

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD & AUDIT MEETING
July 21, 2003**

The Regular Town Board Meeting was opened at 7:55 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Edward Fisher
Councilman Denis O'Donnell
Councilman Denis Troy
Councilwoman Marie Manning

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James Riley, Town Attorney
Dennis Michaels, Deputy Town Attorney
Suzanne Barclay, Executive Asst. to Supvr.
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir. Dept. of Environmental Mgt. & Eng.
Terrence Sullivan, Police Captain
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
Richard Rose, Superintendent of Parks, Rec. & Bldg. Maint.).
John Giardiello, Director, OBZPAE

* * *

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

Supervisor Kleiner spoke regarding the RPC property and gave an overview of the time frame for the pool. BH & A hopes as does the Town Board that June 2004 is a possibility but realizes that there will be challenges to be ready by that date. Supervisor Kleiner also spoke about volunteer housing and the recreation fields along with the STEJ Sports Complex.

* * *

RESOLUTION NO. 417 OPEN/PH/ZON

**E CHANGE
IBM EDUCATION CENTER
334 ROUTE 9W/PALISADES**

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

RESOLVED, that the public hearing to consider an application by **IBM Education Center for Zone Change for property located at 334 Route 9W, Palisades (78.13-1-1)**. Amending Local Law No. 4, 1969 (Ch. 43 of the Code of the Town of Orangetown entitled "Zoning") and specifically Section 3.11 of the Table of General Use Regulations, for an LO zoning district by adding category #4 to Column 3 entitled "Uses by Special Permit" to read as follows:

"4. Use of existing executive conference center facilities for catered affairs for the general public."

Ayes: Councilperson O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

The Town Clerk presented affidavit of publication and notice of posting, copies are labeled Exhibit 7-A-03 and made part of these minutes.

The public portion was opened and the following people spoke:

Scott Lippert, representing IBM introduced Deidre Buzzeto manager of the IBM Conference Center. Ms. Buzzeto explained that IBM would like to make its facility available for use by the general public, for occasions such as weddings or bar mitzvahs. IBM is requesting the Town of Orangetown to amend Town Zoning Code to add a new special permit for use of the existing executive conference lecture facilities for catered affairs. IBM believes this will help offset the

Public Hearing - Public Portion Continued

cost of running this facility. This is a beautiful facility and this change will enable the facility to be enjoyed by the public without any change or construction to the center.

Daniel Wery, planner, Frederick Clarke Assoc. Planning point of view believes this will in no way have an adverse impact, since the proposed zoning code amendment will not have a significant impact on the county roads, streams, state roads or parks, the PIP or adjacent municipalities. The Traffic Impact and Access Analysis (dated 7/2003) is made part of this record.

Fran Oldenberger, Blauvelt, Will Lamont Doherty still enjoy special parking privileges at IBM for their special affairs ?

RESOLUTION NO. 418 CLOSEPH/ZON

**E CHANGE
IBM EDUCATION CENTER
334 ROUTE 9W/PALISADES**

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

RESOLVED, that the public hearing is hereby closed.

Ayes: Councilperson s O'Donnell, Fisher, Troy, Manning
Supervisor Kleiner

Noes: None

RESOLUTION NO. 419 DESIGNATIO

**N OF LEAD
AGENCY/ZONE CHANGE
IBM EDUCATION CENTER
334 ROUTE 9W/PALISADES**

Councilman O'Donnell 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: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

RESOLUTION NO. 420 SEQR

**A DECLARATION/ZONE
CHANGE/IBM EDUCATION CT R
334 ROUTE 9W/PALISADES**

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted, copy is labeled Exhibit 7-B-03 and made part of these minutes.

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

* * *

RESOLUTION NO. 421 T

**B DECISION/ZONE CHANGE
IBM EDUCATION CENTER
334 ROUTE 9W/PALISADES**

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

RESOLVED, that a Local Law amending Local Law No. 4, 1969 (Ch. 43 of the Code of the Town of Orangetown entitled "Zoning") and specifically Section 3.11 of the Table

STATE OF NEW YORK)
COUNTY OF ROCKLAND)
TOWN OF ORANGETOWN)

SS.

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected. Qualified and acting Town Clerk of the *TOWN of ORANGETOWN*, in the County of Rockland, State of New York.

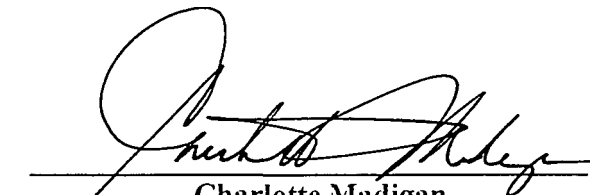
That, on the 20th day of June 2003, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN of ORANGETOWN*, New York.

1. Town Hall Bulletin Boards

1

3.

4.


Charlotte Madigan
Town Clerk

Subscribed and sworn to before me

This 0th day of "June" 2003

2003

ROBERT R. SIMON
Notary Public, State of New York
No. 01St60068S7
Residing in Boccia County
Commission Expires October 21, 2004



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Orangetown at the Orangetown Town Hall, No. 26 Orangeburg Road, Orangeburg, New York 10962 on the 21st day of July, 2003 at 8:00 P M to consider an amendment to Section 3.11 of the Table of General Use Regulations for an LO zoning district by adding category #4 to Column 3 entitled "Uses by Special Permit (approved by Town Board)" as follows:

"4. Use of existing executive conference center facilities for catered affairs for the general public."

A copy of the report may be examined by any interested party at the Office of the Town Clerk.

All interested persons will be given an opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: June 20, 2003
Orangeburg, New York

CHARLOTTE MADIGAN
Town Clerk

JAMES K. RILEY
Town Attorney
Town of Orangetown

AFFIDAVIT OF PUBLICATrON

from

21ie Journal News

NOTICE OF HEARING

NOTICE I S HEHEB Y GIVE N that a publi c hearin g wil l o e held b y th o Town n Boar d of the Town o f Orangetown n a t th e Orangetown Town Hall, No. Zo Orangeburg Road Orange - burg, Ne w Yor k 1096 2 o n th e 21st da y o f July , 200 3 a t 8:0 0 PM t o conside r a n amendmen t to Sectio n 3.1 o f the Table o f General Us e Regulation s for an LO zonin g distric t b y addin g category # 4 t o Colum n 3 enti - tled "Use s b y Specia l Permi t " approved b y Tow n Board" as follows; I

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Notary PuMc , Westdieste r County

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JESSIE LARAUJ O
NOTARY PUBIC, STATE OF NEW YORK
NO.01AR6083528
QUALIFIED IN WESTCHESTER COUNTY
TERM EXPIRES NOVEMBER 18.2006

"4. Us e o f existin g executiv e j conference cente r facilitie s for catered affair s fo r th e genera l public."

A cop y o f th e (epor t ma y b e examined b y an y intereste d party at th e Office o f th e Town Clerk.

All intereste d person s wil l b e given a n opportunit y t o b o heanl

By order of the Town Board of the Town of Orangetovm.

Dated: June 20, 2003
Orangeburg, Now Yorir

CHARLOTTE MADIGAN
Town Clerk

JAMES K. RILEY
Town Attorney
Town of Orangetown
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Appendix C

State Environmental Quality Review ^{V I ^ I ^ ^} SHORT ENVIRONMENTAL ASSESSMENT hUK M For UNLISTED ACTIONS Only

/ART I - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR 2. PROJECT NAME

3. PROJECT LOCATION:

Municipality - ^{T ^ t ^ /} ^{f O f ^} **0/Z.i*1^S-t£Tbc*na** County **JS6CJ(IAAU>**

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)

f

5. PROPOSED ACTION IS:

New Expansion Modification/alteration

6. DESCRIBE PROJECT BRIEFLY: -

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7. AMOUNT OF LAND AFFECTED:

Initially ^{A ^ / i} acre ^s Ultimately ^y **J < ^**

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?

Yes No If "No", describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?

Residential Industrial Commercial Agriculture Park/Forest/Open Space Other

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?

Yes No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?


Yes No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?

Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE ^{DGE /}

Applicant/sponsor name: [^] **"T^a/A^** ^{f^} **<^A^A^A^£72> OJAJ** ^{^A^A} **- 71^** ^{//} **^ S**

Signature: 

⁷ If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with assessment _____

Z.
A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR. PART 617.4? If Yes, coordinate the review process and use the FULL EAF.
• Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67? If No, a negative declaration may be superseded by another involved agency.
• Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

/JO

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

/JO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

/JO

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

/JO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

/fo

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

/JO

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

//O

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
• Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
• Yes No If Yes, explain briefly

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) inevitability; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL LAI and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency ^ _____ Date _____

Name of Responsible Officer in Lead Agency ^ _____

Title _____ of Responsible Officer

Resolution No. 421 - Continued

of General Use Regulations, for an LO zoning district by adding category #4 to Column 3 entitled "Uses by Special Permit" re **IBM Education Center for Zone Change for property located at 334 Route 9W, Palisades (78,13-1-1)** to read as follows:

"4. Use of existing executive conference center facilities for catered affairs for the general public."

Ayes: Councilperson s O'Donnell, Fisher, Troy, Manning
Supervisor Kleiner

Noes: None

Public Portion

Shelly Morgan, Tappan, concerned with the Piermont pier fees (Orangetown residents vs. the Village of Piermont residents).

Ruth Caley, Pearl River, talked about and submitted a proposal for an ordinance to limit unsolicited material on private property.

Kitty Rooney-Koch, Sparkill, discussed the volunteer & senior housing in RPC and hopes the cost will be similar to those in Thorpe Village.

