

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
SEPTEMBER 10, 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
Suzanne Barclay, Confidential Assistant to Supervisor
Charles Richardson, Director of Finance
Robert Beckerle, Dir., Dept of Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
John Giardiello, Director, OBZPAE
Richard L. Rose, Jr., Supt., Parks-Rec. & Bldg. Maint.

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

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The public portion was opened and the following spoke:

Paul Melone, Tappan, re Kelly's pub in Tappan, noise, parking and hours, plastic sign, questioned permit. Regs should follow all other restaurants.

Mrs. McCarty, Tappan, thanked the Board for pulling the bond, and has noticed progress. She asked who will improve the damage to her property? They also used her electricity.

Eileen Larkin, Palisades, utility poles on Route 303, Rockleigh and contamination of site. She spoke re neighboring States and acknowledgment of any information re contamination.

Councilman O'Donnell feels communication lines and utility poles should be buried when Route 303 is being redone.

Anthony Zacharakis, Tappan, left, did not speak.

Fran Oldenberg, re cablevision.

Mrs. Anselma, Oak Tree Road & White Oak, re dirt bike track, against noise and pollution, appeared with two other neighbors, Mrs. Goldfarb and Mrs. Gorea. A discussion took place between the Orangetown Police Department and the Town Board on how to address this problem.

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Jim Trojan made presentation on Braunsdorf Park Rotary Clock. Councilman Fisher thanked Jim Trojan and Frank Neeson for their efforts.

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RESOLUTION NO. 509

**SET P/H ADOPTION ROUTE
303 CORRIDOR OVERLAY
ZONING DISTRICT**

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

RESOLVED, that the date of October 15, 2001 is hereby set for a Public Hearing to consider adoption of the Route 303 Corridor Overlay Zoning District, as amended (proposed amendment to Local Law No. 4, 1969, [Chapter 43 of the Code of the Town of Orangetown entitled "Zoning"]), which amendment would add a new Article 13 entitled "Route 303 Corridor Overlay Zoning District", and, Be It

RESOLVED FURTHER, that the legislation is hereby introduced and referred to the Rockland County Planning Department and the Orangetown Planning Board for comment (Town Attorney).

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

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RESOLUTION NO. 510

**AUTHORIZE/CLOCK
BRAUNSDORF PARK**

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

RESOLVED, that the Pearl River Rotary is hereby authorized to place clock in the South End of Braunsdorf Park, and to place the Control Box in the Pearl River Police Booth.

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

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RESOLUTION NO. 511

COMBINE AGENDA ITEMS

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

Resolved, that agenda items two (2) through sixteen (16) are hereby combined as one.

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

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RESOLUTION NO. 512

**RECEIVE/FILE AGREEMENT
BELLO/BLUE HILL GOLF
COURSE**

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

(continued on page 3)

RESOLUTION NO. 512 (continued)

RESOLVED, that the executed caretaker agreement between the Town of Orangetown and Steven Bello for the residence located on Blue Hill Road on the grounds of the Blue Hill Golf Course is hereby received and filed (Town Attorney).

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

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RESOLUTION NO. 513

GRANT PERMISSION/POLICE

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

RESOLVED, that permission is hereby granted to Sergeant George Garrecht to attend the Emergency Preparedness Conference, in Albany, New York, from September 11-13, 2001, at a total cost of \$579.00, to be charged to accounts B3120/0441 and B/3120/0480 (Police Dept.).

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

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RESOLUTION NO. 514

GRANT PERMISSION/POLICE

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

RESOLVED, that permission is hereby granted to Mary Miggins, Veronica Hickey, Margaret Walter, Theresa Joos, and Douglas Sampath to attend the Suicide Intervention Skills for Dispatchers Dutchess Co Emergency Response, in Poughkeepsie, New York on September 19, 2001, at a total cost of \$997.00, to be charged to accounts B/3120/0441 and B/3120/0480 (Police Dept.).

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

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RESOLUTION NO. 515

GRANT PERMISSION/POLICE

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

RESOLVED, that permission is hereby granted to George Morse to attend the Administration, Management and Supervision of the Field Training Officer Program, in Jacksonville, Florida, November 5-7, 2001, at a total cost of \$1,676.00, to be charged to accounts B/3120/0441 and B/3120/0480 (Police Dept.).

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

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RESOLUTION NO. 516

**ADVERTISE BIDS
REHABILITATION PEARL
RIVER TRUNK SEWER LINE**

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

RESOLVED, that upon the recommendation of Robert Beckerle, Dir. Dept. of Environmental Mgt. & Eng., the Town Clerk is hereby authorized to advertise for bids for the "Rehabilitation of the Pearl River Trunk Sewer" project, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., October 4, 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 recommendations concerning the award is to be made at a regular Town Board meeting (Dept. of Environmental Mgt. & Eng.).

