

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD & AUDIT MEETING  
NOVEMBER 10, 2003**

The Regular Town Board Meeting was opened at 7:33 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Edward Fisher  
Councilman Denis Troy  
Councilwoman Marie Manning

Councilman Denis O'Donnell (arrived at 7:43 p.m.)

Also present: Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
Suzanne Barclay, Executive Asst. to Supvr.  
James Riley, Town Attorney  
Thomas O'Connell, Deputy Town Attorney  
Charles Richardson, Director of Finance  
Mike Yannazzone, Highway General Foreman  
Terrence Sullivan, Police Captain  
Brian Kenney, Assessor  
Mary McCloskey, Assessor's Office  
John Giardiello, Director, OBZPAE  
Richard Rose, Superintendent of Parks, Rec. & Bldg. Maint.).

\* \* \*

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

Supervisor Kleiner congratulated Denis O'Donnell and Thomas MOIT on their election. Dr. Fisher congratulated Charlotte Madigan on her election.

The Town Board and Land Use Boards will hear a presentation on the Community Pool proposal and the STEJ proposal Wednesday, November 12, 2003 6 p.m. at the Greenbush School.

The STEJ contract should be on the agenda next week. John Saccardi will address the Masterplan for RPC once the Adult/Senior Housing is in place.

John Saccardi of Saccardi & Schiff, Inc., Planning and Development Consultants, gave a presentation of the proposed Planned Adult Community Floating Zone. He addressed affordable housing and the age restrictions, which will be discussed further at the next meeting.

#### Public Portion

Simon Sauberman, Pomona, expressed his interest in purchasing a 3-bedroom Adult/Senior condo. Brian Atchison, Tappan, "Question if square footage would be the same for the affordable housing. Nicholas and Gladys June Camenares, Spring Valley, would like to be on the list for Adult/Senior Housing.

Joan Colonine, Tappan, questioned whether the Adult/Senior Housing was for Orangetown residents only.

Mary McCloskey, Blauvelt, she has been asking for Adult/Senior Housing for the last five years. Stressed the importance of patio homes for Adult/Senior Housing, which would allow seniors to remain close to family, friends and doctors. This would also allow seniors to stay in the community they raised their families in.

Donald Brenner, attorney, requested the Town Board to review the legality of the bonus concept regarding builders. Second please look at the front, sides and rear yards parameters and affordability in the community.

Miriam Beckerle, Pearl River, read statement regarding Adult/Senior Housing. She feels individuals should determine the cost. It should not be assumed that we are blue color workers.

Fran Oldenburger, Blauvelt is concerned about development vs. water resources. She is against down zoning.

Ron Beckerle, Pearl River, feels all the check's and balances are in place, requests the Town Board to pass Adult/Senior Housing quickly.

The Town Board and John Saccardi discussed the following issues: will this set a precedence, legality of floating zones and that re-zoning is the absolute digression the Town Board government.

Ted Weber, Upper Grandview, thanked Councilman Ed Fisher for his efforts in accomplishing the removal of the propane tanks on Western Highway, Orangeburg.

Ruth Weber, Upper Grandview, spoke regarding calls from Town Hall on November 4<sup>th</sup>, budget increases, increase of SS cola and Medicare increases.

Marilyn Timberger, Piermont, when will they get the sidewalks along Route 340?

Eileen Larkin, Palisades, congratulated the newly elected officials. She spoke about the increase in taxes; clear cutting; zone codes are not being followed. She suggested to remove the word "active senior" and replace it with "all senior citizens" and she feels the units should be limited to 1 or 2 bedrooms.

Catherine Dodge, Blauvelt, complained that Route 303 and Lowes is very dangerous.

Ruth Vezzetti, Tappan, spoke regarding her October 9<sup>th</sup> FOIL.

**RESOLUTION NO. 651 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: Non e

**RESOLUTION NO. 652 MEMORIALIZIN**

**G RESOLUTIO N  
ROCKLAND RIVERFRONT COMM  
PROTECT PALISADES RIDGELINE**

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

RESOLVED, that the request of a memorializing resolution with the Rockland Riverfront Communities Council to pass an ordinance to protect the Palisades Ridge in e is tabled by the Town Board.

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

Noes: Non e

**RESOLUTION NO. 653 ESTABLISH/SEASONA**

**L CLER K  
ASSESSOR'S OFFICE**

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

RESOLVED, that the position of Clerk (.seasonal) in the Assessor's Office, is established effective January 1, 2004, pending approval of the 2004 budget.

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

Noes: Non e

**RESOLUTION NO. 654 RELEASE**

**E PERFORMANCE BOND  
PEARL RIVER HOOK & LADDER**

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

RESOLVED, that upon the recommendation of the Town Attorney, the release of the Site Plan Performance Bond of the Pearl River Hook & Ladder Co. No. 1 in the amount of \$4,020.00 in connection with certain improvements made at property at Section 68.20, Block 2, Lots 3 and 4, Pearl River is authorized.

