

**OWN OF ORANGETOWN
SPECIAL TOWN BOARD MEETING
EXECUTIVE SESSION
JANUARY 28, 2002**

The Special Town Board Meeting was opened at 7:10 P.M. Supervisor Kleiner presided. The Town Clerk called the roll. Present were:

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

Also present:

Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney

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RESOLUTION NO. 58

ENTER EXECUTIVE SESSION

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

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

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

Noes: None

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RESOLUTION NO. 59


ADJOURNMENT

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

RESOLVED, that this Town Board executive session adjourns at 7:47 P.M.

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

Noes: None



CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
JANUARY 28, 2002**

The Regular Town Board Meeting was opened at 8:22 P.M. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

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

Also Present:

Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Suzanne Barclay, Executive Asst. to Supervisor
Charles Richardson, Director of Finance
Mike Yannazzone, Highway Dept.
Robert Beckerle, Dir., Dept. Environmental Mgt. & Eng.
Kevin A. Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
Richard L. Rose, Jr., Supt., Parks-Recreation & Bldg. Maint.
Bert von Wurmb, Building Department

The Pledge of Allegiance was led by Mr. Gene Fitzpatrick

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Supervisor Kleiner noted the large number of the people who wanted to speak and mentioned the importance of keeping order therefore will limit the time to three minutes

Donald Brenner, Attorney, spoke about the sports complex and the modifications needed for the zoning of this complex. He explained how this complex would be built. He also explained the reviews that would be needed for this special permit. Mr. Brenner had a copy of his suggested Local Law. He gave the specifics of what could be built and what hardships the town would encounter concerning traffic and safety. He is confident that this complex will add to the tax base while providing a place for the expanding hockey needs. He then introduced his builder Mr. A. Lane. Mr. Lane gave his background as a 28-year resident and is currently an Orangetown resident, He has been asked many times by residents to build a complex of this kind and he feels that we must address this issue. Supervisor Thom Kleiner, explained the issues that would be addressed.

James Neeck, youth officer, hockey coach, is in favor of complex; hockey teams must travel to have ice time and believes that rinks are needed in Orangetown. Mr. Neeck introduced the members of the team who came tonight in favor of the complex.

Thom Buhler, coach for the modified program, is in favor of complex.

Joe Shea, VP of ice hockey club and roller hockey, noted the growth of these teams indicates the importance of building a complex that will meet this need.

Bill Henahan, Pearl River, in favor of this sports complex.

Joe Wrafter, Pearl River, 30-year resident believes that this proposal will not be good for this community. Mentioned the following concerns, safety, speed, trucks that will be in and out of this area, sewer, etc. Master Plan to revitalize Pearl River would be hindered. Pearl River Middle School students would be affected. Requested the Town Board not refer this to the zoning board.

Tony Capone, Pearl River Hockey Coach and resident need for facility, in favor.

Margaret Sullivan gave time to Mr. Wrafter not in favor of this complex.

Terry McArdle, Pearl River in favor

Margaret Sullivan not in favor

Kathleen Sullivan, Pearl River not in favor.

Mike Santini, Pearl River, urges TB to support this rink.

(public portion continued)

Bill Wynne, Ramapo Police Officer, in favor of hockey rink in Orangetown.

Jo-ann Fasulo, spoke re taxes, feels increase will cause adults to move out of Orangetown.

Gina Ironside, Tappan, re information she gathered over the weekend re Rt. 303.

Karen Mckeraney, Pearl River, read statement strongly against this proposal.

Gail McMoyview, Pearl River is in favor of this complex.

Albert Alexander, Pearl River, not in favor of this complex.

Mike Henry, Pearl River, in favor of complex.

Margaret Rodwm, Pearl River, in favor.

Tim McGee, Pearl River, has reservations re cinema, however is in favor of complex.

Jackie Curtis, Pearl River has reservations but in favor of ice hockey complex.

Maureen Shanahan, Pearl River, against this complex.