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

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RESOLUTION NO. 517

**APPROVE CERTIFICATE OF
REGISTRATION/2001**

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

RESOLVED, that Certificate of Registration (Plumbers' License) 2001 for W. Harris & Son, Pearl River, New York, is hereby approved (Dept. of Environmental Mgt. & Eng.).

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

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RESOLUTION NO. 518

**AMEND RES 413/2001
APPROVE SETTLEMENT/TAX
CERT/GLORIOUS SUN
ROBERT MARTIN**

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

RESOLVED, that Town Board Resolution No. 413, dated June 25, 2001, is hereby rescinded, and, be it

RESOLVED FURTHER, 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 Glorious Sun/Robert Martin, L.L.C. (Blue Hill Plaza Associates, Inc.) Tax Map No. 73.05-1-54, 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	\$105,000,000	\$63,115,876
1998	105,000,000	65,000,000

(continued on page 5)

RESOLUTION NO. 518 (continued)

1999	95,000,000	67,000,000
2000	87,500,000	73,000,000
2001	87,500,000	75,000,000

for a total refund by the Town of \$1,344,435.00 and for a total refund by the School of \$3,746,093.75.

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

Noes: None

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RESOLUTION NO. 519

**MEMORIALIZING RESOL
QUALITY COMMUNITY
GRANT FUNDING/ROCKLAND
HUDSON RIVER
COMMUNITIES**

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

WHEREAS, The ten communities in Rockland adjacent to the Hudson River are interested in establishing a solid foundation for collaborating to protect, enhance, and utilize the unique assets of the River; and

WHEREAS, The Hudson River provides each community with opportunities for economic development, natural and cultural resource enjoyment, public access, heritage and environmental education, and intermunicipal cooperation; and

WHEREAS, The County of Rockland, through the New York State Quality Community Program, has made \$60,000 available to these ten communities to begin a collaborative process of planning projects that serve the interests of each individual community and the riverfront as a whole; and

WHEREAS, this program, as well as many others administered by the State, places a high priority on intermunicipal cooperation in awarding grants to local governments for conservation, development, and other land use and water-related activities; and

WHEREAS, there are a number of regional non-governmental organizations that make funds and resources available, on a priority basis, to communities that are cooperating across municipal lines; and

WHEREAS, the County has invited each of the four towns and six villages bordering on the River to send representatives to several meetings to discuss how to use the available \$60,000 in Quality Community grant funds to leverage additional resources and opportunities; and

WHEREAS, these representatives have identified several types of projects and programs as potentially beneficial to the towns and villages including an inventory of sites, a viewshed protection ordinance, heritage signs, docking or maritime projects, small-scale transportation projects such as public fishing barges or floating museums, habitat protection, or other activities that further village and town interests in the Hudson River; and

WHEREAS, this resolution has grown out of discussions among these representatives and has been reviewed favorable by them; Now, Therefore, Be It

(continued on page 6)

RESOLUTION NO. 519 (continued)

RESOLVED by the Board of the Town of Orangetown that the Quality Community grant funds provide an opportunity to work together for the benefit of all communities in Rockland County that border on the Hudson River; and, Be It

RESOLVED FURTHER, that the Town of Orangetown supports the use of the funding from the Quality Community Program administered by Rockland County to create a one-year long pilot project of cooperation among Rockland’s Hudson River communities, and, Be It

RESOLVED FURTHER, that the Town of Orangetown agrees to cooperate in establishing a representative council of local officials to begin a process of planning activities designed to take advantage of the Quality Community grant funds and other grant programs, recognizing that the Hudson River is a unifying feature in our common futures; and, Be It

RESOLVED FURTHER, that the Town of Orangetown agrees to designate a representative and an alternate representative to serve as a member of this Council and to participate in the Council for a trial period of one year; and, Be It

RESOLVED FURTHER, that this representative and alternate are charged with the responsibility of communicating to the Council the programs and projects relating to the Hudson River that are of interest to and serve the policies of the Town of Orangetown, and, Be It

RESOLVED FURTHER, that the Town of Orangetown agrees that the Council is authorized to recommend to Rockland County projects to receive Quality Community funding that serve the common interests of the cooperating towns and villages and to help them secure additional funding under other grant programs of State agencies or non-government organizations.