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

**RESOLUTION NO. 655 REAL**

**L PROPERTY TAX LAW  
SEPARATE EQUALIZATION RATE  
FOR COMMERCIAL PROPERTY**

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

RESOLVED, that appropriate efforts be made to change the Real Property Tax Law to obtain greater fairness for homeowners by creating a separate class for commercial real property so as to insure that a separate equalization rate is created for commercial property based solely upon the commercial property valuations in the Town; and that the Town Attorney's Office take all appropriate action to obtain this change by communicating to the Association of the Towns of the State of New York and State Public Officials.

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

\* \* \*

**RESOLUTION NO. 656 AUTHORIZE/STIPULATION**

**NOF  
SETTLEMENT/EVERETT GERARD  
DICKOW**

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

RESOLVED, that upon the report and recommendation of the Office of Joseph A. Maria, Esq., outside counsel for the Town of Orangetown and of Gallagher Bassett Services, Inc., by Chris Tintle, Claims Representative, File No. 010288-1650-GB-01, the Town Supervisor is authorized to execute and deliver a Stipulation of Settlement for Everett Gerard Dickow, concerning a slip and fall which occurred on November 11, 2000, which settlement is to be in the sum of \$15,000 and payment for which is to be made therefore.

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

\* \* \*

**RESOLUTION NO. 657 AUTHORIZE**

**/ INTERMUNICIPAL  
COOPERATION AGREEMENT  
ROCKLAND COUNTY / TOWNS  
REVALUATION OF REAL PROPERTY**

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

**Resolution No. 657 - Continued**

RESOLVED, that the Supervisor of the Town of Orangetown is authorized to execute the Intermunicipal Cooperation Agreement between the County of Rockland and the Towns within Rockland County for Revaluation of Real Property in Rockland County.

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

Noes: Councilman n Fisher

**RESOLUTION NO. 658 RECEIVE/FILE/DH S SYSTEMS  
PILOT AGREEMENT**

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

RESOLVED, that the executed Pilot Agreement and original Standby Letter of Credit No. SDCMTN545392 [095688] in the amount of USD 131,500.00 between *DHS Systems, LLC and the Town of Orangetown, the South Orangetown Central School District, the County of Rockland, and the County of Rockland Industrial Development Agency* for property located at 33 Kings Highway, Orangeburg, NY Tax Map No. 74.11-2-5 is received and filed.

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

Noes: None

**RESOLUTION NO. 659 RECEIVE/FILE/AGREEMENT T  
GOOSETOWN ENTERPRISES  
POLICE DEPARTMENT**

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

RESOLVED, that the executed Agreement between the Town of Orangetown and Goosetown Enterprises, Inc. for the Police Department's Communications Systems (calendar years 2002 and 2003) is received and filed.

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

Noes: None

**RESOLUTION NO. 660 AUTHORIZE/FINANCE DIRECTOR  
VERIZON CORPORATION FOR  
CENTREX SERVICES**

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

RESOLVED, that Finance Director is authorized to execute agreement with Verizon Corporation for Centrex services for 37-months at a cost of \$15.98 per phone line per month.

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

Noes: None

**RESOLUTION NO. 661 RECEIVE/FILE/CO-SPONSOR D  
FUNDING AGREEMENT  
PALISADES-SPARKILL BASEBALL**

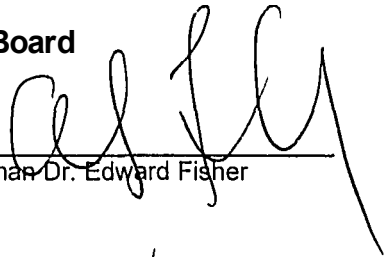
Councilman Fisher offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

Date: 11/10/200 3  
Warrant: 11/10/200 3

Approved for payment in the amount of \$1,053,486.1 9

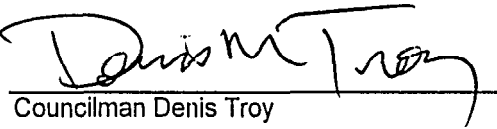
The above listed claims are approved and ordered paid  
from the appropriations indicated

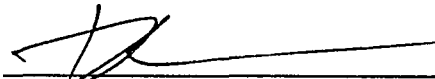
**Audit Board**

  
\_\_\_\_\_  
Councilman Dr. Edward Fisher

  
\_\_\_\_\_  
Councilman Denis O'Donnell

  
\_\_\_\_\_  
Councilwoman Marie Manning

  
\_\_\_\_\_  
Councilman Denis Troy

  
\_\_\_\_\_  
Supervisor Thom Kleiner

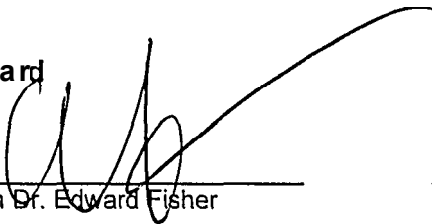
Date: 11/10/200 3

Warrant: 11/4/200 3

Approved for payment in the amount of \$403,801.7 1

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

**Audit Board**



---

Councilman Dr. Edward Fisher

  
Countiffman Denis O'Donnelli  
Councilwoman Marie Manning ^  
Councilman Denis Troy ^