Patrick Shanahan, Pearl River, against this complex.

Michael Carroll, Pearl River, against this complex believes this will mirror Palisades Mall re safety.

Kelly O'Casal, Pearl River, 12-year resident need for complex, is in favor.

Ellen McCarty, Tappan, developers have taken beauty away; spoke re epoxy top to wall is not consistent with plans that calls for stone.

Martin Murphy, Pearl River, against complex.

Jim Cook, Pearl River, 3 children in favor of ice hockey but is against movie cinema and believes quality of life will be affected by the size of this complex.

Louis Liggio, Pearl River, strongly against this complex

Kerry Liggio, Pearl River, read her letter explaining why it is important to vote against a complex of this size, believes this will be hazardous to the children of the Middle School.

Ed O'Day, Pearl River, read letter from Bill Schule in favor of ice hockey rink, Mr.

O'Day is also in favor of sports complex. Reminded the Board that when Mercedes Benz was coming to Pearl River the traffic study indicated that traffic would not be a problem.

Judy Ebeling, Pearl River, drove by this site and believes this is not a proper site for this complex.

Gail Raffaele, Tappan, in favor of tax relief and thanked Mr. Lane and Mr. Quinn for presenting this to the board

Eileen Quinn, against this complex.

Kevin Quinn, against this complex

David Grossbard, Pearl River, strongly opposed to this complex. Safety issues major problem.

Maria Flynn, Pearl River, opposed to this complex. Safety issues will occur if we build.

Peggy Powers, Pearl River, on Pearl River PTA ,against complex of this size. Middle School students will be adversely effected.

Susan Krumm, on ambulance corps, this will over burden all fire, police and ambulance personnel.

Cathryn Liggio, Pearl River, against this complex.

Noel Haskel, Nyack, would like to see school taxes could be divided in two if not more.

Trish Moran, Pearl River, priorities are the pool, soccer, and ice hockey should be addressed, but not in this complex, leave this zoning as office park.

Sharron Kelley Bailey, Pearl River, believes this complex for hockey would be benefit.

David Howe, Tappan, Community has indicated that they do not want Rt 303, Big Box stores Big complex's are against what community. Has 696 petitions to support the legislation to be voted on 1-29-02.

Ei Mollock. Pearl River High School, is against a complex of this size. Is concerned for safety of her younger siblings. As a High School student she does not feel that High School students need this complex to keep busy.

Bernadete Carroll, Pearl River against this complex.

Kathy Clancy, Pearl River, against this complex.

Donna McDonough, Pearl River, is against this complex, this is not a sports complex.

Linda Coldner, Pearl River, makde a list of pros and cons therefore is against.

Dennis Toal, Pearl River, against this complex.

Ruth Ann Ansalmi, Pearl River, safety issues, concerned for Middle School students and feels that their safety will be effected.

Fran Oldenberger, Tappan, spoke re the 124 people she interviewed, 102 signed in favor or Rt. 303 overlay as proposed.

(public portion continued)

Mel Rosenwasser, Orangeburg, has children who play hockey, needs facility for hockey but is against this complex as presented.

Hector May, Orangetown, spoke re safety of issues, does not believe safety is as bad as presented. Spoke re the need to balance the tax issue and building issues.

Eileen Larkin, Palisades, spoke re the quality on Rt. 303 and this complex. The effect building has on our drinking water, also suggested this could be put on Rt. 303.

Ellen Murphy, Upper Grandview, against Big Box on Rt 303, believes RPC could be a proper spot for a sport facility.

Michelle Wrafter, Pearl River, against this complex, has been a resident for 29 years.

Tom Dinan, Pearl River, suggested that Mr. Brenner owns movie theatres in Pearl River and would hope that these movie theatres be reopened

Henry Borauskie, Pearl River, against this complex does not want board to send to zoning board.