Mary McCloskey, Blauvelt, seniors are interested in patio style homes.

Watson Morgan, Blauvelt, hopes the next Orangetown park mirrors Haverstraw Bay Park's beauty.

Ruth Vezzetti, Tappan, has many concerns (RPC) - the cost of the pumping station and what access will it have, cost of renovations of the Directors house, and School Board letters not addressed by Town Board.

John Giardiello, Director, OBZPAE, Commented on agenda item #5. Type 1 action means alteration of more than 10 acres. Determination for SEQRA purposes if Town Board is lead agency.

Paul Prisco, Piermont, recommends putting signs "Residents Only" on the Piermont pier.

Mayor Hardy, Piermont, commented cemented portion of the pier is owned by Orangetown.

Jim Murphy, Pearl River, property located at Cardean Place and George Ave is in need of clean up. Does the new maintenance law cover this?

Edmund Lane, concemed as to who will be handling the pump station on the Rockland Psychiatric Center properly.

RESOLUTION NO. 422 CLOS

E PUBLIC PORTION

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

RESOLVED, that the public portion of this Town Board meeting is closed.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: None

RESOLUTION NO. 423 SEQR

A DECLARATION AND DESIGNATION OF LEAD AGENCY MUNICIPAL AQUATIC FACILITY & COMMUNITY CENTER/RPC

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

RESOLVED, that the construction of the municipal aquatic facility and community center project on town-owned land at the Rockland Psychiatric Center property is a Type 1 action as defined by the New York State Environmental Quality Review Act (SEQRA), copy is labeled Exhibit 7-C-03 and made a part of these minutes and declare the Town of Orangetown lead agency for purpose of reviewing the environmental impacts of the proposed project.

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

RESOLUTION NO. 424 APPROVE/AID/GUINNES

**S
OYSTER FESTIVAL/TOMMY
DUNN/POLICE ATHLETIC
LEAGUE**

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

RESOLVED, that the request of Tommy Dunn for aid, for the use of the Showmobile, for the Guinness Oyster Festival of which partial proceeds will benefit the Police Athletic League, to be held in Piermont on August 31, 2003 with costs to be charged to Celebrations Account #A7550 is approved.

Ayes: Councilperson s Manning, Troy, Fisher, Manning
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 425 APPOINT/CT

**Y INTER-
GOVERNMENTAL TASK
FORCE/O'DONNELL**

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

RESOLVED, that Councilman Denis O'Donnell is hereby appointed to the County Inter-Governmental Task Force for Volunteer Emergency Service Responder Recruitment-Retention.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

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RESOLUTION NO. 426 APPROVE/AID/PEAR

**L RIVER
CHAMBER/SUMMERFEST**

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

RESOLVED, that the request of the Pearl River Chamber of Commerce for the use of two portable toilets, trash receptacles, highway barricades and \$500.00 for the Pearl River SummerFest to be held in Pearl River on July 25-26, 2003 to be charged to Celebrations Account # 7550/0457 is approved.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 427 MEMORIALIZIN

**G RESOL
FRESH KILLS LANDFILL
WORLD TRADE CENTER**

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

WHEREAS, the unprovoked terrorist attacks that took place on September 11, 2001 resulted in the deaths of thousands of innocent people, injury to countless others, and disruption of innumerable lives, and

WHEREAS, among the victims of this depraved act were civilian, government workers, police officers and fire fighters, several of whom resided in the Town of Orangetown, and

WHEREAS, the remains of many victims of the attack of the World Trade Center were never identified, and

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: | Part 1 | Part 2 | Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a negative declaration **will** be prepared.

B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***

C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency Title

Signature of Responsible Officer

Signature of Responsible Officer in Lead Agency Signature

Signature of Preparer (If different from responsible officer)

PART 1-PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

8

Name of Action "1" Facility and Community Center

Location of Action (include Street Address, Municipality and County)

Property designated as SBL73.11.-1-2 located north of Old Orangeburg Road

Name of Applicant/Sponsor Town of Orangetown

Address 26 Orangeburg Road

City / PO Orangeburg

State NY

Zip Code 10962

Business Telephone 845-359-5100

Name of Owner (if different)

Address

City/PO.

. State.

. Zip Code

Business Telephone

Description of Action:

The proposed action is a community aquatic facility and community center. Facilities include 4 four swimming pools, and a 35,000 square foot building organized on two levels. A new access road, and two parking areas support facility. Site development includes paved pool decks, pedestrian walkways, fencing around pool complex, general site lighting, and landscaping. A second phase of the action includes construction of an open-air pavilion and great lawn area to the south of the pools and building and walking trails through the wooded areas.

Support utility improvements will include storm water handling, sanitary sewer service, water, gas and electrical supply. The storm water system will minimize increased discharge to the extent feasible, and will include a water quality basin to conform to NYS regulations. Sanitary sewage will be carried via force main to the Town sewage pump station on Hunt Road. Water, electric and gas supplies will be provided by public utilities from existing services on Veterans Memorial Parkway.

See location plan and site plan, attached.

Please Complete Each Question-Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: (Urban Industrial Commercial Residential (suburban) Rural (non-farm) Forest Agriculture Other _____

2. Total acreage of project area: _____ acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	15.2 acres	11.5 acres
Forested	15.4 acres	13.1 acres
Agricultural (Includes orchards, cropland, pasture, etc.)	0 acres	0 acres
Water (Freshwater or tidal as per Articles 24,25 of ECL)	0 acres	0 acres
Water Surface Area	.2 acres	.2 acres
Unvegetated (Rock, earth or fill)	0 acres	0 acres
Roads, buildings and other paved surfaces	0 acres	6.0 acres
Other (Indicate type) ^ _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site?

a. Soil drainage: [Well drained 80 % of site Moderately well drained 20 % of site Poorly drained 0 % of site]

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ N/A. acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? [Yes No]

a. What is depth to bedrock > _____ (On feet)

5. Approximate percentage of proposed project site with slopes:

0 - 10 % 17 % 10-15 % 11 % > 5% or greater 5 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? (Yes No)

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? (Yes No)

8. What is the depth of the water table? (_____ feet)

9. Is site located over a primary, principal, or sole source aquifer? (Yes No)

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? (Yes No)

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? **Dves H No**

According to: _____

None expected, based on numerous site visits; the appropriate agencies will be contacted during completion of Part 2.

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

OYes B I No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Dves E N o

If yes, explain: _____

14. Does the present site include scenic views known to be important to the community? Yes No

15. Streams within or contiguous to project area:

None

a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

Lake Tappan

b. Size (in acres):

460 (approx.)

17. Is the site served by existing public utilities? | Yes [^] No

a. If YES, does sufficient capacity exist to allow connection? **DYes n** No

b. If YES, will improvements be necessary to allow connection? | Yes | No **D**

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? **ni'^^^^** PHN O

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? [^ Yes] T] No

20. Has the site ever been used for the disposal of solid or hazardous wastes? [T] Yes [] N O

B. Project Description (Non-hazardous only, per IMS Phase 2 report, 8.03.)

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

a. Total contiguous acreage owned or controlled by project sponsor: 31 7 acres.

b. Project acreage to be developed: 5J acre s initially; 6^ acre s ultimately.

c. Project acreage to remain undeveloped: 24.8 acres .

d. Length of project, in miles: N/ A (if appropriate)

e. If the project is an expansion, indicate percent of expansion proposed. N/ A %

f. Number of off-street parking spaces existing 0^ ; proposed 25 7

g. Maximum vehicular trips generated per hour: 149 ^ (upon completion of project)?

h. If residential: Number and type of housing units:

	One Family Tw	o Family	Multiple Family	Condominium
Initially	_____			
Ultimately	_____			

i. Dimensions (in feet) of largest proposed structure: 48 height; 160 width; 190 length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? 1.020 ft.

2. How much natural material (Q.e. rock, earth, etc.) will be removed from the site? 0^ tons/cubic yards.

3. Will disturbed areas be reclaimed L-JYe s L J N O [E J N / A

a. If yes, for what intended purpose is the site being reclaimed?

b. Will topsoil be stockpiled for reclamation? [] Yes (| No

c. Will upper subsoil be stockpiled for reclamation? | Yes | No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 6 ^ acres .

e. If yes, explain:

17. Will the project involve the disposal of solid waste? No Yes
a. If yes, what is the anticipated rate of disposal? tons/month
b. If yes, what is the anticipated site life? years
18. Will project use herbicides or pesticides? No Yes
19. Will project routinely produce odors (more than one hour per day)? No Yes
20. Will project produce operating noise exceeding the local ambient noise levels? No Yes
21. Will project result in an increase in energy use? **Yes** No Yes No

If yes, indicate type(s)

Lighting and heating of building, plus swimming pool filtration pumping; sewage pumping.

22. If water supply is from wells, indicate pumping capacity No Yes A gallons/minute

23. Total anticipated water usage per day 25,000 gallons/day

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

The Town of Orangetown will issue municipal bonds to finance construction of the Project.

25. Approvals Required:

	Type	Submittal Date
City, Town, Village Board H v e s m No	<u>SEORA</u>	<u>9.03</u>
City, Town, Village Planning Board Dves H No		
City, Town Zoning Board • ves H No		
City, County Health Department H v e s n No	<u>Swimming Pool</u>	
Other Local Agencies Dves B No		
Other Regional Agencies H v e s n No	<u>Rockland County Planning 2003</u> <u>Dept.</u>	
State Agencies Hves D No	<u>Storm Water Permit</u>	<u>2003</u>
Federal Agencies Dves H No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? [] Yes [] No

If Yes, indicate decision required:

- Zoning amendment L H Zoning variance | J New/revision of master plan Subdivision
 Site plan L j Special use permit | Resource management plan I I Other

2. What is the zoning classification(s) of the site?

R-80

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

15 residences

4. What is the proposed zoning of the site?

No change

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? [] Yes [] No

7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?

