

**TOWN OF ORANGETOWN  
SPECIAL TOWN BOARD MEETING  
EXECUTIVE SESSION  
OCTOBER 9, 2001**

This Special Town Board Meeting was opened at 7:12 P. M. Supervisor Thom Kleiner presided. The Town Clerk called the roll.

Present were: Councilman Robert Bergman arrived at 7:50 PM  
Councilman Denis O'Donnell  
Councilman Denis Troy

Councilman Edward Fisher was absent

Also Present: Charlotte Madigan, Town Clerk  
Eliot Tolzer, Deputy Supervisor  
Suzanne Barclay, Executive Asst. To Supervisor  
James K. Riley, Town Attorney  
Thomas O'Connell, Deputy Town Attorney  
Charles Richardson Director of Finance  
Brian Kenny, Assessor

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**RESOLUTION NO. 549**

**EXECUTIVE SESSION**

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

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

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

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**RESOLUTION NO. 550**

**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 8:10 P.M., to the Workshop meeting.

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

  
**CHARLOTTE MADIGAN, TOWN CLERK**

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
OCTOBER 9, 2001**

The Regular Town Board Meeting was opened at 8:01 P.M. Supervisor Kleiner presided. The Town Clerk called the roll. Present were:

Councilman Robert Bergman  
Councilman Dennis O'Donnell  
Councilman Denis Troy

Councilman Edward Fisher was absent.

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  
Suzanne Barclay, Confidential Assistant to Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Robert Beckerle, Dir., Dept of Environmental Mgt. & Eng.  
Brian Kenney, Assessor,  
Ed Cook, Building Inspector  
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.

\* \* \*

The Town Board discussed resolution on Military Leave regarding health benefits and pay.

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**RESOLUTION NO. 551**

**EXTEND MILITARY LEAVE  
BENEFITS FOR TOWN  
PERSONNEL**

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

WHEREAS, the recent "War on Terror" has resulted in a major call-up of military reserves; and

WHEREAS, it appears that the call-up will continue for the duration of this world crisis; and

WHEREAS, there is a very real likelihood that the employees of the Town of Orangetown will also be subject to such call-ups; and

WHEREAS, the State of New York has extended military leave time by an additional 30 days beyond the current provision of 30 days to employees of State departments and agencies, thus giving its employees 60 days military leave; and

WHEREAS, The Governor of the State of New York has also extended

(continued on page 2)

**RESOLUTION NO. 551 (continued)**

insurance benefits to reservists and National Guard members in the State work force who are activated in connection with the War on Terror crisis, which includes among other things that health insurance for covered employees and dependents shall continue at no cost to the employee for up to 12 months from the date of military activation minus any period the employee remains in full pay status; and

WHEREAS, it is the intent of the Town Board of the Town of Orangetown that the military leave policy with respect to health benefits and extended military leave be substantial equivalent to that of the State of New York and the County of Rockland; and

WHEREAS, it is the policy of the Town Board of the Town of Orangetown to support military reservists and National Guard members, Now, Therefore, Be It

RESOLVED, that the Town of Orangetown hereby establishes the following personnel policy for those Town employees that are Federally activated in connection with the War on Terror crises:

- (1) Extension of military leave benefits for a period of sixty (60) work days.
- (2) Extension of medical benefit for the employee and dependants, if any, for a period of one (1) year at no cost to the employee.

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

\* \* \*

Supervisor Kleiner spoke on the funeral service for Fred Ill, Jr. He noted the attendance of dignitaries, community, uniform persons, Orangetown Police Department, former President Clinton, and a representative of New York City Mayor Giuliani.

\* \* \*

The Rockland Psychiatric Center property was discussed regarding the use of the land as well as the description of the land. Broad Acres golf course was discussed and approximately 230 acres of open space will be available.

Supervisor Kleiner advised that the Comprehensive Plan - Draft Planning Proposals meeting is on October 23, 2001 at 7:30 P.M., and the schedule for the October 15<sup>th</sup> meeting (Route 303 Public Hearing and Budget Workshop). He also advised that the deadline on the tax relief extension is October 15<sup>th</sup>.

\* \* \*

The public portion was opened and the following spoke:

Councilman Bergman, ADHOC, spoke on 45 properties available for open space acquisition. The October 22<sup>nd</sup> meeting is to explain reasons for choice and will answer any questions. All committees and Catherine Dodge along with Rich Rose will be included in all decisions.

Paul Melone, spoke re Kelly's pub, closing of the bank's parking lot, and Budweiser signs were removed. He thanked everyone for the improvements made. He asked if the Tappan Memorial Park entrance would be open while the work is being done? He offered signatures regarding Kelly's pub.

