designated as: “Steve’s Diner”, 20 East Central Avenue, Pearl River, NY, Section 68.20, Block 1, Lot 14 and that the action is stayed for a period of 30 days from August 9, 2004.

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

* * *

RTBM Public Comment

Kevin Emworth, Pearl River, spoke to the Town Board and pleaded with them to address the flooding that has affected his home as well as his neighbors’ homes since 1997. This flooding is serious and the cost to this neighborhood is astronomical. After each flood they are subject to the cost of the clean up as well as the cost to replace such things as the furnace, water heater, rugs, furniture but more importantly the pictures and sentimental items that a family cannot replace. Something must be done and it must be done immediately. James Dean the Highway Superintendent, and the Town Board had a lengthy discussion and they will contact Lederle to discuss the 5 acres along Crooked Hill to see about building a retention reservoir to eliminate or help eliminate the flooding by Carroll Street and the surrounding area. The Town Board promised to get this information and meet with the residents as soon as possible. Andrew Wiley, Pearl River, agrees with the residents about the flooding and this is his concern regarding builders and open space.

Judy Clemens, Orangeburg, any new commercial establishments in RPC will hurt business owners in Pearl River.

Lisa Gorman, Pearl River Chamber of Commerce, hopes retail business is not part of the development of RPC.

Genevieve Coffey, Pearl River, upset with FOIL response from Building Dept. She is concerned with flooding and run-off of new construction particularly by her residence.

Eileen Larkin, Palisades, discussed the July 17th meeting and response of the Board.

Tom Dinan, Pearl River, is against rescinding the town pool resolution, this should **not** be done under new business nor should it be done at midnight after most citizens have gone home.

Sheila O'Donnell, Pearl River Chamber of Commerce, against proposal of any retail shops in RPC.

Eileen Murphy, Pearl River, is against any retail in RPC because it will hurt downtown Pearl River.

RESOLUTION NO. 525

CLOSE PUBLIC PORTION

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

* * *

RESOLUTION NO. 526

COMBINE AGENDA ITEMS

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

RESOLVED, that agenda items thirteen (13) through thirty-one (31) are hereby combined.

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

Noes: None

* * *

RESOLUTION NO. 527

**AUTHORIZE/AGREEMENT
INTERMUNICIPAL COOPERATION
COUNTY NARCOTICS TASK**

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

RESOLVED, that the Supervisor is authorized to enter into an Intermunicipal Cooperation Agreement between the County of Rockland and the Town of Clarkstown, the Town of Haverstraw, the Town of Ramapo and the Village of Spring Valley Police Departments in an amount not to exceed \$53,327.50 per police officer for reimbursement for one police officer assigned to the Rockland County Narcotics Task Force, for the period of January 1, 2004 through December 31, 2004.

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

Noes: None

* * *

RESOLUTION NO. 528

**APPROVE AID/ROCKLAND
COUNTY COLUMBUS DAY**

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

Resolution No. 528 – Continued

RESOLVED, that the request of the Rockland County Columbus Association for the use of four portable toilets, barricades, the Show mobile with sound system, and the painting of the purple line on Central Avenue for the annual 2004 Rockland County Columbus Day Parade in Pearl River on October 10, 2004 is hereby approved.

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

* * *

RESOLUTION NO. 529

**APPROVE AID/CAR SHOW
 PEARL RIVER FIRE DEPT.**

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

RESOLVED, that the request of the Pearl River Hook and Ladder Company No. 1, Inc., for the use of four portable toilets, 15-20 waste cans and a dumpster for the Car Show on September 12, 2004 is hereby approved.

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

* * *

RESOLUTION NO. 530

**ADOPT CURRENT BASE &
 ADJUSTED BASE PROPORTIONS**

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

RESOLVED, that the Town Board hereby adopts the Certificate of Current Homestead Base Proportions and Adjusted Base Proportions (Forms 6701 and 6703) pursuant to Article 19, Section 1903 of the Real Property Tax Law for the Levy of Taxes on the 2004 Assessment Roll, and authorize the Town Clerk to affix Town Certification.

