

**TOWN OF ORANGETOWN
SPECIAL TOWN BOARD MEETING
EXECUTIVE SESSION
June 25, 2001**

This Special Town Board Meeting was opened at 7:20 P.M. Supervisor Kleiner presided. The Town Clerk called the roll.

Present were: Councilman Robert Bergman
Councilman Edward Fisher
Councilman Denis O'Donnell
Councilman Denis Troy

Also Present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Brian Shortt, Confidential Assistant to Supervisor
Charles Richardson, Director of Finance

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RESOLUTION NO. 399

EXECUTIVE SESSION

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

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

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

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RESOLUTION NO. 400

ADJOURNMENT

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

RESOLVED, that this Town Board Executive Session adjourns at 7:50 P.M.

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

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CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
JUNE 25, 2001**

The Regular Town Board Meeting was opened at 7:50 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
James K. Riley, Town Attorney
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.
Terrence Sullivan, Police Captain
Mary McCloskey, Assessor's Office
Ed Cook, OBZPAE
Richard L. Rose, Jr., Supt., Parks-Rec. & Bldg. Maint.

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The Pledge of Allegiance to the Flag was led by the Town Board.

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The public portion was opened and the following spoke:

Eliot Gillis, re softball league, removed from roster playing time on fields, would like permits reinstated.

Muriel Morgan, Blauvelt, league member, would like disciplinary problems solved and permit reinstated.

Watson Morgan, Blauvelt, hopes permit will be reinstated so residents can play locally.

Richard Rose, Superintendent of Parks, Recreation & Building Maintenance, said incident was with the league administration and, in consultation with South Orangetown School District personnel, decision to revoke the permit was made.

Supervisor Kleiner said he hoped they could come to an agreement and reassignment of the permit could take place.

Captain Sullivan, in answer to Councilman Troy, affirmed that driving on school fields is illegal, but complaint must be made to recognize that this is illegal, and the School District has not come forward to press this charge.

A discussion took place between the Town Board and Richard Rose. The Town Board questioned the number of complaints and if a copy of the permits is available. Mr. Rose explained the procedures that are followed every season.

Councilman Bergman asked if the person who caused the problem still remains at the head of the league.

Councilman O'Donnell mentioned that if the person who caused the problem was removed it might be easier for the permit to be reinstated.

Councilman Troy feels that the person should come forward and plead case for himself.

Mr. Shaperio indicated his presence but did not speak.

Councilman Bergman, re the Board will indicate feelings, but Richard Rose is qualified to make final determination on the permit.

Richard Rose said that the Town must be in agreement and act in partnership with the South Orangetown School District who hosts the field to the Town.

Mrs. McCarthy, Tappan, stressed problems with her wall, wrong wall, destroyed fence and water problem now.

Supervisor Kleiner meeting re natural or cultured stone, feels all Boards want natural stone. A discussion took place with the Town Board regarding Mr. Herskowitz. The Town Board feels he is delaying and questioned whether he should be allowed to return to the Planning Board or should enforcement continue.

James Riley, Town Attorney, in answer to Supervisor Kleiner's question on Town Attorney's office starting procedures, said that, if builder is in default, proceedings can be started.

Supervisor Kleiner indicated that the Town Board can do both, place phone call to Mr. Herskowitz and give deadline for legal proceedings to begin.

Mrs. McCarthy, Tappan, asked why it wasn't returned to the Planning Board and if letter of credit is still available.

Robert Beckerle, Director of Department of Environmental Management & Engineering, advised that bond in the amount of \$360,000 for public improvements is available, and this is a public improvement.

Eileen Larkin, Palisades, re building on Route 340 will have negative traffic impact on residents. She noted that the Rockleigh, New Jersey, Willow Run sign forces traffic through Palisades, and suggested Orangetown call Rockleigh Mayor to correct this problem.

Paul Prisco, Palisades, re Rockleigh, New Jersey, sends out public notices on public meeting but when people go to meeting they cannot speak. Traffic on Route 340 is bad. He wants Federal Government to mandate that when one State pollutes another State neighbors being affected must be notified.

Gail Raffaele, Tappan, asked the status of televising Town Board meetings. She spoke on Supervisor Kleiner's letter on release of foil regarding her lawsuit. She also spoke on Sparkill Creek and the moratorium.

Councilman Bergman said that a constituent complained about rates on the Piermont Pier, and increase to Orangetown residents but no charge to Piermont residents. Constituent believes this is unfair to Orangetown as residents of Piermont use Town facilities.

Fred Baldus, Pearl River, advised charge for Piermont Pier is not appropriate. A discussion took place between Supervisor Kleiner and Mr. Baldus regarding property and whether it lies in Orangetown or Sparkill. Village of Piermont uses our facilities as Town residents, therefore, residents of the Town of Orangetown should be able to use pier as Orangetown residents.

Upon further discussion the Town Council indicated that a resolution could begin process of fair treatment.

Councilman Fisher re Mr. Trainer should be called.