USE	ZONE
- Water Supply Reservoir	-
- Municipal Golf Course	-
- Open Land	R-80
- Recreational Use	R-80
- Single Family Residential	R-80
- Office	L-10

8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? [] Yes [] No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A _____

a. What is the minimum lot size proposed? _____

10. Will the proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand?

Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

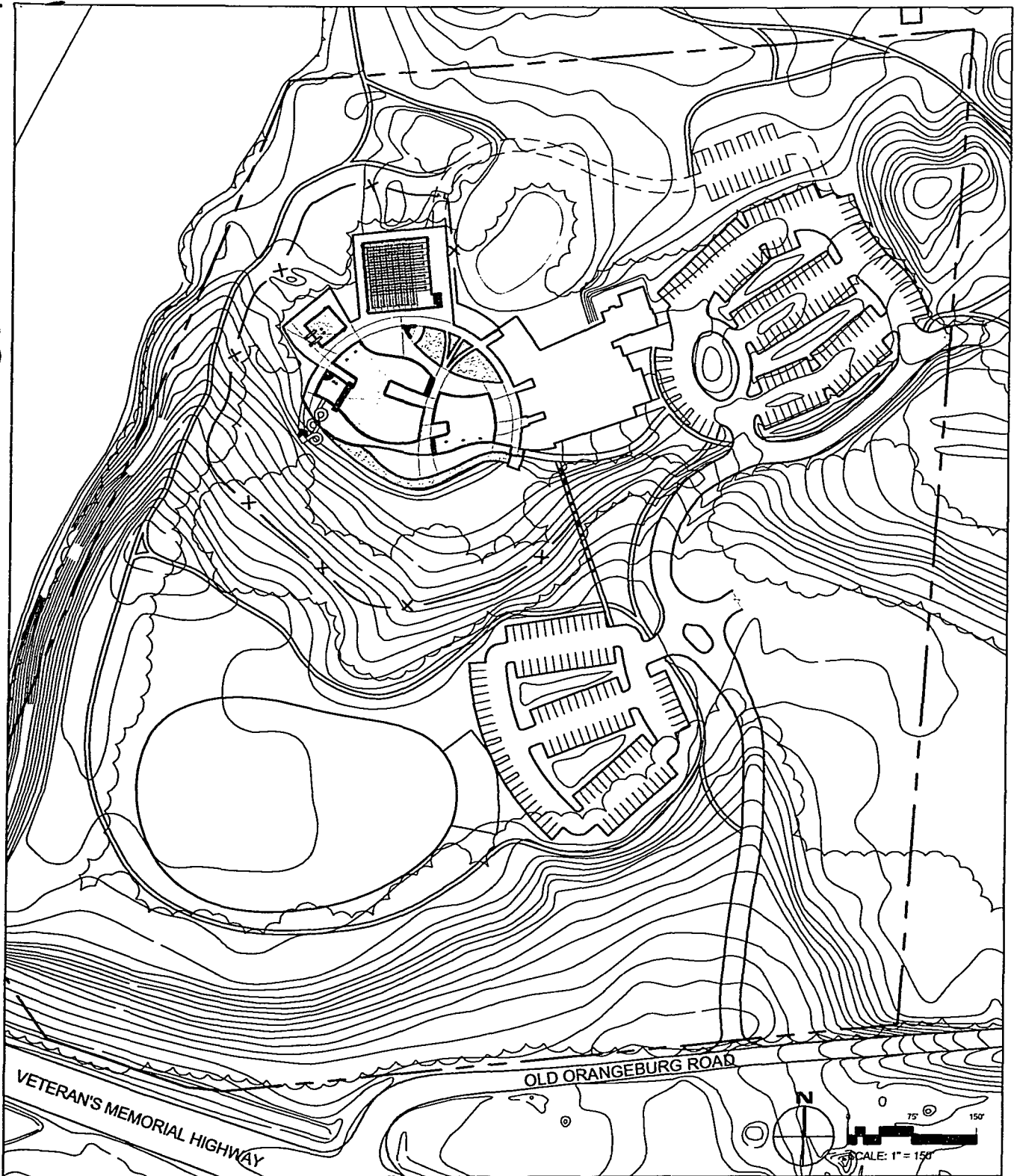
I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Thorn Kleiner Data Date 7/21/03

Signature

Title Supervisor, Town of Orangetown

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.



bh-ia

31e SurVTMT Strttot
BoMm. MA 02210
B17 350-0450 Tat
e17 390-0215 Fax
www.bhpfis.com

**EAF Submission
Site Plan**

OATC: 07/21/0 3

SCALE r-150

PROJ. N0 4 2432.00

FILE NAME: SK-8-EAF.pdf

SK-8

Resolution No. 427 - Continued

WHEREAS, the ashes from the World Trade Center site which include the remains of the victims of September 11, 2001 have been held at the Fresh Kills Landfill in Staten Island, New York, and

WHEREAS, it is fitting and proper for the Port Authority of the State of New York and New Jersey to honor the victims of the September 11, 2001 attacks by returning their ashes to the site of a memorial to be constructed at the World Trade Center in their memory,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orangetown that it hereby requests the Port Authority of New York and New Jersey to honor the memory of the victims of the World Trade Center, and

BE IT FURTHER RESOLVED, that the Supervisor's Office is hereby directed to forward a copy of this resolution to the Hon. Anthony R. Coscia, Chairman of the Board of Commissioners of the Port Authority of New York and New Jersey, Hon. George Pataki, Governor of the State of New York, Hon. James McGreevey, Governor of the State of New Jersey, Hon. Michael Bloomberg, Mayor of the City of New York, Hon. Charles E. Schumer, U.S. Senator, Hon. Hillary Rodham Clinton, U.S. Senator, Hon. Eliot Engel, M.C., Hon. Sue Kelly, M.C., Hon. Nita M. Lowey, M.C., Hon. Thomas Morahan, NYS Senator, Hon. Nancy Calhoun, NYS Assemblywoman, Hon. Alexander Gromack, NYS Assemblyman, Hon. Ryan Karben, NYS Assemblyman, Hon. Howard Mills, NYS Assemblyman, Hon. C. Scott Vanderhoef, Rockland County Executive, Hon. Charles E. Holbrook, Supervisor, Town of Clarkstown, Hon. Howard T. Philips, Supervisor, Town of Haverstraw, Hon. Steven M. Hurley, Supervisor, Town of Stony Point, Hon. Christopher P. St. Lawrence, Supervisor, Town of Ramapo.

Ayes: Councilperson s Troy, Fisher, O'Donnell, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 428 COMBIN

E AGENDA ITEMS

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

RESOLVED, that agenda items ten (10) through thirteen (13) are combined, agenda items nineteen (19) through twenty-seven (27) are combined and agenda items thirty (30) through thirty-nine are combined.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 429 POLIC

**E REGULATION
NO COMMERCIAL TRAFFIC
N MIDDLETOWN & VETERANS
PKY/PEARL RIVER**

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

RESOLVED, that installation of a "No Commercial Traffic" sign be installed at the corner of North Middletown Road and Veterans Parkway, Pearl River is approved.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 430 AUTHORIZE/AGREEMEN

**T
STAT HEALTH INDUSTRIAL
SERVICES/HEPATITIS B VACC**

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

RESOLVED, that the Finance Director is authorized to sign a contract with STAT HEALTH INDUSTRIAL SERVICES of West Nyack for administration of Hepatitis B vaccine and related record keeping services for Town employees at a cost of \$50.00 per injection per employee to be charged to appropriate accounts.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: None

* * *

RESOLUTION NO. 431 APPROV

**E 2003 BUDGET
ADJUSTMENTS**

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

RESOLVED, that the 2003 budget is amended to reflect snow removal costs and other spending changes, copy of amendments is labeled Exhibit 7-D-03 and made part of these minutes.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: None

RESOLUTION NO. 432 AD

**V BIDS/LEAF VACUUM
MACHINE/HIGHWAY DEPT**

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

RESOLVED, that the Highway Dept. is hereby authorized to advertise for sealed bids for one (1) new leaf vacuum machine, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., Wednesday, August 6, 2003, and publicly opened and read aloud at 11:00 a.m., and, BE It

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: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: None

* * *

RESOLUTION NO. 433 APPOINT/ASS

**T OPERATOR
WASTEWATER III/DEPT
ENVIRON MGT & ENG**

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

RESOLVED, that employee, James O'Connell, is appointed to the position of Assistant Operator Wastewater III, trainee, grade 14, annual salary of \$66,354.00, effective March 27, 2003.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

Attachment to Town Board Agenda for July 21, 2003

Item # General Fund

1 Snow Removal: Parks, Building Maintenance, Housing Authority

Increase overtime and contracts

A7110/50012 \$	6,00	0 Parks OT
A1620/50020 \$	5,99	5 Building Maint. OT
A8989/50457 \$	4,90	0 Courtwood plowing
Total \$	16,89	5

Increase FEMA revenue

A4960/44089 \$	16,89	5
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2 Transfer funds from Supervisor's Office OT to Community Based Programs

A1220/50012 \$	(1,000)
A7320/50457 \$	1,00	0 Salvation Army

3 Transfer funds from Town Attorney's Salaries to fund Tractor consultant s and computer purchase

A1420/50011 \$	(50,000) Support staff salaries
A1420/50457 \$	50,00	0 Contracts with outside vendors