Donald Brenner, presented reasons to give this to the zoning board. To present a fair and complete study it must be sent to the zoning board. The only way to present all studies to the community it must be presented to the zoning board so that the Town Board can make an educated determination. Donald Brenner stated that the Central Theatre is being sold, but is not complete at this time. The owner has asked that he answer all questions so that he can accommodate the needs of the community.

Councilman O'Donnell, spoke said people did not read about this in the paper. He spoke regarding the need for a sports facility and this has been demonstrated in the past. He addressed the concern re taxes, children and homeowners. He then ended by saying that he agreed with the public that this should not be referred out.

Councilman Troy, spoke regarding process, youth, sports. Explained RPC and loss of taxes to the Town and The Pearl River School system. Shares concerns of Middle School and traffic, not looking for arcade and movie theatre. He will not vote tonight to refer it further.

Marie Manning, Pearl River, thanked people for their interest. Phone calls made to Her indicated they were in favor of the rink but not the complex. Therefore, will not be in favor of anything this large.

Councilman Fisher, explained that Saccardi and Schiff, are the organizers of the Master Plan will be given this information and asked to remark on this presentation.

Thom Kleiner, indicated that Saccardi and Schiff have put in writing that they approved the Rt. 303-overlay plan. The site as presented is too intense a use for this use. This is a gateway to Pearl River and this project is not in the best interest of Pearl River. You must look at the future of 10 years or more and see how the project will appear then.

Land use cannot only be evaluated on tax return. It is important for developers to look at RPC because it is very close for future issues to be considered as a board. Within 50 days the Town Board will need to consider plan for the vacant land of RPC. This will include bonding issues and include ratable. These will not be an easy issue and complimented the community at large for attending this democratic process.

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The Town Board took a five-minute break.

Supervisor Kleiner, reminded everyone that a Blood Drive, sponsored by the Highway Department, will be held February 4 in Town Hall and dedicated to families affected by the September 11th terrorist attack.

Thom Kleiner said the weekly recycling, will begin February 6th.

Rose Marie Raccioppi, Artist, explained why she chose poetry in etched glasswork, and how she feels these poems will aid families who were affected by the attack of September 11th in their mourning process. Ms. Raccioppi thanked the Town for the ability to display her work in Town Hall.

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Councilman Troy brought up the Board of Ethics and a discussion took place regarding the Board. The Town Board discussed a letter sent by the Town Attorney and also

(continued)

discussed the code of ethics and would like to see progress regarding this. Councilman Troy suggested that Margaret Fitzpatrick, President of STAC, be put on this Ethics Board. Councilman O'Donnell commented about the 3-2 vote that took place and members should go before the Ethics Board. Thom Kleiner, Supervisor, commented on disclosures, and the Ethics Board. A discussion took place between Town Board members re land-use board members going before the Ethics Board

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RESOLUTION NO. 60**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items one (1) through twelve are hereby combined as one.

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

RESOLUTION NO. 61**ADOPTED/CERT. OF REG.
2002/PLUMBERS' LICENSE**

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

RESOLVED, that the Certification of Registration 2002 (Plumbers License) for Ronald J. Tarigo, Stony Point, New York is hereby approved. (Dept. Envir. Mgt. & Eng.)

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

RESOLUTION NO. 62**AUTHORIZE EMERGENCY
REPAIR/SPARKILL PUMP STATION
EMERGENCY GENERATOR**

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

RESOLVED, that this Town Board authorizes emergency repair of the Sparkill Pump Station Emergency Generator. (Dept. Envir. Mgt. & Eng.)

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

RESOLUTION NO. 63**PERMISSION GRANTED
DEPT. ENVIR. MGT. & ENG.
BECKERLE**

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

(RESOLUTION NO. 63)

RESOLVED, that permission is granted to Robert J. Beckerle, Dir., Dept. Env. Mgt. & Eng., to attend the New York Water Environment Association 74th Annual Winter Meeting on February 3-6, 2002 in New York City at a cost of \$440.00 to be charged to account 8110/0441-0480. (Dept. Env. Mgt. & Eng.)

