

**TOWN OF ORANGETOWN  
SPECIAL TOWN BOARD MEETING  
EXECUTIVE SESSION  
January 16, 2001**

This Special Town Board Meeting was opened at 7:12 P.M. Supervisor Kleiner presided. The Town Clerk called the roll.

Present were: Councilman Robert Bergman (arrived 7:20)  
Councilman Edward Fisher  
Councilman Denis O'Donnell  
Councilman Denis Troy (arrived 7:25)

Also Present: Eliot Tozer, Deputy Supervisor  
Charlotte Madigan, Town Clerk,  
Thomas O'Connell, Deputy Town Attorney  
Brian Shortt, Confidential Assistant to Supervisor  
James Dean, Superintendent of Highways  
Eileen Schlag, Personnel

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**RESOLUTION NO. 36**

**EXECUTIVE SESSION**

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

RESOLVED, that this Town Board enters executive session to discuss particular litigation and particular personnel matters.

Ayes: Councilman Fisher, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 37**

**ADJOURNMENT**

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

RESOLVED, that this Town Board Executive Session adjourns at 7:30 P.M.

Ayes: Councilman Fisher, O'Donnell, Bergman, Troy  
Supervisor Kleiner  
Noes: None

  
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**CHARLOTTE MADIGAN, TOWN CLERK**

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
JANUARY 16, 2001**

The Regular Town Board Meeting was opened at 7:55 P.M. Supervisor Kleiner presided. The Town Clerk called the roll. Present were:

Councilman Robert Bergman  
Councilman Edward Fisher  
Councilman Dennis O'Donnell  
Councilman Denis Troy

Also present:

Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
Thomas O'Connell, Deputy Town Attorney  
Brian Shortt, Confidential Assistant to Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Robert Beckerle, Dir., Dept of Environmental Mgt. & Eng.  
Kevin Nulty, Chief of Police  
Robert Simon, Receiver of Taxes  
Mary McCloskey, Assessor's Office  
John Giardiello, Director, OBZPAE

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The Pledge of Allegiance to the Flag was led by Joe Mercurio and Gerry Bottari.

\* \* \*

Kevin Nulty, Chief of Police, thanked the Supervisor and Town Board, the Honor Guard, the public, family members and officers of the Orangetown Police Dept. He summarized the process for promotion within the Police Department. He introduced Detective Bottari and Sergeant Mercurio and spoke of their police background.

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**RESOLUTION NO. 38**

**APPOINT/POLICE SERGEANT  
BOTTARI**

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

RESOLVED, that Detective Gerald Bottari is hereby appointed to the position of Police Sergeant, effective January 18, 2001.

Ayes: Councilmen Fisher, Troy, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

Charlotte Madigan, Town Clerk, administered the oath of office to Sergeant Bottari.

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**RESOLUTION NO. 39****APPOINT/POLICE  
LIEUTENANT/MERCURIO**

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

RESOLVED, that Sergeant Anthony Mercurio is hereby appointed to the position of Police Lieutenant, effective January 18, 2001.

Ayes: Councilmen Bergman, Fisher, O'Donnell, Troy  
Supervisor Kleiner  
Noes: None

Charlotte Madigan, Town Clerk, administered the oath of office to Lieutenant Mercurio.

\* \* \*

The Supervisor and the Town Board members extended their congratulations to the two newly promoted officers, and commended all of the officers. They noted the difficulty in the selection because of the candidates' resumes and their accomplishments. Supervisor Kleiner summarized the procedure involved in the selection process.

\* \* \*

Kevin Nulty, Chief of Police, thanked the Police Honor Guard for being present.

\* \* \*

The public portion was opened and the following spoke:

Gail Raffaele, Tappan, asked how Town Attorney James Riley is? She spoke on bi-partisan committees and asked when they meet. She also asked if the mileage allowance for use of own vehicles is reported to the Internal Revenue Service.