4 Transfer funds within Celebrations to fund overtime

A7550/50457 \$	(5,000) Contracts with outside vendors
A7550/50020 \$	5,00	0 Double time

5 Transfer funds with Engineers budget for computer purchase

A1440/50012 \$	(1,600) Overtime
A1440/50457 \$	1,60	0 Contracts with outside vendors

Town Outside of Village Fund

6 Transfer funds for temporary staff at Building department

B8020/50011 \$	(6,500) Plannin g Bd salaries
B3620/50013 \$	6,50	0 Seasona l & part time staff

7 Transfer funds for master plan, vehicle repair, copie s of testimony

B8010/50011	\$	(21,200) ZB A salaries
B8010/50488	\$	18,000 Comprehensive plan
B3621/50447	\$	1,200 Fir e inspector vehicle repair
88010/50456	\$	2,000 ZB A copies of testimony

Highway - Part Town

8 Budget FEMA reimbursements for drainage projects

D4989/44989 \$	72,00	0 FEM A revenue
D5110/50489 \$	72,00	0 Drainag e project spending

Highway - Townwide

9 Snow Removal /Truck & Misc. - budget snowreimbursements & fund and transfer brush and weed to snow removal, purchase truck other offsetting changes

Revenue Increases

D4960/44089	\$	109,753	FEM A / State snow reimbursements
D2300/41234	\$	48,600	County snow reimbursements
D2770/41253	\$	3,500	Stream maintenance revenues
D2770/42770	\$	830	Miscellaneous revenue
D5999/35999	\$	101,400	Fund bal. to correct encumbr. error
Total	\$	264,083	

D5140/50011	\$	(109,337)	Transfer from brush & weed salaries
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D5142/50011	\$	189,975	
D5142/50020	\$	20,090	Snow double time
D5142/50457	\$	3,830	Snow contracts with outside vendors
D5142/50458	\$	525	Snow meal reimbursements
D5140/50444	\$	9,000	Equipment rental
D5130/50200	\$	150,000	Truck purchase (encumbrance error)

Sewer

10 Transfer funds within the Sewer Department for equipment repairs, overtime and misc. changes

G8120/50457	\$	(12,000)	Contracts with outside vendors
G8130/50457	\$	(13,029)	Contracts with outside vendors
G8110/50441	\$	1,500	Training
G8110/50443	\$	400	Maintenance agreements
G8120/50200	\$	2,129	Capital outlay
G8120/50452	\$	15,000	Equipment repairs
G8121/50012	\$	6,000	Pretreatment overtime

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TOWN OF ORANGETOWN
BUDGET AMENDMENTS JOURNAL ENTRY PROOF

PAGE 1
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LN OR G OBJEC T PROJ OR G DESCRIPTION	ACCOUNT DESCRIPTION	EFF DATE	PREV BUDGE T	BUDGET CHANGE	AMENDED BUDGET ER R
YEAR-PER JOURNAL EFF-DAT E RE F 1 RE F 2	SRC JNL-DESC ENTIT Y AMEND				
2003 0 7 4 9 07/15/2003 TB R	BUA 07/21/2003 1 2				
1 A1220001 5001 2 SUPERVISO R PERSONNEL SETIME & ONE HALF	F TO 732 0	07/15/2003	4,000.00	-1,000.00	3,000.00
A-100-1220-00-00-1-50012 TS					
2 A7320004 5045 7 COMMUNIT Y BASED PROGRAMCONTRACTS W/ OUTSIDE VENDORS	60,000.0 0		1,000.00		61,000.00
A-700-7320-00-00-4-50457 TS	F TO 7320 07/15/200 3				
3 A1420001 5001 1 TOW N ATTY PERSONNEL SERPERMANENT STAFF	F TO 5045 7	07/15/2003	133,000.00	-50,000.00	83,000.00
A-100-1420-00-00-1-50011 TS					
4 A1420004 5045 7 TOW N ATTORNEY OPERATINGCONTRACTS W/ OUTSIDE VENDORS	20,000.0 0		50,000.00		70,000.00
A-100-1420-00-00-4-50457 TS	F TO 50457 07/15/200 3				
5 A1440004 5045 7 ENGINEE R OPERATING EXPECONTRACTS W/ OUTSIDE VENDORS	2,500.0 0		1,600.00		4,100.00
A-100-1440-00-00-4-50457 TS	F TO 50012 07/15/200 3				
6 A1440001 5001 2 ENGINEE R PERSONNEL SERVTIME & ONE HALF	F TO 5001 2	07/15/2003	10,000.00	-1,600.00	8,400.00
A-100-1440-00-00-1-50012 TS					
7 A7020001 5001 2 PERSONNE L SERVICES TIM E & ONE HALF	F	07/15/2003	2,500.00	-125.00	2,375.00
A-700-7020-00-00-1-50012 TS					
8 A7020002 5020 0 CAPITA L OUTLAY CAPITAL OUTLAY	TSF	07/15/2003	20,000.00	125.00	20,125.00
A-700-7020-00-00-2-50200					
9 A7110001 5001 2 PARK S PERSONNEL SERVICETIME & ONE HALF	F	07/15/2003	9,500.00	6,000.00	15,500.00
A-700-7110-00-00-1-50012 TS					
10 A8989634 5045 7 ORANGETOW N HOUSING OPERCONTRACTS W/ OUTSIDE VENDORS	25,000.0 0		4,900.00		29,900.00
A-800-8989-00-63-4-50457 TS	F 07/15/200 3				
11 A7550001 5001 2 CELEBRATION S PERSONNEL TIME & ONE HALF	F	07/15/2003	600.00	5,000.00	5,600.00
A-700-7550-00-00-1-50012 TS					
12 A7550004 5045 7 CELEBRATION S OPERATING CONTRACTS W/ OUTSIDE VENDORS	15,000.0 0		-5,000.00		10,000.00
A-700-7550-00-00-4-50457 TS	F 07/15/200 3				
13 A1620001 5002 0 BLD G MTCE PERSONNEL SERDOUBLE TIME	F	07/15/2003	5,000.00	5,995.00	10,995.00
A-100-1620-00-00-1-50020 TS					
14 A0496000 4408 9 FE D AIDE-FEMA FEDERAL AID	FEMA	07/15/2003	,00	-16,895.00	-16,895.00
A-049-4960-00-00-0-44089					
** JOURNAL TOTAL				0.00	

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TOWN OF ORANGETOWN
BUDGET AMENDMENTS JOURNAL ENTRY PROOF

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YEAR-PER	JOURNAL	EFF-DAT	E RE F 1	RE F 2	SRC	JNL-DESC ENTIT Y	AMEND				
2003 0 7 5		0 07/15/2003	tb	r	BUA 07/21/03	1 1					
1	B3620171	50013	SAFET	Y	INSP PERSONNEL	SSEASONAL & PART TIME	07/15/2003	7,000.00	6,500.00	13,500.00	
	B-015-3620-17-GO-1-50013										
2	B3621174	50447	FIRE SAFETY OPERATING		VEHICLE OPERATION AND REPAIR		07/15/2003	700.00	1,200.00	1,900.00	
	B-015-3621-17-00-4-50447										
3	B8010171	50011	ZONIN	G	BOARD OF APPEALS	PERMANENT STAFF	07/15/2003	71,980.00	-21,200.00	50,780.00	
	B-800-8010-17-00-1-50011										
4	B8010174	50456	ZONIN	G	BOARD OF APPEALS	COPIES OF TESTIMONY	07/15/2003	500.00	2,000.00	2,500.00	
	B-800-8010-17-00-4-50456										
5	B8010174	50488	ZONIN	G	BOARD OF APPEALS	MASTER PLAN	07/15/2003	.00	18,000.00	18,000.00	
	B-800-8010-17-00-4-50488										
6	B8020171	50011	PLANNIN	G	BOARD PERSONNE	PERMANENT STAFF	07/15/2003	90,140.00	-6,500.00	83,640.00	
	B-800-8020-17-00-1-50011										
							JOURNAL TOTAL		0.00		

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TOWN OF ORANGETOWN
BUDGET AMENDMENTS JOURNAL ENTRY PROOF

LN	OR	G	OBJECT	PROJ	OR	G	DESCRIPTION	ACCOUNT	DESCRIPTION	LINE	DESCRIPTION	EFF	DATE	PREV	BUDGET	BUDGET	CHANGE	AMENDED	BUDGET	ER	R
YEAR-PER	JOURNAL	EFF-DAT	E	RE	F	1	RE	F	2	SRC	JNL-DESC	ENTITY	AMEND								
2003	0	7	5	2	07/15/2003	TB	R	SUA	07/21/03	1	2										
1	D5110044	50489	HW		Y	#1	PART TOWN OPERAT	FEMA	GRANT-974-0260				07/15/2003	.00		72,000.00		72,000.00			
	D-500-5110-04-00-4-50489																				
2	D0498904	44989	FEM		A	GRANT-DRAINAGE	FEDERAL AID						07/15/2003	.00		-72,000.00		-72,000.00			
	D-049-4989-04-89-0-44989																				
													** JOURNAL TOTAL				0.00				