Hanna Stone, Pearl River, concerned re Performance Bond. Supervisor Kleiner responded that John Giardiello, Director, OBZPAE, sent letter concerning ownership of fence. Councilman Troy requested the Town Board be cc of any letters sent by building or enforcement. A discussion took place regarding questions on performance bonds, and would like representatives of Department Heads to be present to answer questions.

Peggy Powers, Pearl River, landscaping is still not completed, questions on violations and ownership of the fence. She read letter on the events of the past five years and on variety of problems she and her husband have from these Boards and their decisions.

In response to Supervisor Kleiner, Town Attorney James Riley spoke re legal counsel at Board meetings indicating that late night meetings are not productive. In answer to Councilman O'Donnell's inquiry on providing legal help, Attorney Riley noted that legal advice is such only if the Boards are willing to accept it.

Mary McCloskey, Blauvelt, spoke re adult community for Rockland Psychiatric Center Lands, and requested that it be considered as part of any adult planning.

Mr. Berman spoke regarding acquisition of open space and the parcels available.

Fran Oldenburger, Blauvelt, re next meeting for Cablevision.

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**RESOLUTION NO. 552**

**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items two (2) through seven (7), and nine (9) through twelve (12) are hereby combined as one.

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

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**RESOLUTION NO. 553**

**GRANT PERMISSION  
SHARPLES**

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

RESOLVED, that Stuart Sharples is hereby granted permission to attend the New York State Turfgrass Association conference in Syracuse, NY, November 13-15, 2001, at a cost of \$228.70, to be charged to E7250004/50441, and is also allowed use of a Town vehicle.

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

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**RESOLUTION NO. 554**

**AUTHORIZE/CHANGE ORDER  
SPARKILL CREEK**

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

(continued on page 4)

**RESOLUTION NO. 554 (continued)**

RESOLVED, that a change order increase of \$14,957.00 for the Sparkill Creek culvert project (FEMA) is hereby authorized.

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

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**RESOLUTION NO. 555**

**AUTHORIZE/PURCHASE  
GENERATOR/PARKS & REC**

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

RESOLVED, that, as an emergency appropriation, the purchase of one (1) Caterpillar Olympian Model G100F1 natural gas fueled, generator set rated at 100kw standby, 120/208 volts, three phase, 4 wire, 60 hertz at 0.8 power factor, in the amount of \$20,420.00, from H. O. Penn Machinery Company, Inc., Newington, Ct., to be charged to A1620/50453 is hereby authorized.

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

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**RESOLUTION NO. 556** *See Resolution No. 236* **ADOPTED/POLICE REGS**  
*4/14/03* **NORTH MAIN/PEARL RIVER**

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

RESOLVED, that Police Regulations for a six month trial period, installation of "Two Hour Parking" signs on the west side of North Main Street from Washington Avenue to Lewis Avenue, Pearl River, are hereby approved.

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

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**RESOLUTION NO. 557** *See Resolution No. 236* **ADOPTED/POLICE REG/OLD**  
*4/14/03* **TAPPAN ROAD/TAPPAN**

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

RESOLVED, that Police Regulations for a six month trial period, installation of "15 Minute Parking" signs on the south side of Old Tappan Road, Tappan, in front of stores are hereby adopted.

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

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**RESOLUTION NO. 558**

**SET DATE P/H/CONTRACT  
BLAUVELT FIRE CO**

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

RESOLVED, that October 29, 2001, 8:00 P.M., is hereby set for a public hearing to consider renewal of a five (5) year contract (expiring December 31, 2001) with the Blauvelt Volunteer Fire Company, Inc., for fire protection services for the Blauvelt Fire Protection District for a five (5) year period.

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

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**RESOLUTION NO. 559**

**RECEIVE/FILE 2002 BUDGET  
PEARL RIVER FIRE DISTRICT**

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

RESOLVED, that the 2002 Budget for the Pearl River Fire District is hereby received and filed.

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

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**RESOLUTION NO. 560**

**ADVERTISE/TRASH DUMP  
TRAILER/HIGHWAY**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids (re-bid) for one new 24 Cubic Yard Trash Dump Trailer, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., October 31, 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 a regular Town Board meeting.

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

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**RESOLUTION NO. 561**

**AWARD/PEARL RIVER TRUNK  
SEWER REHABILITATION**

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

Whereas, the Town Clerk duly advertised for sealed bids for the Rehabilitation of a portion of the Pearl River Trunk Sewer, which were received and publicly opened on October 4, 2001, and

Whereas, these bids were referred to the Director of the Department of Environmental Management & Engineering, for recommendation and report, a copy is labeled Exhibit 10-A-2001 and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that upon recommendation of the Director of the Department of Environmental Management and Engineering, contract for the Pearl River Trunk Sewer Rehabilitation Project, in the amount of \$209,250.00, is hereby awarded to Pipeliner, Inc., Yorktown Heights, NY, the lowest qualified bidder, to be charged to the capital project account.