Jeff Berman, Blauvelt, re open space preservation and concerned that no allocation in Town budget. He asked the Town to create a fund for open space acquisition now.

Paul Prisco, Palisades, spoke on contamination of well water.

Eileen Larkin, Palisades, re Palisades Civic Association meeting on January 17, 2001 at 7:30 P.M. She is opposed to members of land use boards coming from the villages as hamlets are not allowed to sit on Village Boards.

Peggy Rasso, HAVOR member, spoke on the qualifications of Larry Bucciarrelli for the Historic Areas Board of Review and in favor of his reappointment.

Barry Snyder, Orangeburg, commended the Highway Department on clearing the streets. He also complimented Richard Rose, Superintendent of Parks, Recreation & Building and Maintenance, and Mrs. Dodge, chairman of the Parks Development Advisory Committee, and their importance in future planning.

Betsy Brenner, Orangeburg, advised that the Rockland Psychiatric Center Citizens' Advisory Board will meet next Tuesday at 7:30 P.M. in Town Hall. She thanked Sergeant Mercurio for meeting with Rockland Psychiatric Center security and keeping the Advisory Board informed.

Carol Silverstein, Orangeburg, Chairman of the Blue Hill Golf Course Advisory Committee, requested that liaisons to boards and committees attend a significant number of meetings. She asked that the Board withhold any more appointments to the Golf Course Advisory Committee until there is a vacancy.

Fran Oldenburger, Blauvelt, spoke on the importance of open space and land use boards and attendance.

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**RESOLUTION NO. 40**

**APPOINT/DEPUTY RECEIVER  
TAXES/BOYLE**

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

RESOLVED, that upon the recommendation of the Receiver of Taxes, Marie Boyle is hereby appointed to the position of Deputy Receiver of Taxes in the Receiver of Taxes Office, at an annual salary of \$39,330, effective January 22, 2001.

Ayes: Councilmen Fisher, Bergman, O'Donnell, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 41**

**APPOINT/REAL PROPERTY  
DATA COLLECTOR/GRIFFITH**

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

RESOLVED, that upon the recommendation of the Assessor, provisional employee Joyce Griffith is hereby appointed to the position of Real Property Data Collector, on a permanent basis, from Eligible List Number 00082, grade 4, annual salary of \$27,947 (no change), effective January 23, 2001.

Ayes: Councilmen Troy, O'Donnell, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 42**

**CHANGE/MILEAGE ALLOW  
USE OF OWN VEHICLES**

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

RESOLVED, that mileage allowance for use of own vehicles in 2001 to 34.5 cents per mile, in accordance with IRS mileage rates is hereby approved.

Ayes: Councilmen O'Donnell, Troy, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 43**

**ACCEPT MINUTES**

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

RESOLVED, that the Organizational Minutes of January 3, 2001, Audit Minutes of January 8, 2001, and Special Town Board Minutes of January 8<sup>th</sup> and 10<sup>th</sup>, 2001 are hereby accepted.

Ayes: Councilmen Troy, Fisher, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

**RESOLUTION NO. 44**

**AUTHORIZE/SETTLEMENT  
LEWIS**

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

RESOLVED, that the Town Attorney is hereby authorized to enter into and execute stipulations of settlement and all other necessary settlement documents, on behalf of the Town of Orangetown, in the matter of Arleen Lewis v. Town of Orangetown (Clarkstown Justice Court Docket #00101080) in the settlement amount of \$400.00, to be paid by the Town to Arleen Lewis, which civil action is for property damage grounded upon negligence.

Ayes: Councilmen O'Donnell, Fisher, Bergman, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 45**

**RECEIVE/FILE AGREEMENT  
JAMES STEWART**

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

RESOLVED, that the original executed agreement between Town of Orangetown and James E. Stewart, Golf Pro, Blue Hill Golf Course is hereby received and filed.