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TOWN OF ORANGETOWN
BUDGET AMENDMENTS JOURNAL ENTRY PROOF

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YEAR-PER JOURNAL EFF-DAT E RE F 1 RE P 2	SRC JNL-DESC ENTIT Y AMEND					
2003 0 7 6	1 07/17/2003 TB	R BUA RES BUDGET 1 2				
1	D5140054 5044 4 HW	Y #2 TOWNWIDE OPERATIRENTAL OF EQUIPMENT	07/17/2003	1,500.00	9,000.00	10,500.00
	D-500-5140-05-00-4-50444					
2	D5142051 50011 SNO	W REMOVAL PERSONNEL PERMANENT STAFF	07/17/2003	244 000.00	189,975.00	433,975.00
	D-500-5142-05-00-1-50011					
3	D5142051 50020 SNO	W REMOVAL PERSONNEL DOUBLE TIME	07/17/2003	103,500.00	20,090.00	123,590.00
	D-500-5142-05-00-1-50020					
4	D5140051 50011 HW	Y #2 TOWNWIDE PERS SEPERMANENT STAFF	07/17/2003	822 821.00	-109,337.00	713,484 .00
	D-500-5140-05-00-1-50011					
5	D5142054 50457	HWY #2 TOWNWIDE OPERATICONTRACTS W/ OUTSIDE VENDORS	07/17/2003	50,000.00	3,830.00	5,330.00
	D-500-5142-05-00-4-50457					
6	D5142054 50458 HW	Y #2 TOWNWIDE OPERATIMEALS	07/17/2003	4,000.00	525.00	4,525.00
	D-500-5142-05-00-4-50458					
7	D5130052 50200 HW	Y #2 TOWNWIDE CAPITALCAPITAL OUTLAY	07/17/2003	389,795.00	150,,000,,00	539,,795 .00
	D-500-513 0-05-00-2-50200					
8	D0496005 44089 FE	D AIDE-FEMA FEDERAL AID	07/17/2003	.00	-109,753.00	-109,753.00
	D-049-4960-05-00-0-44089					
9	D0277005 41253 HIGHWA	Y 2 TOWNWIDE STREAM MAINTENANCE	07/17/2003	.00	-3,500.00	-3,500.00
	D-027-2770-05-00-0-41253					
10	D0277005 42770 HIGHWA	Y 2 TOWNWIDE OTHER UNCLASSIFIED REVENUE	07/17/2003	.00	-830.00	-830.00
	D-027-2770-05-00-0-42770					
11	D0599905 35999 APPROPRIATE	D FD BALANCEAPPROP FUND BALANCE	07/17/2003	.00	-101,400.00	-101,400.00
	D-059-5999-05-00-0-35999					
12	D0230005 41234 HIGHWA	Y 2 TOWNWIDE #2 TOWNWIDE	07/17/2003	-100,000.00	-48,G00.00	-14 8,600.00
	D-023-2300-05-00-0-41234					
** JOURNAL TOTAL					0.00	

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TOWN OF ORANGETOWN
BUDGET AMENDMENTS JOURNAL ENTRY PROOF

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LN OR G ACCOUNT	OBJECT PROJ OR G DESCRIPTION	ACCOUNT DESCRIPTION LINE DESCRIPTION	EPF DATE	PREV BUDGET	BUDGET CHANGE	AMENDED BUDGET ER R
YEAR-PER	JOURNAL	EFF-DAT E RE F 1 RE F 2	SRC JNL-DESC ENTIT Y AMEND			
2003 0 7 5	1 07/15/2003 TB	R	BUA 07/21/03 1 1			
1	G811D004 5044 1 SEWE G-800-8110-00-00-4-50441	R ADMINISTRATION OPSCHOOLS & CONFERENCES	07/15/2003	1,000.00	1,500.00	2,500.00
2	G8110004 5044 3 SEWE G-800-8110-00-00-4-50443	R ADMINISTRATION OPMANTENANCE AGREEMENTS	07/15/2003	300.00	400.00	700 .00
3	G8120002 5020 0 SEWE G-800-8120-00-00-2-50200	R COLLECTION SYSTEMCAPITAL OUTLAY	07/15/2003	55,000.00	2,129.00	57,129.00
4	G8120004 5045 2 SEWE G-800-8120-00-00-4-50452	R COLLECTION SYSTEMEQUIPMENT REPAIRS	07/15/2003	50,000.00	15,000.00	65,000.00
5	G8121001 5001 2 INDUSTRIA G-800-8121-00-00-1-50012	L PRETREATMENTTIME & ONE HALF	07/15/2003	8,000.00	6,000.00	14,000.00
6	G8121004 5045 7 INDUSTRIA G-800-8121-00-00-4-50457 07/15/200	L PRETREATMENTCONTRACTS W/ OUTSIDE VENDORS	14,500.0 3	0	-12,000.00	2,500.00
7	G8130004 5045 7 SEWE G-800-8130-00-00-4-50457 07/15/200	R TREATMENT PLANT OCONTRACTS W/ OUTSIDE VENDORS	75,000.0 3	0	-13,029.00	61,971.00
** JOURNAL TOTAL					0.00	

RESOLUTION NO. 434 ESTABLISH/MOTO

**R
EQUIPMENT OPERATOR II
HIGHWAY DEPARTMENT**

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

RESOLVED, that the position of Motor Equipment Operator U, grade[^], in the Highway Department is established. /o ?

Ayes: Councilperson s Fisher, Troy, O'Donnell, Manning
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 435 APPOINT/RECORD

**S CLERK -
TYPIST (LAW ENFORCEMENT)
CHRISTINE KERN/POLICE DEPT**

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

RESOLVED, that provisional employee, Christine Kern, is appointed to the position of Records Clerk-Typist (Law Enforcement), in the Police Records Department, permanent, from Eligible List #03045, grade 6-2, annual salary \$31,780.00.00, effective July 22, 2003.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 436 APPOINT/SECRETARIA

**L
ASSISTANT II/CAROL
RAPATSKI/POLICE DEPT**

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

RESOLVED, that Carol Rapatski is appointed to the position of Secretarial Assistant U in the Police Department, grade 10-5, annual salary \$43,327.00, effective September 1, 2003.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 437 APPOINT/SECRETARIA

**L
ASSISTANT (LEGAL)/HARRIET
MARINI/TOWN ATTORNEY**

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

RESOLVED, that provisional employee, Harriet Marini, is appointed to the position of Secretarial Assistant (Legal), in the Town Attorney's Office, permanent, from Eligible List #03144, grade 12-10, annual salary \$52,405.00, effective July 22, 2003.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 438 PERMISSIO

**N GRANTE D
POLICE DEPT/STATE OF NY
POLICE JUVENILE OFFICERS**

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

RESOLVED, that six police officers are authorized to attend the State of New York Police Juvenile Officers Association 27*' Annual Training Conference in Ithaca, NY on August 28-29, 2003 at a cost of \$1,399.22 to be charged to Account #B 13120/0441/0480.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 439 PERMISSIO

**N GRANTE D
POLICE DEPT/STATE OF NY
POLICE JUVENILE OFFICERS**

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

RESOLVED, that one police officer is authorized to attend the State of New York Police Juvenile Officers Association 27'' Annual Training Conference in Ithaca, NY on August 24-29, 2003 at a cost of \$859.49 to be charged to Account #B 13120/0441/0480.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 440 AUTHORIZE/APPROV

**E
EXTENSION OF CARETAKER
AGREEMENTS/BORST & NIKE
PARKS**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings, the Supervisor is authorized to approve the extension of the caretaker agreements at Borst Park and Nike Park, with a three (3%) increase for the period from August 1, 2003 through July 31, 2004.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

^^^

RESOLUTION NO. 441 AWAR

**D BID/REHIBILATION OF
TENNIS COURTS/PARKS DEPT**

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

WHEREAS the Parks Department duly advertised for sealed bids for tennis and other asphalt court refurbishment at various parks, which were received and publicly opened on July 15, 2003, and

WHEREAS, these bids were referred to the Department of Parks, Recreation & Building Maintenance, for recommendation and report, a copy is labeled Exhibit 7-E-03, and made a part of these minutes, NOW, Therefore, Be It,

RESOLVED, that the bids for tennis and other asphalt court refurbishment at various parks is hereby awarded as follows:

Items 1, 2 and 3 to Copeland Coating Company of Nassau, A^F- \$175,905.00
(the only qualified bidder)

STATE OF NEW YORK)
COUNTY OF ROCKLAND) SS
TOWN OF ORANGETOWN)

Charlotte Madigan being duly sworn upon her oath, deposes and says;

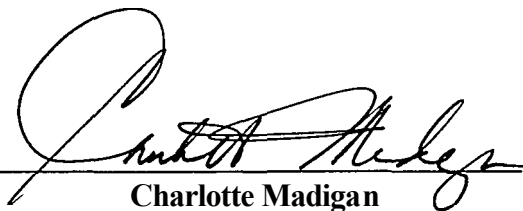
That, she is, at all times hereinafter mentioned was, duly elected. Qualified and acting Town Clerk of the *TOU^ of ORANGETOWN*, in the County of Rockland, State of New York.

That, on the 20th day of June 2003, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN of ORANGETOWN*, New York.

1. Town Hall Bulletin Boards

3.

4.


Charlotte Madigan
Town Clerk

Subscribed and sworn to before me

This 10th day of June, 2002

ROBERT R. SIMON
Notary Public, State of New York
No 0181600S887
Residing in Rockland County
Commission Expires 2/1/2004



NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 25 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on **July 15, 2003**, and publicly opened and read aloud at **11:30 A.M.** on that day for furnishing **REHABILITATION OF TENNIS AND OTHER ASPHALT PARK FACILITIES**, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The Director of Parks, Recreation and Buildings, will submit a report of all bids received and his recommendations concerning the awarding of a contract at a meeting of the Town Board *on July 21, 2003*,

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-collusion Statement as required pursuant to Section 103d of the General Municipal Law.