Councilman Troy reiterated his request for the Sewer Department timetable on maintenance program and the Television truck project plan. He requested a meeting between the Town Board and Robert Beckerle to discuss this matter.

Supervisor Kleiner feels that after truck arrives costs and timetable will be easier to plan.

Robert Beckerle, Dir. Dept. of Environmental Mgt. & Eng., said he expects the truck to arrive sometime in September. He will hire new men when timetable for truck is clear, 150 manholes takes about seventy or eighty days to complete.

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Supervisor Kleiner advised that on July 11th the New Jersey Transit will sponsor a meeting on the Northern Branch option for future rail service, NJ, 3-5pm and 7-9pm.

July 12th the New Jersey Transit will sponsor a meeting on the West Shore Branch option for future rail service in Orangetown Town Hall, 3-5pm and 7-9pm.

July 24th the Town Board and Planning Board meeting with Route 303 Sustainable Development Study Planners and other matters, Orangetown Town Hall at 7:30pm.

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Councilman Bergman discussed agenda item on Pearl River Street Lights and revitalization. All persons in attendance reviewed the plans.

Councilman Troy complimented Councilman Bergman and Robert Beckerle, Director of Department of Environmental Management & Engineering, on their work on the Pearl River revitalization project.

A discussion took place on Greenbush and other traffic projects.

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RESOLUTION NO. 401

AMEND RES 344/2001 SUBMISSION & OPENING DATE/RFP'S RESIDENTIAL RECYCLABLES

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

RESOLVED, that Resolution No. 344/2001 is hereby amended to change the submission and the opening date of the Requests for Proposals for the collection, transportation and disposal of residential recyclables from July 6, 2001 to August 21, 2001 (Town Attorney).

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

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RESOLUTION NO. 402

GRANT PERMISSION FINANCE

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

(continued on page 4)

RESOLUTION NO. 402 (continued)

RESOLVED, that permission is hereby granted to Barbara Feld to attend the MUNIS conference in Orlando, Florida, from October 21 - 24, 2001, at a total cost of \$1,276.84, to be charged to accounts A/1310/0441 and A1310/0480 (Finance Dept.).

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

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RESOLUTION NO. 403**GRANT PERMISSION/POLICE**

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

RESOLVED, that permission is hereby granted to Police Officer Kathleen Sampath to attend the D.A.R.E. Training Conference, in Pittsford, Vermont, from August 6 - 17, 2001, at a total cost of \$1,805.00, to be charged to accounts B/3120/0441 and B/3120/0480 (Police Dept.).

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

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RESOLUTION NO. 404**ADVERTISE/PREFORMED
PAVEMENT/HIGHWAY**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for Preformed Pavement Markings, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., July 25, 2001, 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 (Supt. of Highways).

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

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RESOLUTION NO. 405**AWARD/CONTRACT/CAST
IRON CURB INLETS**

Councilman Bergman offered the following resolution, which was seconded by Councilman Troy 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 March 7, 2001, and,

Whereas, these bids were referred to the Superintendent of Highways for
(continued on page 5)

RESOLUTION NO. 405 (continued)

recommendation and report, a copy is labeled Exhibit 6-F-2000 and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the contract for Cast Iron Curb Inlets, with the exception of the 2 ½" Manhole Extension Ring for 31 ¾" diameter cover, and the 3" Manhole Extension Ring for 31 ¾" diameter cover, is hereby awarded to Precaste Concrete Sales Co., Valley Cottage, NY, the lowest qualified bidder, and, Be It

RESOLVED FURTHER, that the contract for the 2 ½" Manhole Extension Ring for 31 ¾" diameter cover, and the 3" Manhole Extension Ring for 31 ¾" diameter cover is hereby awarded to Chemung Supply Corp., Elmira, NY, the lowest qualified bidder of these items (Supt. of Highways).

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

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RESOLUTION NO. 406**ACCEPT MINUTES**

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

RESOLVED, that the Audit and Special Town Board minutes of June 11, 2001 are hereby accepted (Town Clerk).

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

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RESOLUTION NO. 407**APPROVE FUNDING PEARL
RIVER CHAMBER OF
COMMERCE**

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

RESOLVED, that funding for the Pearl River Chamber of Commerce for the Country Fair Days, July 27 and 28, 2001, by providing \$500.00 for the Chamber to secure a band; two (2) port-o-johns; barricades; and trash receptacles is hereby approved.

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

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RESOLUTION NO. 408**WAIVE FEES/TAPPAN
VOLUNTEER FIRE ASSOC.**

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

RESOLVED, that permit fees in the amount of \$64.00 for the Volunteer

(continued on page 6)

RESOLUTION NO. 408 (continued)

Fire Association of Tappan for removal of a heating oil tank from their property at 145 Washington Street, Tappan, New York, are hereby waived.

