

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

The Regular Town Board Meeting was opened at 7:47 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 K. Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Suzanne Barclay, Executive Assistant to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir., Dept. Environmental Mgt. & Eng.
Kevin A. Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Richard L. Rose, Jr., Supt. Parks-Rec & Bldg. Maint.
Ed Cook, Deputy Building Inspector

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

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ANNOUNCEMENTS

TZ Bridge Scoping Sessions will be on Cablevision.

DISCUSSION

Rockland Psychiatric Center Proposal Review Process – Supervisor Kleiner briefly discussed the process that would take place once the Bid opening was completed. It would be 1. Review, 2. Technical, 3. Town Board. February 14, 2003 is the Bid Opening.

CHORE of the Volunteer Action Center

PUBLIC PORTION

A lengthy discussion took place between the Town Board members regarding the price proposals and should they be opened publicly. The census of opinion was O'Donnell, Troy and Fisher in favor of the pricing be opened and Supervisor Kleiner and Manning against.

Paul Malone, Sparkill spoke about snow blocking the entrance to Tappan Memorial Park. He also informed the Town Board that he sent an e-mail to the Senator regarding the fact is doesn't want the Nathan Kline Institute to be closed.

Dr. Edward Fisher questioned the signs regarding Tappan's Historic area and Restaurant Row. James Dean, Supt of Highways responded that the signs were to indicate where the downtown and Historic areas are located.

Nick Christi-Blik, Lamont Doherty, Scientist Environmental Comm. – Invitation to the Town Board to participate in a process regarding water in the Rockland County area. The Health Dept. stressed we do not have enough water to subsidize new development. Request the Town Board address this issue in the Comprehensive Plan. France presently owns the water company and feels that foreign countries owing our water may be a deterrent to our county.

Eileen Larkin, Palisades – addressed her concern regarding water. Thanked the elected officials for attending the 1/28/03 Millennium Pipeline Meeting of the Palisades Civic Association. If appeal is denied to go across to Westchester than Mrs. Larkin feels that they will pursue the direction of Rockland. Hopes that Nathan Kline at Rockland Psychiatric Center will remain open.

Fran Oldenberger, Orangeburg – spoke about Rockland Psychiatric Center and the RFP’s hopes open spacer will be part of the process in the Rockland Psychiatric Center development.

Donald Brenner, Orangeburg – Two clients of his will submit Bids on 2/14/03. He believes because of the time and expense involved in order to bid, it is correct to include pricing documents during the public opening.

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RESOLUTION NO. 92

OPEN/CDBG/BLOCK GRANT

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

RESOLVED, that the 8:00 P.M. Public Hearing to consider The Rockland County Consortium of Towns and Villages Community Development Citizen Viewpoint on the 2003 Block Grant Funds is hereby opened.

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

The Town Clerk presented proof of publication and posting, copies are labeled Exhibit 2-A-03, and made part of these minutes.

Sister Peggy Scarano, OP Chairperson introduced the two CDBG projects being proposed:

Dowling House proposal is for installation of an automated entry door. Requested amount of proposal is \$12,000.00.

Franklin Avenue Elementary School for the Franklin Square Day Habilitation Program run by A.R.C. proposal is for a contribution of \$175,000.00 towards cost of complete renovations.

The Town Board had a lengthy discussion regarding future attention given to CDBG regarding sidewalks on Route 340 near Thorpe, Dowling, Dominican College and ARC.

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RESOLUTION NO. 93

CLOSE/BLOCK GRANT

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

RESOLVED, that the 8:00 P.M. Public Hearing to consider The Rockland County Consortium of Towns and Villages Community Development Citizen Viewpoint on the 2003 Block Grant Funds is hereby closed:

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

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RESOLUTION NO. 94

ADOPT/CDBG BLOCK GRANT

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

RESOLVED, that the 8:00 P.M. Public Hearing to consider The Rockland County Consortium of Towns and Villages Community Development Citizen Viewpoint on the 2003 Block Grant Funds is hereby adopted:

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

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RESOLUTION NO. 95

**ADOPTED/MEMORIALIZING
RESOLUTION NATHAN S KLINE
INSTITUTE**

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

WHEREAS, the budget recently proposed by Gov. George E. Pataki for the Nathan S. Kline Institute for Psychiatric Research to be merged with the New York State Psychiatric Institute in Manhattan; and

WHEREAS, this proposed merger would result in the loss of 113 jobs, including many talented research physicians and scientists, and adversely effect critical research on schizophrenia, Alzheimer's disease and other devastating brain disorders and mental illness; and