No contract is deemed to have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

• Each proposal must be accompanied by a certified check of the bidder or by a **bid bond** satisfactory to the Town of Orangetown, duly executed by the bidder as principal, having surety thereon, a surety company approved by the Town of Orangetown in the amount of **five percent (5%)**. Such checks or bid bonds will be returned to all except the three (3) lowest bidders within forty-eight (48) hours after the bids have been opened by the Town. The bid security of the three (3) lowest bidders will be returned after the accepted bidder has executed the contract and furnished the required performance bond and insurance.

It is understood that the Contractor shall be required to post a **Performance Bond** acceptable to the Town Attorney by a bonding company acceptable to the Town in the amount of **one hundred percent (100%)** of the contract price, and assuring full performance.

The successful bidder upon failure or refusal to execute and deliver the contract and bond required within ten (10) days after it has received notice of the award of the proposal, shall forfeit to the Town of Orangetown and as liquidated damage for such failure or refusal, the security deposited with this proposal.

Bidder warrants and represents that all employees and independent contractors affiliated with or employed by such contractor or subcontractors on the project shall be compensated at the prevailing wage, including, where applicable wage rates mandated by the New York State Department of Labor.

Attorneys in Fact who sign bid bonds or contract bonds must file with each bond a certified copy of their Power of Attorney to sign said Bonds.

No proposals will be accepted by facsimile.

Only qualified bidders who have adequate experience, finances, equipment and personnel will be considered in making awards.

By order of the Town Board of the Town of Orangetown.

RICHARD L ROSE JR. CHARLOTT
DIRECTOR TOW

E MADIGAN
CLERK

DATED: **June 24, 2003**

AFFIDAVIT OF PUBLICATION

from

tDnt Journal News

NOTICE TO BIDDERS

SEALED BID S W i a B E R E - CEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office. No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on July 15, 2003, and published, opened and read aloud at 11:30 A.M. on that day for furnishing REHABILITATION OF TENNIS AND OTHER ASPHALT PAR FACILITIES, in accordance with the Contract Documents on file with an architect maintained at the Town Clerk's Office.

The Director of Parks, Recreation and Buildings will submit a report of all bids received and his recommendation concerning the awarding of a contract at a meeting of the Town Board on July 21, 2003.

The Town Board reserves the right to waive any formalities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 207 of the General Municipal Law.

No contract is deemed to have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to approval, approval by the Town Board, after having been provided for in the Town Budget.

Each proposal must be accompanied by a certified check of the bidder or by a bid bond satisfactory to the Town of Orangetown, duly executed by the bidder as principal having surety thereon, a surety company approved by the Town of Orangetown in amount of five percent (5%). Such check or

bid bond will be returned to all except the three (3) lowest bidders within forty-eight (48) hours after the bid is opened in the Town. The bid security of the three (3) lowest bidders will be returned after the accepted bidder has executed the contract and furnished the required performance bond and insurance.

It is understood that the Contractor shall be required to post a Performance Bond acceptable to the Town Attorney by a bonding company acceptable to the Town in the amount of one hundred percent (100%) of the contract price, and assuring of full performance.

The successful bidder upon failure or refusal to execute and deliver the contract and bond required within ten (10) days after it has received notice of the acceptance of the proposal, shall forfeit to the Town of Orangetown an amount of liquidated damages for such failure or refusal, the security deposited with this proposal.

Bidder warrants and represents that all employees and independent contractors affiliated with or employed by such contractors or subcontractors on the project shall be compensated at the prevailing wage, including, where applicable, wage rate mandated by the New York State Department of Labor.

Attorneys in Fact who sign bid bonds or contract bonds must file with each bond a certified copy of their power of attorney.

No proposals will be accepted by facsimile.

Only qualified bidders who have adequate experience, finances, equipment and personnel will be considered in making awards.

By order of the Town Board of the Town of Orangetown.

RICHARD L. ROSE, JR. DIRECTOR

CHARLOTTE MADIGAN TOWN CLERK

DATED: June 24, 2003

STATE OF NEW YORK
COUNTY OF WESTCHESTER

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Central Area

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Natasha Brown

duly sworn, says that she/he is the principal clerk of T News, a newspaper published in the County of West State of New York, and the notice of which the annexed printed copy, was published in the newspaper & dated July 1st and 8th the dates checked below:

1 2 3 4 5 6 7 8 9 10 11 12 13 14
19 20 21 22 23 24 25 26 27 28 29 30 31

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Signed

Sworn to before me

this 8 day of July

Notary Public, Westchester County

MARY A. DEMANE
Notary Public, State of New York
No. 483067 1
Qualified In Westchester County
Commission Expires July 31, 2005

1

AFFIDAVIT OF PUBLICATION

NOTICE TO BIDDERS

from

21ie Journal Nms

SEALED BID S WIL L B E RE - CEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangetown Road, Orangetown, New York until 10:30 A.M. on July 15, 2003, and a public y opened and read aloud at 11:30 A.M. on that day for furnishing REHABILITATION OF TENNIS AND OTHER ASPHALT PARK FACILITIES, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Of-

STATE OF NEW YORK
COUNTY OF WESTCHESTER

Northern Area

Armonk	Nottt(Saien)
Armonk	
Baldwin Place	reSKSiaB
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liouRtKisco	Paoceson

Natasha Brown

duly sworn, says that he/she is the principal c^ News, a newspaper published in the County of West State of New York, and the TOffice of which the anneminted cc^y, was published in VIB newi^iaper ffKscJOM of the General Mraip ifft and <H) the da^s checked below:

The Director of Parks, Recreation and Building will submit a report of all bids received and his recommendation of concern ing the awarding of a contract at a meeting of the Town Board on July 21, 2003.

The Town Board reserves the right to waive any formalities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section

No contract is deemed to have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations, approved by the Town Board, after having been provided for in the Town Budget.

1 2 3 4 5 6 7 8 9 10 11 12 13

19 20 21 22 23 24 S 2B 27 28 29 30 31

Each proposal must be accompanied by a certified check of the bidder or by a bid bond satisfactory to the Town of Orangetown, duly executed by the bidder as principal having surety thereon, a surety company approved by the Town of Orangetown in amount of five percent (5%) of the bid bond.

bid bond will be returned to all except the three (3) lowest bidders within forty-eight (48) hours after the bid is opened in the Town. The bid security of the three (3) lowest bidders will be returned after the accepted bidder has executed the contract and furnished the required performance bond and insurance.

It is understood that the Contractor shall be required to post a Performance Bond acceptable to the Town Attorney by a bonding company acceptable to the Town in the amount of one hundred percent (100%) of the contract price, and assuring full performance.

The successful bidder upon failure or refusal to execute and deliver the contract and bond required within ten (10) days after it has received notice of the acceptance of the proposal, shall forfeit to the Town of Orangetown an amount equal to the security deposited with this proposal.

Bidder warrants and represents that all employees and independent contractors affiliated with or employed by such contractor or subcontractors on the project shall be compensated at the prevailing wage, including, where applicable, a wage rate mandated by the New York State Department of Labor.

Attorneys in Fact who sign bid bonds or contract bonds must file with each bond a certified copy of the Power of Attorney to sign each bond.

No proposals will be accepted by facsimile.

Only qualified bidders who have adequate experience, finances, equipment and personnel will be considered in making awards.

By order of the Town Board of the Town of Orangetown.

RICHARD L. ROSE, JR.
TOWN CLERK

CHARLOTTIMADIGAN
TOWN CLERK

DATED: June 24, 2003 j

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Signed

Sworn to before me

day of

[Signature]

[Signature]

Notary Public, Westchester County, New York

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BID ITEM: **BEHABiUmIBH Of TEMBS anil DTHHi**
ASPHALT PARK FACILITIES

KSissKsSSTsSssSSssSSSSSSSS!^^

BID OPENING TIME- v ^ **11:30 AM** DATE **07/15/11** **3**

CONTRACTOR
NAME

^DRESS

<i>Debra Crotty Hudson, N.Y.</i>	<i>Debra Crotty Hudson, N.Y.</i>	<i>Debra Crotty Hudson, N.Y.</i>		
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<i>7/15/03</i>	<i>7/15/03</i>	<i>7/15/03</i>
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Resurfacing of the foilowing facilities:

Independence Park Basketball Courts

« Veterans Memorial Park Tennis Courts

« Veterans Memorial Park In-line Hockey Rink

« Cherry Brook Park Multi-Use Area

* Rockland Psycytiatric Center Tennis Courts

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'Cherry Brook Park Tennis Court - Resurfacing

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* Veterans Memorial Park Tennis Courts - Resurfacing

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Reconstruction C Resurfacing nf the Independence Park Tennis Courts

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Resolution No. 441 - Continued

Item 4 to *Sita Construction, Inc. of Goshen*, A^F- \$126,440.00
(the lowest bidder)

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 442 PERMISSIO

**N GRANTED
NATIONAL RECREATION &
PARK ASSOC EXHIBIT/CONF
RICHARD L. ROSE, JR.**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings, Richard L. Rose, Jr. is approved to attend the 2003 national Recreation and Park Association Annual Exhibition and Conference from October 21-25, 2003 in St. Louis, MO at no cost to the Town of Orangetown.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 443 APPROVE/P.I.L.O.