RESOLVED FURTHER, that a copy of said figures has been labeled Exhibit 8-II-04 and made a part of these minutes.

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

* * *

RESOLUTION NO. 531

**ADOPT DEME PROCUREMENT
 POLICY/PURCHASE GOODS/SERV**

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

RESOLVED, that the Town Board hereby adopts the Town of Orangetown Department of Environmental Management and Engineering Procurement Policy for DEME for the purchase of goods and services.

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

* * *

RESOLUTION NO. 532**AWARD BID/ARTICULATING BOOM
LIFT/DEME**

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

WHEREAS, the Dept. Environmental Mgt. & Eng. duly advertised for sealed bids for *one (1) articulating boom lift with options and accessories*, which were received and publicly opened and read aloud on July 21, 2004, and

WHEREAS, these bids were referred to the Dept. Environmental Mgt. & Eng. For recommendation and report, a copy is labeled Exhibit 8-I-04, and made a part of these minutes.
NOW, THEREFORE, BE IT

RESOLVED, that the bid for *one (1) articulating boom lift with options and accessories* for the Dept. Environmental Mgt. & Eng. is hereby awarded to Hertz Equipment Rental Corporation, in the amount of \$37,568.20 (unit price of \$36,385.83 plus \$1,182.37 delivery charge), the lowest qualified bidder.

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

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RESOLUTION NO. 533**APPROVE CONTRACT/NYSERDA
SUB-METERING PROGRAM
STEARNS & WHEELER LLC**

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

RESOLVED, that the Town Board hereby approves the Town of Orangetown participation in the New York State Energy Research and Development Authority (NYSERDA) Sub metering program by approving a contract with Stearns and Wheeler, LLC in the amount of \$18, 025 to provide energy conservation measures to be charged to Acct.# G8130/50457.

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

* * *

RESOLUTION NO. 534**PERMISSION GRANTED/DEME
WATER ENV FEDERATION CONF
OCTOBER 2-6TH NEW ORLEANS**

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

RESOLVED, that permission is hereby granted to Ron Delo, Director of Department of Environmental Management and Engineering to attend the Water Environment Federation Annual Conference on October 2-6, 2004 in New Orleans, LA at a cost of \$2,212.00 to be charged to Acct # G8110/0441/A1440/0441.

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

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RESOLUTION NO. 535**APPROVE BID PARTICIPATION
ELECTRICITY & NATURAL GAS
HUDSON VALLEY MUNICIPAL
PURCHASING GROUP**

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

RESOLVED, that Town Board hereby approves the Town of Orangetown's participation in cooperative bid for electricity and natural gas with the Hudson Valley Municipal Purchasing Group.

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

* * *

RESOLUTION NO. 536**APPROVE FUNDING/FRIEND'S OF
THE NYACK'S-MUSIC FESTIVAL**

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

RESOLVED, that upon the recommendation of the Finance Director, funding in the amount of \$2,000 for the Friend's of the Nyack's – Mostly Music Festival to be charged to account no. A7550/50457 is hereby approved.

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

* * *

RESOLUTION NO. 537**PERMISSION GRANTED/HIGHWAY
NYS HIGHWAY SUPINT CONF
SEPTEMBER 21-24TH-NEW YORK**

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

RESOLVED, that permission is hereby granted to James Dean, Superintendent of Highways, to attend the NYS Highway Superintendents Association Annual Conference on September 21 – 24, 2004 in Alexandra Bay, NY at a cost of \$753.00 to be charged to Acct. # A5010/044/50441/50480.

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

* * *

RESOLUTION NO. 538**ADV BID/CURB/SIDEWALK
CONSTRUCTION/REPAIR**

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

RESOLVED, that the Superintendent of Highways is hereby authorized to advertise for sealed bids for *curb and sidewalk construction, replacement and repair* and Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., September 3, 2004 and publicly opened and read aloud at 11:00 a.m., and Be It

Resolution No. 538 – Continued

RESOLVED FURTHER, that a report of all bids received and recommendation concerning the award is to be made at a Regular Town Board meeting.

