

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
FEBRUARY 25, 2002**

The Regular Town Board Meeting was opened at 7:40 P. M. Supervisor Kleiner presided. The Town Clerk called 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
Teresa Kenny, Deputy Town Attorney
Veronica Murphy, Deputy Town Clerk
Suzanne Barclay, Executive Asst. to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir., Dept. Environmental Mgt. & Eng.
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardiello, Director, OBZPAE
Richard L. Rose, Jr., Supt., Parks-Recreation & Bldg. Maint.

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

ANNOUNCEMENTS:

Orangetown exhibit: "This is Orangetown: Rich in History" through 7/21/02
Draft Comprehensive Plan: Public hearing, 2/28/02

PRESENTATION OF THE ETHICS COMMITTEE:

Monsignor William Belford
Rev. Louis E. Sanders
Dr. Seymour Cohen
Mr. James A. Tigue
Dr. Margaret Fitzpatrick, O.P.,

Dr. Seymour Cohen presented the following report of findings, (exhibit 2-AA-02). The Committee met on February 14th, 15th, and 21st, in private and the decision was unanimous regarding the issues of Suzanne Barclay, Mr Alfred Rossi and Mr Anthony Urica.

Supervisor Kleiner and the Town Board thanked the Committee for their time and efforts concerning their work in making their decision.

The public portion was opened and the following spoke:

Paul Malone, Tappan, commented on the findings of the Ethics Board, and appreciated their difficult decision.

Eileen Larkin, Palisades, spoke regarding the Ethics Board and was not happy with the decision. She is concerned about the additional antennas to be added to the existing tower at the Town of Orangetown Sewer Department Building at 127 Route 303
Scott Wheatley, Orangetown, Nike Park could be location for the dog run, Stressed the need for a dog run and has copy of the law from the County. A discussion took place between Mr. Wheatley, the Town Board and Rich Rose for an appropriate park for this dog run.

Gail Raphaelle, Tappan, Asked about a bike law, rates for the antennas should be higher, FOILS not answered, including position that of Suzanne Barclay.

Mr. Wall, Grandview, read the meaning of Ethics and explained why he does not agree with the decision of the Ethics Board

Patricia Moran, Pearl River, feels the Town Attorney does an exceptional job for the Town.

Stan Shelofsky, Blauvelt, Commented on the additional 6 antennas to the Sewer Bldg. He believes we can do better monetarily for the Town of Orangetown.

Mary Kuhner, Blauvelt, questioned the numbers of antennas, asked who sets the fair market rate. Suggested we go out to other towns and compare these rates. Violations concerning Route 303.

Mrs Georgia Lippsett, Blauvelt, Saber systems and who is paying for this. Inter-municipal Agreement.

Tom Dinan, Pearl River, Questioned Rotary Clock for Pearl River \$1,000.00.

RESOLUTION NO. 118

COMBINE AGENDA ITEMS

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

RESOLVED, that agenda items one (1) through eleven (11) are hereby combined.

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

Noes: None

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RESOLUTION NO. 119

**ADOPTED/FUNDING/CLOCK
BRAUNSDORF MEM. PARK**

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

RESOLVED, that funding in the amount of \$1,000 to the Pearl River Rotary for a Town Clock which shall be located in Braunsdorf Memorial Park, Pearl River, is hereby approved, to be charged to account A/6989/50457.

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

Noes: None

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RESOLUTION NO. 120

**PERMISSION GRANTED/
RICHARDSON/FINANCE**

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

RESOLVED, that permission is granted to Charles Richardson to attend the NYS Government Finance Officer's Association Conference in Albany, NY March 19-21, 2002 at a cost of \$115.00 and charged to account A1310-50441.

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

Noes: None

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RESOLUTION NO.121

**ADOPTED/AJUSTMENTS
TOWN BUDGET 2001**

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

RESOLVED, that to the Town's 2001 budget in preparation for the 2001 external audit is hereby approved.

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

Noes: None

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RESOLUTION NO. 122

**AWARD CHEMICALS &
FERTILIZERS/BLUE HILL
GOLF COURSE/PARKS DEPT.**

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

Whereas the Town Clerk duly advertised for sealed bids for Blue Hill Golf Course & Parks Department, which were received and publicly opened on February 14, 2002, and

Whereas, these bids were referred to the Department of Parks, Recreation & Building Maintenance, for recommendation and report, a copy is labeled Exhibit 2-B-02, and made a part of these minutes, Now, Therefore, Be It.

