

**TOWN OF ORANGETOWN  
SPECIAL TOWN BOARD MEETING  
EXECUTIVE SESSION  
NOVEMBER 13, 2001**

The Special Town Board Meeting was opened at 7:05 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 was absent

Also present: Margaret T. Smith, Deputy 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

\* \* \*

**RESOLUTION NO. 611**

**ENTER EXECUTIVE SESSION**

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

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

Ayes: Councilpersons Fisher, O'Donnell, Bergman  
Supervisor Kleiner

Noes: None

\* \* \*

**RESOLUTION NO. 612**

**ADJOURNMENT**

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

RESOLVED, that this Town Board Executive Session is hereby adjourned at 7:40 P.M., to the Workshop meeting.

Ayes: Councilpersons Bergman, Fisher, O'Donnell  
Supervisor Kleiner

Noes: None

\* \* \*

  
\_\_\_\_\_  
MARGARET T. SMITH, DEPUTY TOWN CLERK

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
NOVEMBER 13, 2001**

The Regular Town Board Meeting was opened at 7:40 P.M. Supervisor Kleiner presided. The Deputy Town Clerk called the roll. Present were:

Councilman Robert Bergman  
Councilman Edward Fisher  
Councilman Dennis O'Donnell

Councilman Denis Troy was absent.

Also present:

Margaret T. Smith, Deputy Town Clerk  
Eliot Tozer, Deputy Supervisor  
James K. Riley, Town Attorney  
Thomas O'Connell, Deputy Town Attorney  
Suzanne Barclay, Assistant to Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Kevin Nulty, Chief of Police  
Robert Simon, Receiver of Taxes  
Bert Von Wurmb, Building Inspector

\* \* \*

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

\* \* \*

The public portion was opened and the following spoke:

Paula Borer, Lisa Goldfarb and Cynthia Anselmo, Palisades, spoke on prior complaint on problem with neighbors riding mini-bikes and quads, noise, pollution, fumes, White Oak Estate, Maffei property, recommendation of Police Chief Nulty. They suggested solving the problem by limiting lot size for dirt bikes and providing buffer.

James Riley, Town Attorney, re quality of life issue, will try to incorporate into a single ordinance to cover the Town.

A discussion took place re ordinance, public hearing and timing.

Thomas O'Connell, Deputy Town Attorney, re criteria should be footage from single family property owner.

Ellen McCarty, Tappan, spoke on work stopped and no capping on wall, topping on road, no fencing and unsafe for children, some cleaning on back wall none on front.

James Riley, Town Attorney, re Jim Dean convincing Joy Builders to install aluminum decorative fencing vs. chain link.

\* \* \*

**RESOLUTION NO. 613**

**ENTER EXECUTIVE SESSION**

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

(continued on page 2)

**RESOLUTION NO. 613 (continued)**

RESOLVED, that the Town Board hereby enters executive session to further discuss the wall and fencing issue.

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

\* \* \*

**RESOLUTION NO. 614**

**RESUME PUBLIC PORTION**

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

RESOLVED, that the public portion is hereby resumed.

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

\* \* \*

The public portion continued:

Supervisor Kleiner noted that Mr. Dean and Mr. Riley will continue to resolve the wall issue.

Mrs. McCarty, Tappan, re Mr. Herskowitz refuses to pay for replacement of monument.

Supervisor Kleiner advised that the Rockland Economic Development Corporation annual conference is on Thursday December 15, 2001. Topic is "Shades of Green", including land use, transportation and energy. The Supervisor will speak on land use, and John Nolan, Pace University Land Use Professor, will speak on more general land use topics.

The Supervisor thanked Catherine Dodge for donating a book entitled "Palisades One Hundred Thousand Acres and One Hundred Years" to the Orangetown museum. Robert Binnewies wrote this book on the PIP Park Commission. He was the PIP Executive Director before he moved to California.

The Supervisor publicly thanked Councilman Bob Bergman for his exceptional service of eight years on the Town Board. He said he will be missed, and the Supervisor wishes to use his talents in whatever way Bob thinks appropriate.

Councilman Fisher agreed, and noted that over their six years together on the Board of Education and eight years on the Town Board they have maintained their personal relationship. He will miss Bob's knowledge on the Town Board. He congratulated Mrs. Manning.

Councilman O'Donnell said that Bob's input on the Board was second to none, he's a dedicated public official, he'll be missed, and his assessment of various issues and especially budget issues will also be missed.

Councilman O'Donnell and Supervisor Kleiner spoke on the anonymous letter mailed just before the election.

Councilman Bergman thanked the Board, said that he enjoyed serving with them, and he developed a close relationship not just with the Board but with all the residents who continually attend the meetings. He said he will miss the association, loves the work and will regret not being there. He noted that he conversed with Marie and promised her

his full cooperation and support to make sure the transition is a seamless one, and that it will not impede in any way on the necessary work of the Community. He knows Marie for many years and said that she will be a real asset to the Town Board.