---

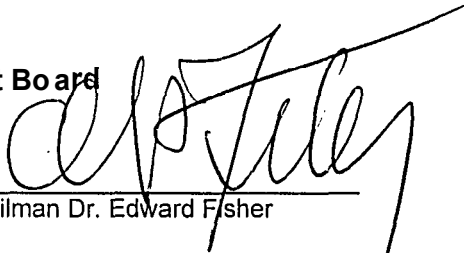
Supervisor Thom Kleiner


Date: 11/10/200 3  
Warrant: 10/28/200 3

Approved for payment in the amount of \$11,394.8 7

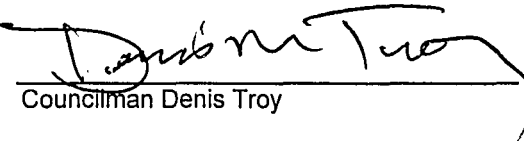
The above listed claims are approved and ordered paid  
from the appropriations indicated


**Audit Board**

  
\_\_\_\_\_  
Councilman Dr. Edward Fisher

  
\_\_\_\_\_  
Councilman Denis O'Donnell

  
\_\_\_\_\_  
Councilwoman Marie Manning

  
\_\_\_\_\_  
Councilman Denis Troy

  
\_\_\_\_\_  
Supervior Thom Kleiner

TOWN OF ORANGETOWN

MANUAL CHECKS

Audit Date: NOVEMBER 10, 2003

<u>PAYEE</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Description</u>
STATE COMPTROLLER	23100	10/27/2003	3 \$ 170.00	REGIS. ACCTG. CRSE. 11/18-20/2003
			<b>TOTAL \$</b>	<b>170.00</b>

ESCROW RELEASES

170.00

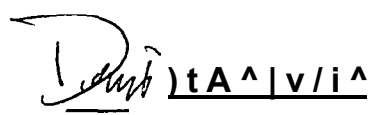
APPROVAL FOR PAYMENT

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

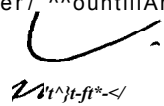
AUDITING BOARD



Councilwoman Manning

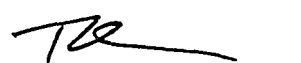


Councilman O'Donnell



Councilwoman Manning

Councilman O'Donnell

  
Supervisor Kleiner

9



**Resolution No. 661 - Continued**

RESOLVED, that the *Co-Sponsored Funding Agreement between the Town of Orangetown and the Palisades-Sparkill Baseball League* is received and filed.

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

Noes: None

\*\*\*

**RESOLUTION NO. 662 ACCEPT**

**T MINUTES**

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

RESOLVED, that the Regular Town Board and Audit meeting minutes of October 14, 2003 are accepted.

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

Noes: None

**RESOLUTION NO. 663 AUTHORIZE/AGREEMENT**

**T**

**STUART SCHRAGER, P.E.  
INSPECTION HOMES BLAISDELL  
AND OLD ORANGEBURG RD**

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

RESOLVED, that the Supervisor is authorized to execute an agreement between the Town of Orangetown and Stuart Schrage, P.E., for the inspection of fourteen homes on Blaisdeil Road and Old Orangeburg Road subject to review and approval by the Town Attorney's Office as to any proposed modifications.

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

Noes: None

**RESOLUTION NO. 664 ENTER**

**R AUDIT**

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

RESOLVED, that this Town Board enters Audit Meeting at 10:15 p.m.

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

Noes: None

**RESOLUTION NO. 665 PAY**

**Y VOUCHERS**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy 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 \$1,468,682.77.

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

Noes: None

**RESOLUTION NO. 666 PA**

**Y MANUAL**

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

RESOLVED, that the Finance Office is hereby authorized to pay Manual Checks in the amount of \$170.00.

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

Noes: None

**RESOLUTION NO. 667 ENTE**

**R EXECUTIVE  
SESSION**

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

RESOLVED, that this Town Board enters executive session to discuss particular police personnel litigation at 10:23 p.m.

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

Noes: None

\* \* \*

**RESOLUTION NO. 668 RE-ENTE**

**R RTBM**

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

RESOLVED, that this Town Board re-enters the Regular Town Board meeting at 11:47 p.m.

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

Noes: None

**RESOLUTION NO. 669 ADJOURNMENT/MEMOR**

**Y**

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

RESOLVED, that this meeting is hereby adjourned at 11:50 p.m. in memory of Mark H. Leibesberger, Biauvelt, Dr. Shephard Aronson, Tappan, Denis Meehan, Pearl River and Bill Maughan, formerly of Pearl River.

RESOLVED FURTHER, that this meeting is also hereby adjourned in honor of all deceased Veterans.

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

Noes: None

**Charlotte Madigan, Town Clerk**