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

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RESOLUTION NO. 409**DESIGNATION OF LEAD
AGENCY/CORTWOOD
VILLAGE PARKING PROJECT**

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

RESOLVED, that the Town Board hereby declares itself Lead Agency for the purpose of the SEQRA determination in the Cortwood Village parking project (Orangetown Housing Authority).

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

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RESOLUTION NO. 410**SEQRA DECLARATION
CORTWOOD VILLAGE
PARKING PROJECT**

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

RESOLVED, that a negative SEQRA Declaration on Cortwood Village parking project is hereby adopted, copy of the short Environmental Assessment Form is labeled Exhibit 6-E-01 and made a part of these minutes.

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

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RESOLUTION NO. 411**ADVERTISE/BIDS PUMPS
SOUTH NYACK PUMP
STATION**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for the purchase of Submersible Sewerage Pumps for the South Nyack Pump Station, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., July 19, 2001, 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

(continued on page 7)

RESOLUTION NO. 411 (continued)

recommendation concerning the award is to be made at a regular Town Board Meeting.
(Dir. Dept. of Environmental Mgt. & Eng.).

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

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RESOLUTION NO. 412**ADVERTISE BIDS/PEARL
RIVER STREET LIGHTS**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for
sealed bids for the purchase of Pearl River Street Lights, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M.
August 2, 2001, and be publicly opened and read aloud at 11:20 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
(Dept. of Environmental Mgt. & Eng.).

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

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RESOLUTION NO. 413 *Amended 9/10/01
Rev # 518***APPROVE SETTLEMENT/TAX
CERT/GLORIOUS SUN
ROBERT MARTIN**

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's
Office and the Assessor, and upon prior approval of the Pearl River Union Free School
District, settlement of the tax certiorari of Glorious Sun/Robert Martin, L.L.C. (Blue
Hill), Tax Map No. 73.05-1-54, for the tax assessment years 1997; 1998; 1999 and 2000
is hereby approved as follows:

<u>Tax Years</u>	<u>From</u>	<u>To</u>
1997/98	\$105,000,000	\$65,000,000
1998/99	\$105,000,000	\$68,000,000
1999/2000	\$ 95,000,000	\$71,000,000
2000/2001	\$ 87,500,000	\$75,000,000

for a total refund by the Town of \$1,195,570.00 and for a total refund by the School of
\$3,376,211.00. Interest on the Town and School's Liability as a result of the decrease is
waived for all taxing districts.

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

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RESOLUTION NO. 414**APPOINT/DEPT ENVIRON
MGT & ENG/BOERA**

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

RESOLVED, that Edward Boera is hereby appointed to the position of Assistant Auto Mechanic in the Department of Environmental Management & Engineering, permanent, grade 13A, at an annual salary of \$41,004.00, effective immediately.

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

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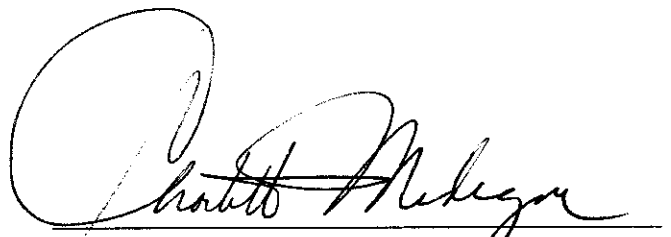
RESOLUTION NO. 415**ADJOURNMENT/MEMORY**

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

RESOLVED, that this meeting is hereby adjourned at 10:05 P.M. in memory of Joseph Mercurio, Piermont.

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

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CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
AUDIT MEETING
June 25, 2001**

The Audit Meeting opened at 10:05 P.M. Supervisor Kleiner presided. The Town Clerk called the roll. Present were:

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

Also Present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James K. Riley, Town Attorney
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. Environmental Mgt. & Eng.
Kevin A. Nulty, Chief of Police
Terry Sullivan, Police Captain
Ed Cook, OBZPAE

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RESOLUTION NO. 416

PAY VOUCHERS

Councilman Fisher offered the following resolution, which was seconded by Councilman Troy 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, Utilities, and Medicare in the amount of \$331,408.58.

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

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RESOLUTION NO. 417

**PAY MANUAL CHECKS/
RELEASE ESCROW**

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

RESOLVED, that the Finance Office is authorized to issue manual checks and Escrow Release in the amount of \$15,468.35 as per attached schedule.

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

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RESOLUTION NO. 418

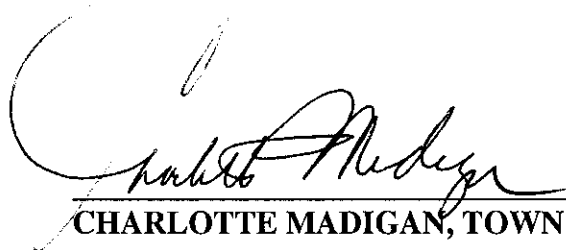
ADJOURNMENT

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

RESOLVED, that this Audit Meeting is hereby adjourned at 10:15 P.M.

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

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CHARLOTTE MADIGAN, TOWN CLERK