RESOLVED, that the bids for Chemicals & Fertilizers for Blue Hill Golf Course and the Parks Department is hereby awarded to the lowest qualified bidders as follows:

- Fert-L Soil, Scotch Plains, NJ- Item 6 totaling \$434.80
- Lesco, Inc., Stormsville, OH- Items 4,9,10,11,12,13,14 and 19 totaling \$15,560.30
- UHS, N. Brunswick, NJ- Items 2,3,5,18 and 20 totaling \$12,271.24
- Terre Co., Clifton, NJ - Item 15 totaling \$ 2,850.00
- Metro Milorganite, Danbury, CT- Items 7 and 16 totaling \$4,974.50
- Fran Berdine (Simplot Partners), Pine Bush, NY- Items 1, 8, and 17 totaling \$28,223.25

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

Noes: None

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RESOLUTION NO. 123

**AWARD/TURF EQUIPMENT
BLUE HILL GOLF COURSE/
PARKS DEPT.**

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

Whereas the Town Clerk duly advertised for sealed bids for Blue Hill Golf Course & Parks Department, which were received and publicly opened on February 14, 2002, and

Whereas, these bids were referred to the Department of Parks, Recreation & Building Maintenance, for recommendation and report, a copy is labeled Exhibit 2-C-02, and made a part of these minutes, Now, Therefore, Be It.

RESOLVED, that the bids for Turf Equipment for Blue Hill Golf Course and the Parks Department is hereby awarded to the lowest qualified bidders as follows:

E/T Equipment Corp, Croton-on-Hudson, NY- \$33,703.00
Storr Tractor Co., Branchburg, NJ- \$23,990.00

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

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RESOLUTION NO. 124

**PERMISSION GRANTED/POLICE
FISHER, YOUNGMAN, BRENT,
NEWBURY, SULLIVAN**

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

RESOLVED, that permission is granted to Sgt. Steven Fisher, Police Officers Frank Youngman, Brent Newbury and Joseph Sullivan to attend the Empire State Traffic Safety Conference in Albany, NY on April 9-10, 2002 at a cost of \$306.00 to be charged to Accounts B3120/0441-0480.

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

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RESOLUTION NO. 125

**PERMISSION GRANTED/POLICE
BROWN**

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

RESOLVED, that permission is granted to Sgt. James Brown to attend Accident Investigation School at Bergen County Police Academy in Mahwah, N.J. on May 6-17, 2002 at a cost of \$450.00 to be charged to Accounts B3120/0441-0480.

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

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RESOLUTION NO. 126

**PERMISSION GRANTED/POLICE
BROWN/BUTTERWORTH**

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

RESOLVED, that permission is granted to Sgt. James Brown and Donald Butterworth to attend the Less Lethal Munitions Certification Course in Poughkeepsie, NY on April 3-5, 2002 at a cost of \$1,462.00 to be charged to Accounts B3120/0441-0480.

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

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RESOLUTION NO. 127

**ADOPT LL GRANTING TOWN
JURISDICTION/COMMUTER
PARKING LOT IN PEARL RIVER**

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

RESOLVED, that a local law authorizing and granting the Town of Orangetown jurisdiction to enforce, control, regulate and/or seek compliance with provisions set forth in Vehicle and Traffic Law (VTL) S 1660-a for the Commuter Parking Lot located on Railroad Place in Pearl River, is hereby adopted.

*Rescinded
RTBM 3/11/02
Res. 159*

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

Noes: None

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RESOLUTION NO. 128

**APPROVE/EXTENDED MILITARY
LEAVE/POLICE/NAWOICHYK**

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

RESOLVED, that extended military leave for Det. James Nawoichyk in the year 2002 for 60 military leave days is hereby approved and shall be reflected on the time record sheets.

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

Noes: None

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RESOLUTION NO. 129

**REJECT BID/READVERTISE
PURCHASE INDUSTRIAL
SERVICE UNIFORMS/HWY**

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

Whereas the Town Clerk duly advertised for sealed bids for the furnishing Industrial Service Uniforms, which were received and publicly opened on January 9, 2002, and

Whereas, these bids were referred to the Superintendent of Highways, for recommendation and report, a copy is labeled Exhibit 12-D-02 and made a part of these minutes, Now, Therefore, Be It.

RESOLVED, that the two bids received and opened on January 9, 2002, for the Purchase of Police Uniforms are hereby rejected, and, Be It,

RESOLVED FURTHER, that the Town Clerk is hereby authorized to re-advertise for sealed bids for the furnishing of Industrial Service Uniforms, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M. on March 12, 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 will be made at a regular Town Board meeting.

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

Noes: None

RESOLUTION NO. 130

**PERMISSION GRANTED/HIGHWAY
SUPT. DEAN**

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

RESOLVED, that permission is granted to Highway Superintendent James T. Dean to attend the Solid Waste and Recycling Conference at Lake George, NY on May 5-8, 2002 at a cost of \$790.00 to be charged to Accounts A5010/0441-0480.

