

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, MAY 23, 2005**

The Regular Town Board Meeting was opened at 7:43 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Denis O'Donnell  
Councilman Denis Troy  
Councilwoman Marie Manning  
Councilman Thomas A. Morr

Also present: Charlotte Madigan, Town Clerk  
Eliot Tozer, Deputy Supervisor  
Charles Richardson, Director of Finance  
Suzanne Barclay, Exec Asst. to Supervisor  
Teresa M. Kenny, Town Attorney  
John S. Edwards, First Deputy Town Attorney  
William Reddy, Deputy Town Attorney  
James Dean, Superintendent of Highways  
Ron Delo, Director of Dept. Environmental Mgt. & Eng.  
Kevin Nulty, Chief of Police  
Robert Simon, Receiver of Taxes  
Mary McCloskey, Assessor's Office  
John Giardello, Director, OBZPAE

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

Supervisor Kleiner introduced Jim Dress past Chief and an 18-year volunteer for the South Orangetown Ambulance Corps. This is Orangetown's annual EMS Appreciation Night in honor and recognition for National Emergency Medical Services week. The National EMS week theme is "Ready, Responsive, Reliable and they demonstrated how easy it is for a bystander to use a Public Access Defibrillation (AED). Ellie Salmon, Director, SOAC Training Division, gave a program summary for CARE LINK CPR, CARE LINK Senior Outreach, CARE LINK Kids and CARE LINK Emergency Preparedness. The Ambulance Corps is in need of volunteers and asked the community to please help by volunteering their time. If any one would like to join or have any questions about what they would need to volunteer, please do not hesitate to call. The Town Board thanked the unselfish dedication and service of the men and women who volunteer their time for all our residents and stressed the importance of the life saving work these men and women do for all of our citizens. The Town Board also recognizes the sacrifice and support of their families, who allow these men and women to leave their homes to help their neighbors.

Ron Delo, Director of the Dept. Environmental Mgt. & Eng., said The Stormwater Management Program Annual Report is available for review by the public in the Town Clerk's office. He also mentioned that the Town must fully implement all of the six minimum measures by January 8, 2008. The Town Board thanked Ron Delo for this comprehensive report.

Some of the upcoming "Memorial Day" parades and ceremonies will be in Pearl River, Tappan and Sparkill. The Watch Fires will be held on May 29<sup>th</sup> at the Nike Base on Clausland Mt. and the end of the pier in Piermont. The Board asked the public to support the veterans by attending the parades and ceremonies being held this weekend. Charlotte Madigan, the Town Clerk, announced the project by the school children, "What Memorial Day Means to Me", will be on display in Town Hall for the public to view. On Saturday, June 11<sup>th</sup> at 11:00 a.m., the Blauvelt Lions Club will be dedicating their new park at the intersection of Blauvelt Rd. and Western Hwy. with a reception afterwards at the Blauvelt Firehouse. All are invited.

Public Comment:

Bernie Gollomp, Palisades, presented a document detailing the violations by 38 Fern Rd. The vandalism to his property and the Towns' property needs to be addressed, he asked the Town Board to respond. Supervisor Kleiner indicated the Department Heads involved will respond but will need time to digest the document.

Jean Blake, Pearl River, asked what the Town Board is going to do to help seniors in eliminating the burden of higher taxes. Clarkstown has received grants for housing for \$125,000 and how can Orangetown also obtain grants for the seniors?

Marie Aitchson, Orangeburg and Director of Orangetown Children's Society, asked the Town Board to restore funding to the Children's Society.

Wayne Hershowitz, Tappan and VP of the Orangetown Patriots, reminded the Town Board the need for recreation fields including football.

Eileen Larkin, Palisades, thanked the EMS volunteers and thanked the Town for sidewalks along Rte. 340. She asked to be considered for the open position on ACABOR.

Andrew Wiley, Pearl River, thanked the volunteers. A CDA doesn't make any sense. The Comprehensive Plan should outline any restrictions that should take place.

Shelly Morgan, Tappan, is concerned about security for any residents on the RPC property.

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**RESOLUTION NO. 366**

**CLOSE PUBLIC COMMENT**

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

RESOLVED, that the public comment portion is hereby closed.

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

Noes: None

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**RESOLUTION NO. 367**

**PEARL RIVER LION'S CLUB  
ANNUAL FLEA MARKET/AID**

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

RESOLVED, that the request of the Pearl River Lion's Club for the use of the following for their Annual Flea Market on June 25, 2005 (June 26 rain date) at the Central Avenue Field in Pearl River is hereby approved: two portable toilets, eight trash receptacles, a dumpster and permission to hang a banner across Central Avenue.