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

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**RESOLUTION NO. 562**

**ADVERTISE BIDS/CORTWOOD  
SENIOR HOUSING**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for Cortwood Senior Housing for 1) the demolition of a single family house; 2) grading and construction of parking lot; and, 3) installation of lighting in the parking lot, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M. November 1, 2001 and be publicly opened and read aloud at 11:00 A.M. A report of all bids received and recommendations concerning the award is to be made at a regular Town Board meeting.

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

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**RESOLUTION NO. 563**

**APPROVE SETTLEMENT/TAX  
CERT/AMERICAN CYANAMID  
CO/LEDERLE**

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

RESOLVED, that the Town Attorney is hereby authorized to execute the proposed stipulation of settlement on behalf of the Town to settle the tax year 2000/2001 proceeding by American Cyanamid Company against the Town of Orangetown and the Nanuet School District regarding the tax assessment for property described as Section 68.08, Block 1, Lot 1 on the Town of Orangetown tax map. The stipulation of settlement

(continued on page 7)

**RESOLUTION NO. 563 (continued)**

reduces the assessment by \$61,450,157 and the stipulation provides that upon receipt of the applicable refund by the property owner that both the 2000/2001 and 1994/1995 tax year proceedings be discontinued.

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

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**RESOLUTION NO. 564**

**REAPPOINT/BOARD OF ASSESSMENT REVIEW**

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

RESOLVED, that Diane F. Jordan is hereby reappointed as member of the Board of Assessment Review for a five (5) year term, effective October 1, 2001 through September 30, 2006.

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

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**RESOLUTION NO. 565**

**ADJOURNMENT/MEMORY**

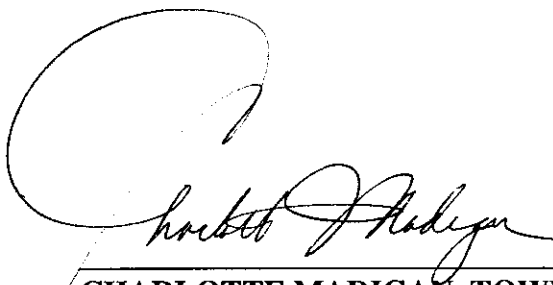
Councilman Troy offered the following resolution, which was seconded by Councilman Bergman and was adopted:

RESOLVED, that this meeting is hereby adjourned at 9:35 P.M. in memory of:

- Captain Fred Ill, Jr., Pearl River (FDNY)
- Dennis P. McHugh, Sparkill (FDNY)
- Robert William McPadden (FDNY)
- Battalion Chief Fred Scheffold, Jr., Piermont (FDNY)
- Laura Pettus Longing, Pearl River
- Weibin Wang, Orangeburg
- Sean Fegan, Blauvelt
- John Converse, Palisades
- James Woods, Pearl River

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

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**CHARLOTTE MADIGAN, TOWN CLERK**



**TOWN OF ORANGETOWN  
AUDIT MEETING  
OCTOBER 9, 2001**

The Audit Meeting opened at 9:40 P. M. Supervisor Kleiner presided.  
The Town Clerk called the roll. Present were:

Councilman Robert Bergman  
Councilman Denis O'Donnell  
Councilman Denis M. Troy

Councilman Edward Fisher was absent

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  
James Dean, Superintendent of Highway  
Robert Beckerle, Dir., Dept. Environmental Mgt. & Eng.  
Kevin A. Nulty, Chief of Police  
Brian Kenny, Assessor  
Richard L. Rose, Jr., Supt., Parks-Rec. & Bldg. Maint.  
Edward Cook, for Director, OBZPAE

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**RESOLUTION NO. 566**

**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, Sewer, Highway, Utilities, Risk Retention, Capital  
Projects, Blue Hill and Medicare in the amount of \$206,287.37.

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

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**RESOLUTION NO. 567**

**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  
and Escrow Release in the amount of \$9,825.00.

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

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**RESOLUTION NO. 568**

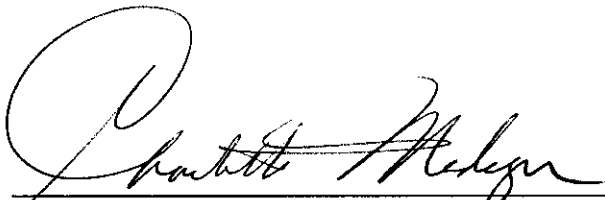
**ADJOURNMENT**

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 9:59 P. M.

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

Noes: None



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CHARLOTTE MADIGAN, TOWN CLERK