WHEREAS, four years ago the state expended \$40 million to renovate and expand the Nathan S. Kline Institute with the construction of new laboratory facilities and the establishment of the Center for Advanced Brain Imaging; and

WHEREAS, the Nathan S. Kline Institute is a recently re-modeled 50 year-old, secure medical facility, located on the grounds of the Rockland Psychiatric Center property, adjacent to the property recently purchased by the Town of Orangetown;

NOW BE IT RESOLVED that the Town Board of the Town of Orangetown hereby declares that the Nathan S. Kline is an important medical facility serving the People of the State of New York and is most appropriately located at its present facility and further recognizes the important economic contribution of the Nathan S. Kline Institute to the Town of Orangetown and the Rockland County community.

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

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RESOLUTION NO. 96

COMBINE AGENDA ITEMS

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

RESOLVED, that agenda items five (5) through twenty (20) are hereby combined as one.

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

RESOLUTION NO. 97

**PERMISSION GRANTED
C. RICHARDSON/FINANCE**

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

RESOLVED, that permission is granted to Charlie Richardson, the Finance Director, to attend the annual Government Finance Officers' Association (GFOA) conference in Albany, NY on March 19-21, 2003 at a cost of \$347.00 to be charged to Account #A1310/0441-0480.

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

RESOLUTION NO. 98

**ADOPTED/ADJUSTMENTS
TOWN BUDGET 2002**

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

RESOLVED, that the 2002 budget adjustments as shown on Exhibit 2-B-03 are hereby approved.

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

RESOLUTION NO. 99

**PERMISSION GRANTED
JIM DEAN/SUPT HIGHWAY**

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

RESOLVED, that permission is granted to Jim Dean, Supt. of Highways to attend the APWA North American Snow Conference in Quebec, Canada on April 26-30, 2003 at a cost of \$986.00 to be charged to Account #A5010/0441-0480.

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

RESOLUTION NO. 100

**AWARDED/CAMPBELL
FOUNDRY/HIGHWAY**

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

WHEREAS, the Town Clerk duly advertised for sealed bids for cast iron curb inlets, which were received and publicly opened on December 13, 2002 and

WHEREAS, these bids were referred to the Superintendent of Highways for recommendation and report, a copy is labeled Exhibit 2-C-03 and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the contract for cast iron curb inlets is hereby awarded to Campbell Foundry, Harrison, NJ, for various prices as indicated on the bid-opening sheet, the lowest qualified bidder that met the Town’s specifications.

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

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RESOLUTION NO. 101

ADOPTED INTERMUNICIPAL AGREEMENT/SOIL & WATER

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

RESOLVED, that the County of Rockland enter into an intermunicipal agreement that will allow the Town of Orangetown to use materials developed by the Rockland County Soil and Water Conservation District and the Rockland County Water Quality Committee as part of the Town of Orangetown Phase II Stormwater Compliance Plan.

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

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RESOLUTION NO. 102

SET DATE PH/TO ADOPT A LOCAL LAW/SNOW PLOWING

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

RESOLVED, that the date of March 10, 2003, 8:00 P.M., is set for a public hearing to consider the adoption of a Local Law Regulating Snow Plowing in the Town of Orangetown.

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

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RESOLUTION NO. 103

SET DATE PH/TO ADOPT A LOCAL LAW/LANDSCAPERS & TREE SURGEONS

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

RESOLVED, that the date of March 10, 2003, 8:10 P.M., is set for a public hearing to consider the adoption of a Local Law Regulating Landscapers and Tree Surgeons Within the Town of Orangetown.

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

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RESOLUTION NO. 104

CREATE CLERK/PART-TIME PARKS & RECREATION

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

RESOLVED, that the position of clerk (permanent) part-time in the Department of Recreation and parks, at an hourly rate of \$12.00, is hereby created.

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

RESOLUTION NO. 105

APPROVED/TRANSFER SICK LEAVE/BEATRICE TROY

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

RESOLVED, that the transfer of sick leave credit by Town employees to a sick leave account for Town Employee, Beatrice Troy is hereby approved.