Ayes: Councilmen Troy, O'Donnell, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 46**

**ADOPT POLICE REGS**

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

RESOLVED, that Police Regulations (to be effective for a period of six months), installation of "Stop" signs at the following locations are hereby approved:

- Manor Blvd., Pearl River @ the intersection of White Ave. (Southwest corner)
- Edward St., Sparkill @ the intersection of Sparkill Ave. (North corner of the dividing island. This will stop traffic entering Edward Street from Sparkill Ave.)

And, Be It

RESOLVED FURTHER, that the Highway Department is hereby authorized to install signs.

Ayes: Councilmen Troy, O'Donnell, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 47**

**DESIGNATE LIAISONS 2001  
COMMITTEES & BOARDS**

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

RESOLVED, that Liaisons to 2001 Committees and Boards are hereby designated as follows (liaison choices in formation):

ACABOR	Denis Troy
BLUE HILL GOLF	Denis O'Donnell
BOARD OF ASSESSMENT REVIEW	Denis O'Donnell
BOARD OF ETHICS	Thom Kleiner
BUREAU OF FIRE PROTECTION	Denis O'Donnell
CABLE TV	Denis O'Donnell
CITIZENS ADVISORY FOR CDBG	Thom Kleiner
FUNDING APPLICATIONS	Thom Kleiner
GRIEVANCE	Eliot Tozer
HISTORIC AREAS BOARD OF REVIEW	Denis Troy
HOUSING AUTHORITY	Denis O'Donnell
MUSEUM & ARCHIVE	Thom Kleiner
PARKS DEVELOPMENT ADVISORY	Robert Bergman
PEARL RIVER PARKING ADVISORY	Robert Bergman
PLANNING BOARD	Thom Kleiner
PROJECT REVIEW	Thom Kleiner
SAFETY	Eliot Tozer
SANITATION (COMMISSION)	Robert Bergman
SENIOR CITIZENS' ADVISORY	Denis Troy
SHADE TREE (COMMISSION)	Robert Bergman
SUBSTANCE ABUSE	Edward Fisher
TRAFFIC ADVISORY (BOARD)	Denis Troy
VOLUNTEER HEALTH SERVICES	Edward Fisher
YOUTH COURT	Edward Fisher
YOUTH RECREATION	Edward Fisher
ZONING BOARD OF APPEALS	Edward Fisher
ROCKLAND PSYCHIATRIC CENTER	
CITIZENS' ADVISORY BOARD	Edward Fisher

Ayes: Councilmen Fisher, Troy, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 48**

**REAPPOINT/SUBSTANCE  
ABUSE COMM**

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

RESOLVED, that Alessandro Sabatino is hereby reappointed to the *Substance Abuse Committee* for the year 2001.

Ayes: Councilmen Fisher, Bergman, O'Donnell, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 49**

**REAPPOINT SHADE TREE COMM**

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

RESOLVED, that Eric Carlson is hereby reappointed as member and chairman to the *Shade Tree Commission* for the year 2001.

Ayes: Councilmen Fisher, Bergman, O'Donnell, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 50**

**REAPPOINT/ROCKLAND  
PSYCHIATRIC CENTER  
CITIZENS' ADVISORY COMM**

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

RESOLVED, that the following are hereby reappointed members of the Rockland Psychiatric Center Citizens' Advisory Board, for the year 2001:

Betsy Brenner, Co-Chair	Tim Hopkins, Co-Chair
Barbara Hopkins	Barry Snyder
Raselle Fisher	Dr. Carol Paras
Shelly Morgan	Hector May
Georgia Lippsett	Maryellen Walsh
Sandra Stulberg	Kitty Rooney Koch
Margaret Warren	Elizabeth Turk
Vince Moran	Watson Morgan
Bruce Bond (Pearl River Board of Ed. Member)	
Edward Fisher, Town Board Liaison	

Ayes: Councilmen O'Donnell, Bergman, Fisher, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 51**

**APPOINT/ZONING BOARD OF  
APPEALS**

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

RESOLVED, that David Castagna is hereby appointed as a member of the Zoning Board of Appeals (ZBA) for a five (5) year term, effective January 19, 2001 through December 31, 2005.