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

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RESOLUTION NO. 539**AWARD BID/HWY/NEW STREET SWEEPER W/ACCESSORIES**

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

WHEREAS, the Superintendent of Highways, duly advertised for sealed bids for *one (1) new street sweeper with accessories*, which were received and publicly opened and read aloud on May 26, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways for recommendation and report, a copy is labeled Exhibit 8-J-04, and made a part of these minutes.
NOW, THEREFORE, BE IT

RESOLVED, that the bid for *one (1) new street sweeper with accessories* for the Highway Department is hereby awarded to Trius Inc., Bohemia, NY, in the amount of \$133,170.00, the lowest qualified bidder.

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

* * *

RESOLUTION NO. 540**AWARD BID/REHABILITATION OF CART PATHS/BLUE HILL**

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

WHEREAS, the Supt. Parks-Rec. & Building Maint., duly advertised for sealed bids for *rehabilitation of cart paths at Blue Hill Golf Course*, which were received and publicly opened and read aloud on August 3, 2004, and

WHEREAS, these bids were referred to the Supt. Parks-Rec. & Building Maint., for recommendation and report, a copy is labeled Exhibit 8-K-04, and made a part of these minutes.
NOW, THEREFORE, BE IT

RESOLVED, that the bid for *rehabilitation of cart paths at Blue Hill Golf Course* is hereby awarded to Tilcon, Inc., in the amount of \$341,978.00, the lowest qualified bidder.

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

RESOLUTION NO. 541**RECEIVE/FILE/SERIAL BONDS OFFICIAL STATEMENT**

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

Resolution No. 541 – Continued

RESOLVED, that the Serial Bonds – 2004 Official Statement, in an amount of \$3,925,500, dated July 15, 2004, for various purposes is received and filed in Town Clerk’s Office.

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

* * *

RESOLUTION NO. 542

RECEIVE/FILE/COMPREHENSIVE ANNUAL FINANCIAL REPORT 2003

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

RESOLVED, that the Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2003 is received and filed in Town Clerk’s Office.

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

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RESOLUTION NO. 543

SURPLUS COMPUTER EQUIP TOWN CLERK’S OFFICE

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

RESOLVED, that the following computer equipment, in the Town Clerk’s office, is declared surplus.

- Monitors 0803007607; MIE2JB094484; 0744004029
- Speakers U7550-01929 (2); U7550-01912 (2); U7550-01974 (2); U7550-01099 (2); U7550-01913 (2)
- Computers 0016740495, 01148, 01149
- Keyboards 9166007X1179K10598S00000 & 9166007XF19N118544S00000
- Mouse LZA62511900; 0187700; 0748853-0

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

* * *

RESOLUTION NO. 544

RECEIVE/FILE/PROFESSIONAL SERVICES AGREEMENT 48-04

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

RESOLVED, that the Professional Services Agreement No. 48-04 between Lawler, Matusky & Skelly Engineers LLP and the Town of Orangetown for Environmental Review and Recreational Facilities at the former Rockland Psychiatric Center is received and filed in Town Clerk’s Office.

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

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RESOLUTION NO. 545

ACCEPT MINUTES

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

RESOLVED, that the Regular Town Board meeting minutes of July 19, 2004, Audit Meeting minutes of July 19, 2004, Executive Session meeting minutes of July 19, 2004 and August 2, 2004, Special Town Board Meeting minutes of July 21, 2004, July 30, 2004, August 2, 2004 and August 5, 2004 are hereby accepted.

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

RESOLUTION NO. 546

**AUTHORIZE/FUNDING APPL
URBAN/COMMUNITY FOREST
NYS ENVIRON CONSERVATION**

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

RESOLVED, that the Supervisor is authorized to apply for funding under the Urban and Community Forest Program through the New York State Department of Environmental Conservation for tree planting funds in the Town of Orangetown.

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

* * *

RESOLUTION NO. 547

ADJOURNMENT/MEMORY

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

RESOLVED, that this meeting hereby adjourned at 11:13 p.m. in memory of James D. Ables, Piermont.

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

Charlotte Madigan, Town Clerk