**T
AGREEMENT/DHS SYSTEMS**

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

RESOLVED, that *P.I.L.O.T. Agreement between DHS Systems, LLC and the Town of Orangetown, the South Orangetown Central School District, the County of Rockland and the Rockland County Industrial Development Agency* for property located at 33 King s Highway, Orangeburg, NY, Tax Map No. 74.11-2-5 is approved.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 444 ACCEPT/TA

**X CERTIORARI
APPRAISAL FEE PROPOSAL
FROM ALBERT VALUATION**

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

RESOLVED, that the Supervisor is authorized to accept the tax certiorari appraisal fee proposal from Albert Valuation Group, Inc. for the appraisals of two (2) Union State Bank properties (SBL 74.10-1-71, 100 Dutch Hill, Orangeburg and SBL 69.09-2-1, 230 North Middletown Rd, Peari River) for a total of \$24,000.00 to be charged to Account #A1355/50485.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner
Noes: Non e

^^^

RESOLUTION NO. 445 AUTHORIZE/AGREEMEN

**T
WASSERMAN GRUBIN &
ROGERS, LLP/TRATAROS
CONSTRUCTION**

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

Resolution No. 445 - Continued

RESOLVED, that the Supervisor is authorized to execute and deliver a retainer agreement with Wasserman Grubin & Rogers, LLP, 1700 Broadway, New York, NY, 10019, for the latter to undertake legal representation of the town regarding the lawsuit of *Trataros Construction v. Town of Orangetown v. Fellows, Read Associates, Inc., et al.* (Rockland Supreme Index #3564/96; Apt. Div. 2" Dept. Docket #2003-05330/05331), at the hourly legal fee rates and other terms and conditions set forth in the attached contract for legal services, and authorize said law firm to engage experts for trial support and testimony, including, but not necessarily limited to, Issa S. Oweis, Ph.d and P.E., Geotechnical Engineering expert (\$203 per hour) and Professor Michael J. Giaramita of Carter & Burgess, Inc., Construction Scheduling Expert (\$275 per hour).

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

**RESOLUTION NO. 446 AUTHORIZE/CONTINUANC E
AGREEMENT/CICCOTTO/
ECKART, MEISTERFELD AND
SKANEATELES/TRATAROS**

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

RESOLVED, that the Supervisor is authorized **to continue** the retainer agreement between the Town of Orangetown and Peter Ciccotto, P.E., Bayside, New York, and Eckart Meisterfeld, Skaneateles, New York, as the Town's expert consultants, construction claims investigators and analysts, to provide litigation and trial support, and to act as expert witnesses to the Town including their testimony at trial, regarding litigation between *Trataros Construction, Inc. as contractor, and the Town of Orangetown as owner, and Fellows, Read Associates, Inc., et al, as design engineers*, concerning the Town's Wastewater Treatment Plant Expansion Project, at independent contractors' compensation rate of \$100.00 per hour, per expert consultant, not to exceed a total of 500 hours to be expended by both consultants together, as anticipated, in addition to said experts' costs, expenses and disbursements (e.g., motel and car rental charges, bridge and highway tolls, travel mileage at 34.5 cents per mile). **This Resolution shall be in continuance of Resolution No. 199, adopted on March 24, 2003.** (Town Attorney)

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

**RESOLUTION NO. 447 DECLAR
E R.S.S.S. CORP.
and its Principals: RICHARD
STEINBERG AND BARBARA
STEINBERG AND JEFFREY
STEINBERG AND DAVID
STEINBERG'S PERFORMANCE
BOND IN DEFAULT/PINE
GLEN PARK SUBDIVISION**

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

WHEREAS, due to the failure of R.S.S.S. Corp. and its principals, Richard Steinberg and Barbara Steinberg and Jeffrey Steinberg and David Steinberg, or any related party, to fully perform, complete and/or install all of the required public improvements for "Pine Glen Park Subdivision" (Sgt. Parker Dr., Blauvelt), as stipulated under the Planning Board Decisions: P B #89-182 (11/08/89), PB #89-95 (06/28/89), PB #89-35 (03/22/89), PB #88-159 (10/26/88), PB #88-144 (08/03/88), PB #88-91 (05/11/88), PB #88-18 (02/24/88), PB #87-168 (10/28/87), PB #87-145 (09/30/87), PB #87-129 (07/29/87), PB #87-120 (07/22/87) and PB #87-94 (06/10/87); and as set forth in the demand letter for such performance, completion and/or installation transmitted by the Supervisor to R.S.S.S. Corp. and its principals on March 28, 2003, and

Resolution No. 447 - Continued

pursuant to the terms of the Performance Bond executed and delivered by R.S.S.S. Corp. and its said principals, as Principal under the Bond, dated September 27, 1993, and upon hearing the presentation of the Superintendent of Highways, the Director of Environmental Management and Engineering, and the Town Attorney, regarding the public improvement work items required to be performed, completed and/or installed; Now Therefore, Be It

RESOLVED that the Town Board hereby declares that R.S.S.S. Corp. and its principals have defaulted to a full and material extent on the aforementioned Performance Bond, as a result of the failure of R.S.S.S. Corp. and its said principals to fully perform, complete and/or install all of the public improvement work items set forth in the March 28, 2003 demand letter of the Supervisor; and Be It

RESOLVED FURTHER that the Town Supervisor is hereby authorized and directed to "call," draw down and/or make claim against the Performance Bond given by R.S.S.S. Corp. and its said principals, as Principal under the Bond, issued by Colonial Insurance in the amount of \$444,330.00, and to institute a civil action against Jeffrey Steinberg, David Steinberg, Barbara Steinberg, Richard Steinberg and/or R.S.S.S. Corp.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 448 TABLED/DECLAR

**E BROOKVELT,
INC. and its Principals: ISRAEL
GOLDBERGER and ALEX
GOLDBERGER'S PERFORMANCE
BOND IN DEFAULT/SPARKILL
GLEN SUBDIVISION**

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

RESOLVED, to adjourn the following Resolution until the Regular Town Board Meeting of September 8, 2003.

WHEREAS, due to the failure of Brookvelt, Inc. and its principals, Israel Goldberger and Alex Goldberger, or any related party, to fully perform, complete and/or install all of the required public improvements for "Sparkill Glen Subdivision" (Lanram Road, Sparkill), as stipulated under the Planning Board Decisions: P B #96-57 (04/24/96), PB #92-82 (10/14/92), PB #92-15 (03/25/92), PB #91-55 (06/26/91) and PB#90-125 (10/24/90); and as set forth in the demand letter for such performance, completion and/or installation transmitted by the Supervisor to Brookvelt, Inc. and its said principals on March 28, 2003, and pursuant to the terms of the Performance Bond and Letter of Credit executed and delivered by Israel Goldberger, as Principal under the Bond, dated April 30, 1993, and upon hearing the presentation of the Superintendent of Highways, the Director of Environmental Management and Engineering, and the Town Attorney, regarding the public improvement work items required to be performed, completed and/or installed; Now Therefore, Be It

RESOLVED that the Town Board hereby declares that Brookvelt, Inc. and its principal(s) have defaulted to a full and material extent on the aforementioned Performance Bond and Letter of Credit, as a result of the failure of Brookvelt, Inc. and its said principal(s) to fully perform, complete and/or install all of the public improvement work items set forth in the March 28, 2003 demand letter of the Supervisor; and Be It

RESOLVED FURTHER that the Town Supervisor is hereby authorized and directed to "call," draw down and/or make claim against the Letter of Credit given by Brookvelt, Inc. and/or its principal(s) as security for the Performance Bond, such Letter of Credit having been issued by Union State Bank, in the amount of \$30,000.00, by the delivery of a site draft and notice to be executed and delivered by the Supervisor, in appropriate form, from the Town of Orangetown as Beneficiary to Union State Bank, pursuant, *inter alia*, to the following language as set forth in the Letter of Credit No. 1504, dated May 31, 1996:

Resolution No. 448 - Continued

"This drawing represents monies due the Beneficiary pursuant to, and in accordance with, and as required by P B #96-5 7 (04/24/96) , P B #92-8 2 (10/14/92), P B #92-1 5 (03/25/92) , P B #91-5 5 (06/26/91) and PB#90-1 2 (10/24/90), adopted by the Planning Board of the Town of Orangetown relative to "Sparkill Glen Subdivision."

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

^^^

RESOLUTION NO. 449 ACCEPT/RECEIVE/FIL

E

**PERFORMANCE BOND
MANHATTAN WOODS HOME &
LAND COMPANY, LLC**

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

RESOLVED, that upon the recommendation of the Town Attorney, *Perfonnance Bond No. SB0086262 in the sum of \$137,208.00 from Manhattan Woods Home & Land Company, LLC*, a New York Limited Liability Company, as Principal, and XL Specialty Insurance Company, as Surety, in favor of the Town of Orangetown, as Obligee, in connection with a certain subdivision known as "*Manhattan Woods Estates*" (and proposed to be renamed "The Legends at Manhattan Woods") is accepted, received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 450 RECEIVE/FILE/CONTRAC

T

**SACCARDI & SCHIFF, INC
SENIOR HOUSING AND
RECREATION ZONING**

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

RESOLVED, that the *Contract for Professional Services for Senior Housing Zoning and for Master Planning at Rockland Psychiatric Center property including the Creation of a Recreation Zone* between the Town of Orangetown and Saccardi & Schiff, Inc is received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 451 RECEIVE/FILE/ROA

D

**WIDENING DEED/HUDSON
VIEW SUBDIVISION**

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

RESOLVED, that the *Deed for Dedication of Road Widening Strip, Upper Grandview* from Nalan Really Corp, dated March 17, 1998 for *Hudson View Subdivision*, which was recorded in the Rockland County Clerk's Office on June 11, 2003 (Instrument ID# 2003-00039624) is received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 452 RECEIVE/FILE/DEE

**D
DEDICATION OF TREELINE
TERRACE/HUDSON VIE W
SUBDIVISION**

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

RESOLVED, that the *Deed - Dedication of Treeline Terrace, Upper Grandview* from Nalan Realty Corp, dated March 17, 1998 for *Hudson View Subdivision*, which was recorded in the Rockland County Clerk's Office on June 11, 2003 (Instrument ID# 2003-00039626) is received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 453 RECEIVE/FILE/P.I.L.O.