Ayes: Councilmen Bergman, Troy, Fisher, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 52**

**APPOINT/ZONING BOARD OF APPEALS/SULLIVAN**

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

RESOLVED, that Thomas Sullivan is hereby appointed as a member of the Zoning Board of Appeals (ZBA) to fill the unexpired term of Al Visalli, effective January 19, 2001 through December 31 2002.

Ayes: Councilmen O'Donnell, Bergman, Troy  
Supervisor Kleiner  
Abst.: Councilman Fisher  
Noes: None

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**RESOLUTION NO. 53**

**APPOINT/PLANNING BOARD DELL**

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

RESOLVED, that Robert Dell is hereby appointed as member of the Planning Board for a seven (7) year term, effective January 17, 2001 through December 31, 2007.

Ayes: Councilmen O'Donnell, Bergman, Fisher, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 54**

**REAPPOINT/ACABOR/ALBIN**

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

RESOLVED, that Bernard Albin is hereby reappointed as member of the Architecture & Community Appearance Board of Review (ACABOR) for a three (3) year term, effective January 17, 2001 through December 31, 2003.

Ayes: Councilmen O'Donnell, Troy, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 55**

**REAPPOINT/ACABOR FRANCBANDERA**

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

RESOLVED, that Frank Francabandera is hereby reappointed as member of the Architecture & Community Appearance Board of Review (ACABOR) for a three (3) year term, effective January 17, 2001 through December 31, 2003.

Ayes: Councilmen O'Donnell, Troy, Bergman, Fisher  
Supervisor Kleiner  
Noes: None



**RESOLUTION NO. 56**

**REAPPOINT/BOARD OF ASSESS  
REVIEW/BLOUNT**

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

RESOLVED, that Walter C. Blount, Jr. is hereby reappointed as a member of the Board of Assessment Review for a five (5) year term, effective October 1, 2000 through September 30, 2005.

Ayes: Councilmen Fisher, Troy, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 57**

**COMBINE AGENDA ITEMS**

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

Resolved, that agenda items fifteen (15) through seventeen (17) are hereby combined as one.

Ayes: Councilmen Bergman, O'Donnell, Fisher, Troy  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 58**

**APPOINT/ACABOR/HVLACK**

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

RESOLVED, that Dan Hvlack is hereby appointed as a member of the Architecture & Community Appearance Board of Review for a three (3) year term, effective January 17, 2001 through December 31, 2003 (ACABOR).

Ayes: Councilmen Bergman, O'Donnell, Fisher, Troy  
Noes: Supervisor Kleiner

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**RESOLUTION NO. 59**

**APPOINT/ACABOR/MIGGE**

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

RESOLVED, that Tom Migge is hereby appointed as a member of the Architecture & Community Appearance Board of Review (ACABOR) for a three (3) year term, effective January 17, 2001 through December 31, 2003 (ACABOR)..

Ayes: Councilmen Bergman, O'Donnell, Fisher, Troy  
Noes: Supervisor Kleiner

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**RESOLUTION NO. 60****APPOINT ACABOR/DODGE**

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

RESOLVED, that James Dodge is hereby appointed as a member of the Architecture & Community Appearance Board of Review (ACABOR) for a two (2) year term, effective January 17, 2001 through December 31, 2002 (ACABOR).

Ayes: Councilmen Bergman, O'Donnell, Fisher, Troy  
Noes: Supervisor Kleiner

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**RESOLUTION NO. 61****APPOINT HAVOR/WHEATLEY**

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

RESOLVED, that Scott Wheatley is hereby appointed as a member of the Historic Areas Board of Review (HAVOR) for a five (5) year term, effective January 17, 2001 through December 31, 2005.