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

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RESOLUTION NO. 520

**MEMORIALIZING RESOL
ROCKLAND GAELIC
ATHLETIC ASSOC/NYS
DEVELOPMENT GRANT**

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

WHEREAS, the Rockland Gaelic Athletic Association (GAA) is an active community group which meets an important recreational need in the Town of Orangetown; and

WHEREAS, the GAA has used 8.5 acres of the Rockland Psychiatric Center (RPC) site for recreational fields for a number of years; and

WHEREAS, the Town of Orangetown prepared guidelines for the redevelopment of the Rockland Psychiatric Center (RPC) stating that 8.5 acres of the RPC site should be preserved for recreational use by the Rockland GAA; and

WHEREAS, the Town of Orangetown and the Empire State Development Corporation (ESDC) mutually agreed that the ESDC would not include the 8.5 acres as part of the sale of the RPC site; and

(continued on page 7)

RESOLUTION NO. 520 (continued)

WHEREAS, the GAA submitted an application for funding to acquire the 8.5 acres for field use under the Environmental Protection Fund and the Clean Water/Clean Air Bond Act; Now, Therefore, Be It

RESOLVED, that the Town of Orangetown supports the Rockland Gaelic Athletic Association's application for a development grant from the New York State Office of Parks, Recreation and Historic Preservation.

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

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RESOLUTION NO. 521

**APPROVE AID/PEARL RIVER
HOOK & LADDER LADIES
AUXILIARY**

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

RESOLVED, that aid to the Pearl River Hook & Ladder Ladies Auxiliary to provide one (1) handicapped accessible port-o-san, for the Pearl River Fallfest on Central Avenue Field in Pearl River on Sunday, September 16, 2001, to be charged to celebrations account #A7550, is hereby approved.

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

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RESOLUTION NO. 522

**AMEND RES 491/2001
SUBMISSION & OPENING
DATE/PRO SHOP
IMPROVEMENTS/BLUE HILL
GOLF COURSE**

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

RESOLVED, that Resolution 491 of 2001 is hereby amended to change the submission and opening date of the bids for the Pro Shop improvements at the Blue Hill Golf Course from September 13, 2001 to September 19, 2001, and change the time of the public opening from 11:00 A.M. to 11:10 A.M (Supt. Parks, Recreation & Building Maintenance).

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

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RESOLUTION NO. 523

**APPROVE/ELECTION
INSPECTORS & POLLING
PLACES/2001**

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

RESOLVED, that lists of Election Inspectors and Polling Places for 2001 are hereby approved.

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

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RESOLUTION NO. 524

ACCEPT MINUTES

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

RESOLVED, that the Regular Town Board minutes of July 23, 2001 and Special Town Board minutes of August 9, 2001 are hereby accepted.

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

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RESOLUTION NO. 525

**AUTHORIZE/GRADE CHANGE
FILE CLERK/DEZAGO**

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

RESOLVED, that a grade change from 2(14-18) to 4(8-13) for Samuel DeZago, File Clerk (CSL55A), annual salary \$34,903.00 in the Town Clerk's Office, effective September 11, 2001 is hereby authorized.

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

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RESOLUTION NO. 526

**AMEND 456/2001 SALARY
INCREASE/BOARD
ASSESSMENT REVIEW**

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

RESOLVED, that Resolution 456 of July 23, 2001 is hereby amended to change the increase for the chairman of the Board of Assessment Review from \$65.00 (not \$80.00) to \$125.00.

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

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New Business:

Councilman Bergman spoke on Town drafting a use easement requested by the Excelsior Fire Company to allow their use for general purposes of part of the parkland the Town received from Lederle, with the Fire Department supplying the metes and bounds.

Supervisor Kleiner read September 4th letter from attorney representing the Fire Commissioners of the Tappan Fire District regarding delay on repairs to the traffic light pre-emptor. A discussion followed on the prior approval by the Town Board and necessity of repairs.

Councilman Fisher wished the Jewish community a happy and healthy New Year.

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RESOLUTION NO. 527

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 9:57 P.M.

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

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CHARLOTTE MADIGAN, TOWN CLERK

**TOWN OF ORANGETOWN
AUDIT MEETING
SEPTEMBER 10, 2001**

The Audit Meeting opened at 9:57 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
Suzanne Barclay, Executive Asst. to Supervisor
Robert Beckerle, Dir., Dept. Environmental Mgt. & Eng.
John Giardiello, Director, OBZPAE

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RESOLUTION NO. 528

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, Risk Retention, Capital Projects, and Utilities in the amount of \$897,657.93.

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

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RESOLUTION NO. 529

**PAY MANUAL CHECKS/
RELEASE ESCROW**

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 \$75,276.84 and Escrow Releases in the amount of \$1,000.00 for a total amount of \$76,276.84, as per attached schedule.

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

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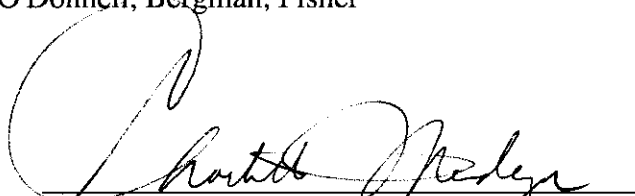
RESOLUTION NO. 530

ADJOURNMENT

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

RESOLVED, that this Audit Meeting is hereby adjourned at 10:17 P.M.

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



CHARLOTTE MADIGAN, TOWN CLERK