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

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RESOLUTION NO. 131

**TABLED/AMENDMENT/LEASE
AGREEMENT/OMNIPOINT COMM.**

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

Approve amendment to lease agreement between the Town of Orangetown and Omnipoint Communications Inc., a wholly owned subsidiary of Voicestream Wireless, to permit Omnipoint Communications to add 6 (six) additional antennae to their existing tower located at the Town of Orangetown Sewer Department building at 127 Route 303 at an additional rental cost of \$250.00 per month.

After much discussion, Councilman O'Donnell motioned to TABLE, which was seconded by Councilman Troy and on a roll call motion to TABLE carried as follows:

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

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RESOLUTION NO. 132

**SET DATE PH/DE-MAPPING
STEPHEN'S ROAD/TAPPAN**

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

RESOLVED, that the date of Monday, April 8, 2002, 8:00 P.M., is hereby set for a public hearing regarding a request for de-mapping portions of Stephen's Road, Section 77.10, Block 3, Lot 59, Tappan, New York and, Be It

RESOLVED FURTHER, that this is hereby referred to the Planning Board and the Town Attorneys Office for comment.

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

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RESOLUTION NO. 133

**ADOPTED/TOWN BOARD
MINUTES**

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

RESOLVED, that the Regular Town Board Minutes of 2/11/02; Special Town

RESOLUTION NO. 133 (continued)

Board Minutes of 2/11/02, 2/19/02 and Audit Meeting of 2/11/02 are hereby approved.

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

Noes: None

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RESOLUTION NO.134

**ADOPTED/JUSTICE COURT
PURCHASE/DYNEX RESOURCES**

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

RESOLVED, that the Justice Court purchase of an IBM AS-400 from Dynex Resources, Inc., at total cost of \$21,482.20, consistent with the pricing in the New York State contract for this equipment, is hereby approved and charged to A111002/50200. Funding of \$21,485.00 to be transferred from the General Fund Contingency Account A1990004/50500.

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

Noes: None

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RESOLUTION NO. 135

**RECEIVE/FILE/ANNUAL FINANCIAL
REPORT/CENTRAL NYACK FIRE
DISTRICT/FISCAL YEAR 2001**

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

RESOLVED, that the Annual Financial Report for the Central Nyack Fire District for the fiscal year 2001, is hereby received and filed.

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

Noes: None

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RESOLUTION NO. 136

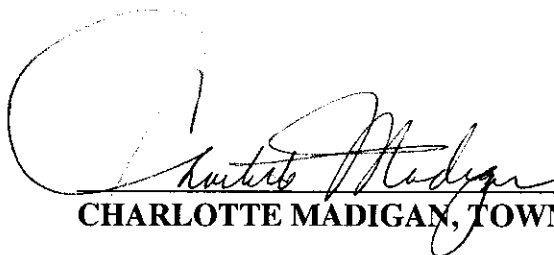
ADJOURNMENT/MEMORY OF

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

RESOLVED, that this Regular Town Board meeting is adjourned at 9:10 P. M., in memory of Joseph McDonnell, Pearl River, NY; Dorothy McGillicuddy.

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

Noes: None



CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
AUDIT MEETING
FEBRUARY 25, 2002**

The Audit Meeting was opened at 9:12 P.M. Supervisor Kleiner presided.
The Town Clerk called the roll. Present were:

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

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Veronica Murphy, Deputy Town Clerk
Suzanne Barclay, Executive Assistant to Supervisor
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir., Dept of Environmental Mgt. & Eng.
Richard L. Rose, Supt., Parks-Rec. & Bldg. Maint.

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RESOLUTION NO. 137

PAY VOUCHERS

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

RESOLVED, that the Finance Office is authorized to pay vouchers for General Fund, Town Outside Villages, Blue Hill, Highway, Sewer, Capital Projects, Risk Retention, and Utilities in the total amount of \$886,198.50.

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

Noes: None

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RESOLUTION NO. 138

PAY MANUAL CHECKS

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

RESOLVED, that the Finance Office is authorized to issue manual checks in the amount of \$3,296.09, as per attached schedule.

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

Noes: None

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RESOLUTION NO. 139

ADJOURNMENT

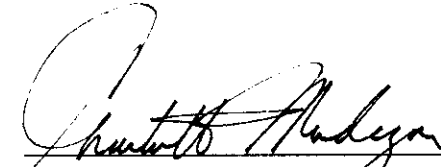
Councilman Troy offered the following resolution, which was seconded by Councilman O'Donnell and was unanimously adopted:

RESOLUTION NO. 139 (continued)

RESOLVED, that this Town Board executive session adjourns at 9:15 P.M.

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

Noes: None



CHARLOTTE MADIGAN, TOWN CLERK