\* \* \*

**RESOLUTION NO. 615**

**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items one (1) through eight (8), (#9 was removed), and ten (10) through fifteen (15) are hereby combined as one.

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

\* \* \*

**RESOLUTION NO. 616**

**SET DATE PH/WAIVER ROUTE  
303 MORATORIUM/GREGORY**

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

RESOLVED, that December 17, 2001, 8:00 P.M., is hereby set for a public hearing to consider a request by Diane Gregory, Tax Map No. 70.10-3-3, for a waiver from Route 303 moratorium to continue their appearance before the Zoning Board of Appeals for installation of a 6' fence at corner of Route 303 and Greenbush Road, subject to the completion of the requirements by the applicant under the moratorium law regarding notice and fees to the Town Clerk.

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

\* \* \*

**RESOLUTION NO. 617**

**APPROVE AID/CHAMBER OF  
COMMERCE OF NYACKS**

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

RESOLVED, that aid to the Chamber of Commerce of the Nyacks, Inc. for their annual Holiday Tree Lighting Ceremony on Saturday, December 1, 2001, by providing Town Showmobile with the Chamber providing a certificate of insurance covering use of Showmobile is hereby approved.

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

\* \* \*

**RESOLUTION NO. 618**

**GRANT PERMISSION/POLICE**

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

RESOLVED, that permission is hereby granted to Det. Daniel Costello to attend the Basic School Resource Officer Course in West Orange, NJ, November 5-9, at a cost of \$545.00 to be charged to B/3120/0441/0480.

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

\* \* \*

**RESOLUTION NO. 619**

**AWARD/UPGRADE POLICE  
DEPT COMMUNICATIONS  
CENTER**

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

Whereas, the Town Clerk duly advertised for sealed bids for the upgrade of the Orangetown Police Department Communications Center, which were received and publicly opened on October 25, 2001, and

Whereas these bids were referred to the Chief of Police for recommendation and report, a copy is labeled Exhibit 11-A-01 and made a part of these minutes, Now Therefore, Be It

RESOLVED, that the contract for upgrade of the Orangetown Police Department Communications Center, in the amount of \$108,053.36, is hereby awarded to Goosetown Communications, Congers, NY, the only qualified bidder, to be charged to B3170162/50200-50453.

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

\* \* \*

**RESOLUTION NO. 620**

**ADVERTISE/MAINTENANCE  
POLICE RADIO EQUIPMENT**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for Maintenance of Police Radio Equipment, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., Tuesday, December 11, 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 the December 17<sup>th</sup> Regular Town Board meeting.

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

\* \* \*

**RESOLUTION NO. 621**

**ADVERTISE/MAINTENANCE  
REPAIR PARKING METERS  
PEARL RIVER**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for Maintenance and Repair of Parking Meters in Pearl River, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., Tuesday, December 11, 2001, and be publicly opened and read aloud at 11:10 A.M., and, Be It

RESOLVED FURTHER, that a report of all bids received and recommendation concerning the award is to be made at the December 17<sup>th</sup> Regular Town Board meeting.

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

Noes: None

\* \* \*

**RESOLUTION NO. 622**

**ADVERTISE/FURNISHING  
POLICE UNIFORMS**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for furnishing Uniforms for the Town of Orangetown Police Department, and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 A.M., Tuesday, December 11, 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 the December 17<sup>th</sup> Regular Town Board meeting.

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

Noes: None

\* \* \*

**RESOLUTION NO. 623**

**ADVERTISE/DRY CLEANING  
LAUNDERING REPAIR  
POLICE UNIFORMS**

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

RESOLVED, that the Town Clerk is hereby authorized to advertise for sealed bids for dry cleaning, laundering, minor sewing and repairs of Orangetown Police Department Uniforms, and, Be It

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

(continued on page 6)

**RESOLUTION NO. 623 (continued)**

Tuesday, December 11, 2001, and be publicly opened and read aloud at 11:30 A.M., and,  
Be It

RESOLVED FURTHER, that a report of all bids received and recommendation concerning the award is to be made at the December 17<sup>th</sup> Regular Town Board meeting.

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

\* \* \*

**RESOLUTION NO. 624**

**APPROVE/EMPLOYEE ASSISTANCE CONTRACT NYACK HOSPITAL**

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

RESOLVED, that the Employee Assistance Contract with Nyack Hospital in the amount of \$7,400.00 for the period of October 1, 2001 through September 30, 2002 is hereby approved.

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

\* \* \*

**RESOLUTION NO. 625**

**AMEND RESOLUTION 540/01 REQUEST NYS LOWER SPEED LIMIT CENTRAL AVE/PEARL RIVER**

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

RESOLVED, that Resolution No. 540/01 is hereby amended and the New York State Commissioner of Transportation is hereby requested to approve the recommendation of the Traffic Advisory Board to lower the speed limit on Central Avenue, Pearl River (between John Street and Route 304) to 25 miles per hour.