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

RESOLUTION NO. 106

AMEND RESOLUTION #38/2003 PERFORMANCE BD/SAWMILL CONST/BEAVER CREEK SUBDIVISION

Councilman Troy offered the following resolution to amend in its entirety Resolution No. 38/2003 to read as follows and which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that upon the recommendation of the Town Attorney's Office, the Town Board of the Town of Orangetown, accepts and receives: (i) the Performance Bond in the sum of \$222,234.00 from Sawmill Construction Corporation, as Principal, in favor of the Town of Orangetown as Obligee, and (ii) the annexed irrevocable Letter of Credit No. 2059 dated December 20, 2002 issued by Provident Bank in favor of the Town of Orangetown, as Beneficiary, in the amount of \$222,234.00 as collateral security for said performance Bond, and given in connection with that certain subdivision known as "Beaver Creek Subdivision." Said Performance Bond and said Letter of Credit are to be filed in the Office of the Town Clerk.

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

RESOLUTION NO. 107

13 MOUNTAINVIEW AVE HOLDING CORP (ICN EAST) IN ACCORDANCE WITH RPTL § 727

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

RESOLVED, that in accordance with Real Property Tax Law § 727, ratify and confirm that the prior assessment reduction for 13 Mountainview Avenue Holding Corp. (ICN East), Section 74.07, Block 1, Lot 36 for the 2002 tax roll is reduced from \$4,000,000 to \$3,100,000 (in accordance with the three year freeze mandated in RPTL § 727).

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

RESOLUTION NO. 108

**ADOPTED/CERT. OF REG.
2003/PLUMBERS'S LICENSE**

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

RESOLVED, that the Certification of Registration 2003 (Plumbers License) for *Michael Sasso d/b/a Sasso Plumbing, New City, New York and Dan Nolan, Inc., Orangeburg, New York* are hereby approved. (Dept. Envir. Mgt. & Eng. and Town Attorney).

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

RESOLUTION NO. 109

ACCEPT 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 January 27, 2003 are hereby accepted.

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

RESOLUTION NO. 110

**RECEIVE/FILE/RPC
REVOCABLE PERMIT
KID'S CORNER OF
ROCKLAND, INC.**

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

RESOLVED, that the Revocable Permit for the occupancy of Buildings 95 and 96 and part of the first floor of Building 101 on the grounds of Rockland Psychiatric Center by Kid's Corner of Rockland, Inc. dated January 21, 2003 and duly executed by Supervisor Thom Kleiner and Debrann Giannella, Director and Albert DeVonish, Board President of Kid's Corner of Rockland Inc., is hereby received and filed.

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

RESOLUTION NO. 111

**RECEIVE/FILE/RPC
REVOCABLE PERMIT
ROCKLAND PARAMEDICS**

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

RESOLVED, that the Revocable Permit for the occupancy of 192 Blaisdell Road, Orangeburg on the grounds of Rockland Psychiatric Center, by the Rockland Paramedics Services, Inc., dated January 21, 2003 and duly executed by Supervisor Thom Kleiner and Raymond Florida, Executive Director of Rockland Paramedic Services, Inc., is hereby received and filed.

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

RESOLUTION NO. 112

**AWARD/SHOWMOBILE
PARKS & RECREATION**

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

RESOLVED, that upon the recommendation of the Director of Parks and Recreation, award a sole source contract for \$93,683.00 to Wegner Corporation of Owatonna, Minnesota for a Showmobile to be charged to bond proceeds account # H7110/712.

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

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RESOLUTION NO. 113

**AFFORDABLE HOUSING
FOR VOLUNTEERS**

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

RESOLVED, that in recognition of the contributions of Orangetown Fire & Ambulance personnel, authorize the creation of a committee, designated by these services to assist Orangetown officials in creating opportunity for affordable housing for volunteers in Orangetown.

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

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RESOLUTION NO. 114

ENTER AUDIT

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

RESOLVED, that this Town Board enters Audit Meeting at 10:25 PM.

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

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RESOLUTION NO. 115

PAY VOUCHERS

Councilwoman Manning 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, and Risk Retention in the amount of \$1,833,699.19.

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

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RESOLUTION NO. 116

**PAY MANUAL &
ESCROW CHECKS**

Councilwoman Manning 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 \$8,753.99 and escrow releases in the amount of \$750.00, for a total of \$9,503.99.

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

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RESOLUTION NO. 117

ENTER EXECUTIVE SESSION

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

RESOLVED, that this Town Board enters executive session to discuss particular police litigation in conjunction with Police Commission and other personnel matters at 10:32 P.M.

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

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RESOLUTION NO. 118

RE-ENTER RTBM

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

RESOLVED, that this Town Board re-enters the Regular Town Board meeting at 11:53 P.M.

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

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RESOLUTION NO. 119

ADJOURNMENT

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

RESOLVED, that this meeting is hereby adjourned at 11:30 P.M.

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

CHARLOTTE MADIGAN, TOWN CLERK