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

Noes: None

RESOLUTION NO. 64**ADOPTED/LEASE CONTRACT
POLICE VEHICLES**

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

RESOLVED, that the lease contract for twelve Crown Victoria Police vehicles for a total of \$269,465, including interest, to be paid over a two year period: \$134,733 in 2002 and \$134,733 in 2003, is hereby approved. (Police Dept.)

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

Noes: None

RESOLUTION NO. 65**AWARD BID/POLICE UNIFORMS**

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

RESOLVED, that due to the withdrawal of Park Coats Inc., 790 Third Avenue, Brooklyn, N.Y., for the purchase of police uniforms, award the entire bid to D&E Uniforms, 213 Closter Road, Closter, NJ (Exhibit 1-D-02). (Police Dept.)

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

Noes: None

RESOLUTION NO. 66**ADOPTED/EXTEND MUNICIPAL
SNOW & ICE AGREEMENT**

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

RESOLVED, that the proposed agreement to Extend Indexed Lump Sum Municipal Snow and Ice Agreement between the Town of Orangetown and the New York State Department of Transportation for two separate periods: from July 1, 2002 to June 30, 2003 and from July 1, 2003 to June 30, 2004, is hereby approved. (Highway Dept.)

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

Noes: None

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RESOLUTION NO. 67**ADV.BIDS/FOUR WHEEL DRIVE
TRUCK /ACCESSORIES**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for the purchase of one (1) new heavy-duty four-wheel drive truck with accessories, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M, Friday, February 15, 2002, 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. (Highway Dept.)

(RESOLUTION NO. 67)

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

RESOLUTION NO. 68**ADOPTED/APPT. ADMN. SECY
DONNA MORRISON**

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

RESOLVED, that provisional employee, Donna Morrison, is hereby appointed to the position of Administrative Secretary 1, permanent, from Eligible List No. 01169, effective immediately, grade 12-7, annual salary \$50,031.

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

RESOLUTION NO. 69**RECEIVE/FILE/RYERSON ESTATES
SUBDIVISION DEEDS**

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

RESOLVED, that the Ryerson Estates Subdivision deeds are hereby received and filed as follows:

1. Deed dated May 27, 1997 from the developer, Rockhill Building Corp., a New York Corporation, in favor of the Town of Orangetown, conveying thereunder the northerly extension of Ryerson Place as described in Schedule "A" annexed thereto and accepting for maintenance Ryerson Place as shown on the original Filed Map and the map for the Ryerson Estates Subdivision as approved by the Orangetown Planning Board; the intent being to accept the offer of dedication, and maintain, the entire Ryerson Place by the Town of Orangetown;
2. Deed dated as of May 27, 1997 from Rockhill Building Corp., in favor of the Town of Orangetown granting to the Town a Storm Drainage and Sanitary Sewer Easement affection Lot 4 in the Ryerson Estates Subdivision in accordance with Schedule "A" annexed thereto;

(RESOLUTION NO. 69)

3. Deed dated May 27, 1997 from Rockhill Building Corp., in favor of the Town of Orangetown granting a 15 Foot Wide Utility and Drainage Easement Affecting Lots 2 and 3 in the Ryerson Estates Subdivision in accordance with Schedule "A" annexed thereto; and
4. Deed dated May 27, 1997 from Rockhill Building Corp. in favor of the Town of Orangetown granting a Drainage Easement Affecting Lots 4, 5 and 6 in the Ryerson Estates Subdivision as described in said Schedule "A" annexed thereto.