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

\* \* \*

**RESOLUTION NO. 626**

**AWARD/TRASH DUMP TRAILER/HIGHWAY**

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

Whereas, the Town Clerk duly advertised for sealed bids for purchase of one (1) New 24 Cubic Yard Trash Dump Trailer, which were received and publicly opened on October 31, 2001, and

(continued on page 7)

**RESOLUTION NO. 626 (continued)**

Whereas, these bids were referred to the Superintendent of Highways, for recommendation and report, a copy is labeled Exhibit 11-B-2001 and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the contract for purchase of one (1) New 24 Cubic Yard Trash Dump Trailer, in the amount of \$24,000.00, is hereby awarded to Sam Allen's Modern Machinery, Inc., Coram, NY, the lowest qualified bidder, with \$11,729.70 to be charged to the Equipment Bond account H5130/002/50200 and \$12,270.30 to the Capital Expenditures account D5130/052/50200.

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

\* \* \*

**RESOLUTION NO. 627**

**APPROVED/ADOPT A ROAD AGREEMENT/TAPPAN ZEE SPORTS BOOSTER CLUB**

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

RESOLVED, that Adopt-A-Road Agreement between Town of Orangetown Highway Department and Tappan Zee Sports Booster Club for North of Orangeburg Fire House on Dutch Hill Road to Bataan Road, East on Bataan Road to Western Highway is hereby approved.

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

\* \* \*

**RESOLUTION NO. 628**

**APPROVE/ELECTION BLAUVELT VOLUNTEER FIRE CO**

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

RESOLVED, that the election of Larry Gianetta and Brian Kelder to the position of firefighter in the Blauvelt Volunteer Fire Company, Inc., is hereby approved.

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

\* \* \*

**RESOLUTION NO. 629**

**ACCEPT MINUTES**

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

RESOLVED, that the Regular Town Board minutes of September 10<sup>th</sup>, and 24<sup>th</sup>, October 9<sup>th</sup>, and Special Town Board Minutes of October 15, 2001, and Audit minutes of September 10<sup>th</sup> and 14, 2001 are hereby accepted.

(continued on page 8)



**RESOLUTION NO. 629 (continued)**

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

\* \* \*

New Business:

Councilman O'Donnell spoke on Pearl River Excelsior Fire Department request to make improvements on property the Town is leasing from Lederle. The Town Board and Town Attorney discussed the matter and it was agreed that the Town Attorney's office will contact the Fire Department to see if an agreement can be reached.

Councilman Bergman asked for a listing of performance bonds currently in force and in the Town's possession.

James Dean, Superintendent of Highways, said that he compiled the list from information gathered from other sources, basically from the Town Clerk. List should be reviewed to see if it's up-to-date and current. He said that this is not a Highway but a Town-wide issue, and record keeping has to be in one central location.

Supervisor Kleiner thanked Watson Morgan for informing the Town on Orange & Rockland upgrading service at Rockland Psychiatric Center and putting poles in an area next to a road that possibly might not exist. The Town had a meeting on the site and O&R agreed to hold off or look at an alternate area.

\* \* \*

**RESOLUTION NO. 630**

**ADJOURNMENT/MEMORY**

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

RESOLVED, that this meeting is hereby adjourned at 8:40 P.M. in memory of Jack Manning, Pearl River, Margaret Brown, Sparkill, Michael E. Roberts, Pearl River (FDNY), and John D'Allara, Pearl River (NYPD).

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

\* \* \*

  
MARGARET T. SMITH, DEPUTY TOWN CLERK

**TOWN OF ORANGETOWN  
AUDIT MEETING  
NOVEMBER 13, 2001**

The Audit Meeting was opened at 8:40 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 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, Executive Assistant to Supervisor  
Charles Richardson, Director of Finance  
James Dean, Superintendent of Highways  
Kevin A. Nulty, Chief of Police  
Robert Simon, Receiver of Taxes  
Mary McCloskey, Assessor's Office  
Bert Von Wurmb, Building Inspector, OBZPAE

\* \* \*

**RESOLUTION NO. 631**

**PAY VOUCHERS**

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers  
for General Fund, Town Outside Villages, Blue Hill, Highway, Sewer, Risk Retention  
Capital Projects and Utilities in the amount of \$958,786.87.

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

\* \* \*

**RESOLUTION NO. 632**

**PAY MANUAL CHEKCS  
ESCROW**

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

RESOLVED, that the Finance Office is hereby authorized to pay Manual  
Checks in the amount of \$38,688.93 and escrow checks in the amount of \$34,000.00 for a  
total of \$72,668.93 as per attached schedule.

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

\* \* \*

**RESOLUTION NO. 633**

**ADJOURNMENT**

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

RESOLVED, that this Town Board Audit meeting is hereby adjourned at 8:45 P.M.

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

\* \* \*

  
\_\_\_\_\_  
MARGARET T. SMITH, DEPUTY TOWN CLERK