**T
AGREEMENT/MAGNUM
DEVELOPMENT GROUP LLC**

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

RESOLVED, that the *Payment in Lieu of Taxes (PILOT) Agreement Between Masnimi Development Group, LLC, County Of Rockland Industrial Development Agency, The Town Of Orangetown and the Pearl River School District* dated July 16, 2003 is received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 454 RECEIVE/FILE/ARCHITEC

**T
AGREEMENT (AIA DOC B141-1997)
AQUATIC/COMMUNITY /RPC**

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

RESOLVED, that the *Standard Form of Agreement Between Owner and Architect (AIA Docianent B141-1997) With Standard Form of Architect's Services* for the Aquatic Facility and Community Center at the Rockland Psychiatric Center property is received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 455 RECEIVE/FILE/AGREEMEN

**T
LAWLER, MATUSKY & SKELLY
WETLANDS DELINEATION
STUDY/RPC**

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

RESOLVED, that the *Professional Services Agreement between Lawler, Matusky & Skelly Engineers, LLP and the Town of Orangetown* for Five Freshwater Wetlands Delineation Study at the Rockland Psychiatric Center property is received and filed.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: None

RESOLUTION NO. 456 AD

**V BID/HIGHWAY DEPT
GRANITE CURBING/SIDEWALK
REHABILITATION/CENTRAL AV**

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

RESOLVED, that the Highway Department is hereby authorized to advertise for sealed bids for granite curbing and sidewalk rehabilitation on the north side of Central Avenue, Pearl River, from John Street to North Main Street, and Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., Wednesday, September 10, 2003, and be publicly opened and read aloud at 11:00 a.m., and. Be It

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: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 457 AUTHORIZE/AGREEMEN

**T
HOUSE INSPECTION COMPANY
BLAISDELL HOUSES/DEPE W
HOUSE/RPC**

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

RESOLVED, that the Director of the Office of Building, Zoning, Planning, Administration and Enforcement is authorized to enter into a professional services agreement with a housing inspection company to conduct inspections of the thirteen Blaisdell houses and the Depew house for an amount not to exceed \$15,000.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 458 ACCEP

T MINUTES

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

RESOLVED, that the Regular Town Board and Audit minutes of June 23, 2003, Special Town Board (Police Commission) minutes of June 30, 2003 are accepted.

Ayes: Councilperson s Troy, Manning, Fisher, O'Donnell
Supervisor Kleiner

Noes: Non e

New Business

A conversation took place among the Town Board, regarding a new member to be appointed to the Open Space Committee. Upo n a lengthy discussion, it was decided to address this matter at a later date.

RESOLUTION NO. 459 APPOINT/B

**D OF ETHICS
JACK LUKENS**

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

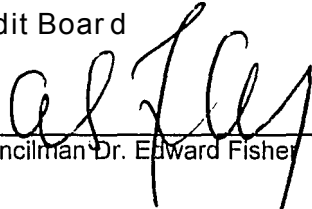
Date; 7/21/200 3

Warrant: 7/1/200 3

Approved for payment in the amount of \$447,239.3 5

The above listed claims are approved and ordered paid
from the appropriations indicated

Audit Board



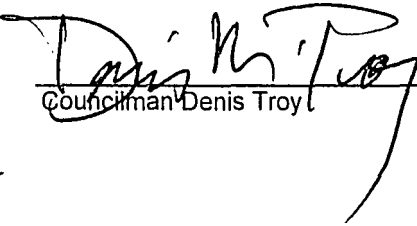
Councilman Dr. Edward Fisher

au {/ ^ P ^


Councilman Denis O'Donnell



Councilwoman Marie Manning



Councilman Denis Troy



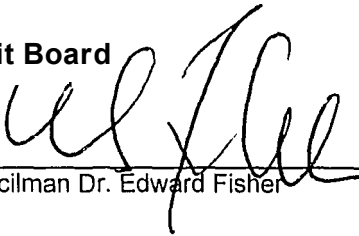
Supervisor Thom Kleiner

Date: 7/21/200 3
Warrant: 7/10/200 3

Approved for payment in the amount of \$42,390.2 1

The above listed claims are approved and ordered paid
from the appropriations indicated

Audit Board



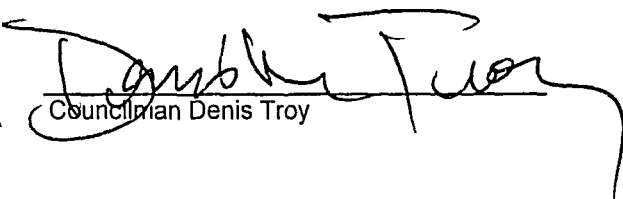
Councilman Dr. Edward Fisher




Councilwoman Denis O'Donnell



Councilwoman Marie Manning



Councilman Denis Troy



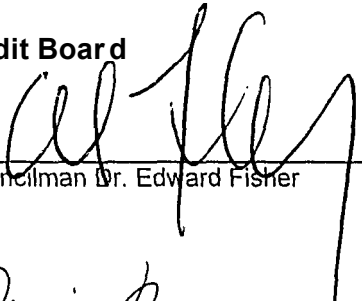
Supervisor Thom Kleiner

Date: 7/21/200 3
Warrant: 7/21/200 3


Approved for payment in the amount of \$1,547,085.1 7

The above listed claims are approved and ordered paid
from the appropriations indicated


Audit Board



Councilman Dr. Edward Fisher



Councilman Denis O'Donnell



Councilwoman Marie Manning



Councilman Jff Denison



Supervisor Thom Kleiner

TOWN OF ORANGETOWN

MANUAL CHECKS

Audit Date: JULY 21, 2003

<u>PAYEE</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Description</u>
NYC POLICE MUSEUM	7517	7/8/2003	S 41.00	ADMISSION-YOUTH ACADEMY OUTING
NYC FIRE MUSEUM	7516	7/8/2003	S 146.00	ADMISSION-YOUTH ACADEMY OUTING
ALTO MUSIC.INC.	23046	7/8/2003	S 85.00	RENTAL P.A. SYSTEM
LAKE COMPOUNCE	23044	7/8/2003	S 2,242.50	PARK ADMISSION TKTS-7/30/03
JAMES E. STEWART	3498	7/9/2003	S 21,872.68	GREENSFEEES COMM.-JUNE,2003
ORANGE & ROCKLAND	23042	6/24/2003	S 167.44	ELECT TRAFF.LIGHTS-5/5-6/4/03
		TOTAL	S 24,554.62	
 <u>ESCROW RELEASE S</u>				
AMERICAN CYANAMID CO.		6/26/2003	S 30,000.00	LANDSCAPING-BLDG 180 PARKING LOT
GEORGE MORALES		6/17/2003	S 1,000.00	SECT.78.18 BLK 1 LOT 3.2
		TOTAL	S 31,000.00	
	GRAND TOTAL		\$ 55,554.62	

APPROVAL FOR PAYMENT

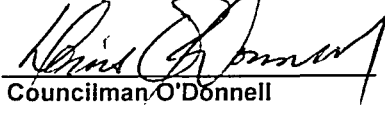
The above listed claims are approved and ordered paid from appropriations indicated.


AUDITING BOARD


 Councilman Dr. Fisher


 Councilman Troy


 Councilwoman Manning


 Councilman O'Donnell


 Supervisor Kleiner

Resolution No. 459 - Continued

RESOLVED, that Jack Lukens of Tappan is appointed to the Board of Ethics.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner
Noes: Non e

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RESOLUTION NO. 460 CHI

**P SEALING/SPARKILL FIRE
DEFT/HIGHWAY DEPARTMENT**

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

RESOLVED, that the Highway Department is authorized to provide the Sparkill Fire Department with the service of "Chip Sealing". Th e Sparkill Fire Department, as required by Municipal Law, will reimburse the Highway Department.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner
Noes: Non e

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RESOLUTION NO. 461 ENTE

R AUDIT

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

RESOLVED, that this Town Board enters Audit Meeting at 10:20 p.m.

Ayes: Councilperson s Manning, Fisher, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

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RESOLUTION NO. 462 PA

Y VOUCHERS

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Villages, Blue Hill, Highway, Sewer, Capital Projects, Risk Retention and Utilities in the amount of \$2,036,714.73.

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 463 PA

**Y MANUAL &
ESCROW CHECKS**

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

RESOLVED, that the Finance Office is hereby authorized to pay Manual Checks in the amount of \$24,554.62 and escrow releases in the amount of \$31,000.00, for a total amount of \$55,554.62.

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 464 RE-ENTE

**R EXECUTIVE
SESSION**

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

RESOLVED, that this Town Board re-enters executive session to discuss particular contractual matters and other litigation at 10:34 p.m.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 465 RE-ENTE

R RTB M

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

RESOLVED, that this Town Board re-enters the Regular Town Board meeting at 10:57 p.m.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 466 ADJOURNMENT/MEMOR

Y

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

RESOLVED, that this meeting is hereby adjourned at 10:57 p.m. in memory of John Rocco, Pearl River, Valerie Mammana, Director of Tappan Library, and Lorraine O'Brien, Pearl River.

Ayes: Councilperson s Manning, Fisher, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

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Charlotte Madigan, Town Clerk