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

Noes: None

RESOLUTION NO. 70**ADOPTED/SETTLEMENT
HOSANG/**

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

RESOLVED, that upon the recommendation of the Town Attorney's office and the Assessor, and upon prior approval of the South Orangetown School District, the settlement of the tax certiorari of *Vincent and Jeanette Hosang*, Tax Map No. 74.19-1-2, for the tax assessment years 1997, 1998, 1999, 2000 and 2001 is hereby approved as follows:

<u>Tax Years</u>	<u>From</u>	<u>To</u>	
1997		\$2,602,700	\$2,602,700
1998		\$2,802,700	\$2,802,700
1999		\$2,802,700	\$2,427,980
2000		\$2,802,700	\$2,233,470
2001		\$2,802,700	\$2,233,470

for a total refund by the Town of \$18,686.00; for a total refund by the School of \$48,668.00. Interest on the Town and School's liability as a result of decrease is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement on the Town. (Town Attorney)

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

Noes: None

RESOLUTION NO. 71**SET DATE PH/REFER/DRAFT
GENERIC ENVIR. IMPACT
STATEMENT (GEIS)**

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

RESOLVED, that the date of February 28, 2002 at 8:00 P.M. is hereby set for a Public Hearing to consider acceptance of the Draft Generic Environmental Impact Statement (GEIS) and the Draft Comprehensive Plan (Plan) prepared by Saccardi and Shiff and, Be It

(RESOLUTION NO. 71)

RESOLVED FURTHER, that the Draft Generic Environmental Impact Statement (GEIS) and Draft Comprehensive Plan (Plan) are hereby referred to the Rockland County Planning Department and the Orangetown Planning Board for comment.

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

RESOLUTION NO. 72**ADOPTED/REAPPOINT
BOARD OF ETHICS**

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

RESOLVED, that the following members are reappointed to the Board of Ethics as follows:

Monsignor William J. Belford – 1-1-2000 through 12-31-2004
Reverend Louis Sanders – 1-1-2002 through 12-31-2003
Margaret Mary Fitzpatrick, S.C.. Ed.D.– 1-20-2002 through 12-31-2006

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

RESOLUTION NO. 73**ACCEPT MINUTES**

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

RESOLVED, that the minutes of Special Town Board meetings of 11/27/01, 12/11/01, 12/17/01, 1/17/02; Audit Meetings of 12/17/01, 1/14/02; Regular Town Board Meetings of 12/07/01, 1/14/02 are hereby approved.


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

RESOLUTION NO. 74**ADJOURNMENT**

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

RESOLVED, that this Town Board meeting is adjourned at 11:55 P.M.

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


CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
AUDIT MEETING
JANUARY 28, 2002**

The Audit Meeting opened at 11:55 P. M. Supervisor Kleiner presided.
The Town Clerk called the roll. Present were:

Councilman Edward Fisher
Councilman Denis O'Donnell
Councilman Denis M. Troy
Councilwoman Manning

Also Present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Suzanne Barclay, Executive Asst. to Supervisor
Charles Richardson, Director of Finance
Robert Beckerle, Dir., Dept. of Environmental Mgt. & Eng.
Kevin A. Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Brian Kenney, Assessor
Mary McCloskey, Assessor's Office
Richard L. Rose, Jr., Supt., Parks-Rec. & Bldg. Maint.

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RESOLUTION NO. 75

PAY VOUCHERS

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

RESOLVED, that the Finance Office is authorized to pay vouchers for General Fund, Town Outside Villages, Sewer, Highway, Utilities, Risk Retention, Capital Projects, Blue Hill and Medicare in the amount of \$554,494.15.

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

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RESOLUTION NO. 76

**PAY MANUAL CHECKS/
RELEASE ESCROW**

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

RESOLVED, that the Finance Office is authorized to issue manual checks and Escrow Release in the amount of \$564.99 as per attached schedule.

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

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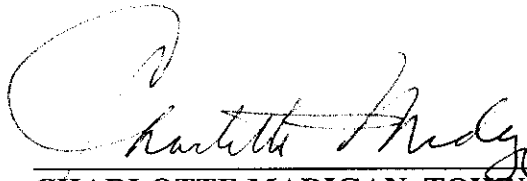
RESOLUTION NO. 77

ADJOURNMENT

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

RESOLVED, that this Audit Meeting is hereby adjourned at 11:59 P.M.

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



CHARLOTTE MADIGAN, TOWN CLERK