At this time Councilman Fisher moved to table the above appointment, which was seconded by Supervisor Kleiner and on roll call *motion to table* failed with Councilman Fisher and Supervisor Kleiner voting yes to table, and Councilmen O'Donnell, Troy, and Bergman voting no.

The original motion to appoint Scott Wheatley as a member of the Historic Areas Board of Review (HAVOR) was voted on and on roll call was adopted:

Ayes: Councilmen Bergman, Troy, O'Donnell  
Abst.: Councilman Fisher  
Noes: Supervisor Kleiner

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**RESOLUTION NO. 62****APPOINT HAVOR/CAVANAUGH**

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

RESOLVED, that Janice Cavanaugh is hereby appointed as a member of the Historic Areas Board of Review (HAVOR), for a five (5) year term, effective January 17, 2001 through December 31, 2005.

Ayes: Councilmen Bergman, Troy, Fisher, O'Donnell  
Noes: Supervisor Kleiner

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**RESOLUTION NO. 63****APPROVE CERTIFICATE OF REGISTRATION/2001**

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

RESOLVED, that Certificates of Registration (Plumber's License) for 2001 are hereby approved for the following:

(continued on page 10)

**RESOLUTION NO. 63 (continued)**

- Howard Ornstein d/b/a  
Non-Stop Plumbing & Heating  
Tappan, NY
- Ronald Tarigo,  
Stony Point, NY

Ayes: Councilmen Troy, O'Donnell, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 64**

**AMEND/RES 682/00 EXTEND  
EXPIRATION DATE POLICE  
RETIREMENT INCENTIVE**

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

RESOLVED, that Resolution No. 682/00 is hereby amended to extend the expiration date of the Police Retirement Incentive between the Town of Orangetown and the Orangetown Police Benevolent Association to February 15, 2001.

Ayes: Councilmen Fisher, Troy, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 65**

**ACCEPT/RETIREMENT POLICE  
BERCHIELLI**

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

RESOLVED, that the retirement of Detective John J. Berchielli, effective January 30, 2001, is hereby accepted with regret.

Ayes: Councilmen Bergman, Troy, Fisher, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 66**

**ACCEPT/RETIREMENT/POLICE  
NOYES**

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

RESOLVED, that the retirement of Sgt. Barbara Noyes, effective January 18, 2001, is hereby accepted with regret.

Ayes: Councilmen Fisher, Troy, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

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**RESOLUTION NO. 67**

**ACCEPT/RESIGNATION  
RETIREMENT/POLICE  
SHERIDAN**

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

RESOLVED, that the irrevocable resignation and/or retirement of Police Officer Timothy Sheridan, effective January 31, 2001, is hereby accepted.

Ayes: Councilmen Fisher, Troy, Bergman, O'Donnell  
Supervisor Kleiner  
Noes: None

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New Business:

Councilman Bergman asked that the Town Council get a report, at the earliest convenience, on the progress of land acquisition. He suggested with Town Attorney James Riley, to see if Deputy Town Attorney Thomas O'Connell, should segue into the direct supervision of the acquisitions since much of the certiorari action has been removed.

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**RESOLUTION NO. 68**

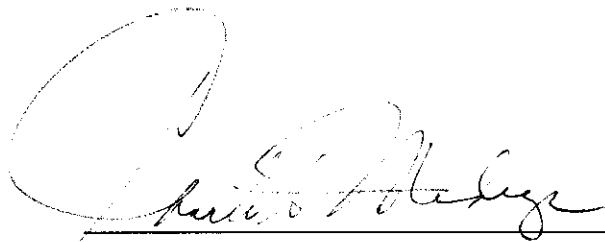
**ADJOURNMENT**

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 9:45 P.M.

Ayes: Councilmen Troy, O'Donnell, Bergman, Fisher  
Supervisor Kleiner  
Noes: None

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**CHARLOTTE MADIGAN, TOWN CLERK**