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

Noes: None

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**RESOLUTION NO. 368**

**PEARL RIVER ROTARY/SOAP  
BOX DERBY/AID**

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

RESOLVED, that the request of the Pearl River Rotary for the use of two portable toilets, barricades and trash receptacles for the Rotary Soap Box Derby on June 5, 2005 is hereby approved.

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

Noes: None

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**RESOLUTION NO. 369****NATIONAL PUBLIC WORKS  
WEEK/DECLARED**

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

RESOLVED, that the week of May 15-21, 2005 is hereby declared "National Public Works Week" in the Town of Orangetown.

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

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**RESOLUTION NO. 370****BOND RESOLUTION/APPROVED  
MACHINERY/APPARATUS  
DEME/HIGHWAY/\$1,605,000**

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

RESOLVED, that a bond resolution of the Town of Orangetown, New York, for 15 years, authorizing the acquisition various equipment and apparatus, stating the estimated maximum cost thereof is \$1,605,000, appropriating said amount therefore, and authorizing the issuance of \$1,605,000 serial bonds of said town to finance said appropriation is hereby approved. A copy of the Extract of Minutes is labeled Exhibit 5-D-05 and made a part of these minutes.

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

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**RESOLUTION NO. 371****BOND RESOLUTION/VEHICLES  
EQUIPMENT/MACHINERY  
HIGHWAY/\$115,000/APPROVED**

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

RESOLVED, that a bond resolution of the Town of Orangetown, New York, for 5 years, authorizing the acquisition of a vehicle, equipment and machinery, stating the estimated total cost thereof is \$115,000, appropriating said amount therefore, and authorizing the issuance of \$115,000 serial bonds of said town to finance said appropriation is hereby approved. A copy of the Extract of Minutes is labeled Exhibit 5-E-05 and made a part of these minutes.

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

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**RESOLUTION NO. 372****ASPHALT RECYCLING BASE  
STABILIZER/TRENCHING  
MACHING/BID AWARDED**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the lease/purchase of an asphalt recycling base stabilizer/trenching machine, which were received and publicly opened on May 4, 2005. The Superintendent made a recommendation to the Town Board; a copy is labeled Exhibit 5-F-05 and made a part of these minutes, Now, Therefore, Be It

**Resolution No. 372 – Continued**

RESOLVED, that this bid is hereby awarded to Asphalt Zipper of American Fork, Utah in the amount of \$2,502.44 per month to be charged to Account # D511044/50444.

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

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**RESOLUTION NO. 373****SEWER DISTRICT/LEAD  
AGENCY/TOWN BOARD**

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

WHEREAS, a proposal has been made in the Town Board of the Town of Orangetown, New York to establish a Sewer District within the unincorporated portion of the Town of Orangetown, New York, as well as within all incorporated Villages within the Town, as well as within the Village of Upper Nyack,

WHEREAS, on April 12, 2005 at 8:00 p.m. a public hearing was held with regard to the formation of a Sewer District within the unincorporated portion of the Town of Orangetown, New York, as well as within all incorporated Villages within the Town, as well as within the Village of Upper Nyack,

WHEREAS, at the conclusion of said public hearing the Town Board, through Resolution No. 271, reserved decision with regard to the formation of a Sewer District within the unincorporated portion of the Town of Orangetown, New York, as well as within all incorporated Villages within the Town, as well as within the Village of Upper Nyack, and

WHEREAS, on April 12, 2005, the Town Board, through Resolution No. 270, declared its intent to be Lead Agency in this matter, be it

RESOLVED that the Town Board, having circulated to all interested agencies its intent to be lead agency on this matter, with attachments, and noting that more than 30 days having elapsed since said items were circulated, and that no agency has indicated an objection or challenge to the Town Board being Lead Agency, hereby declares itself Lead Agency for purposes of environmental review as required by the State Environmental Quality Review Act (SEQRA).

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

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**RESOLUTION NO. 374****ACCEPT MINUTES**

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

RESOLVED, that the Regular Town Board minutes for May 9, 2005, Special Town Board minutes for May 16, 2005, Audit Meeting minutes for May 9, 2005, and Executive Session minutes for May 9, 2005 and May 16, 2005 are hereby accepted.

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

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**RESOLUTION NO. 375****SOUTH ORANGETOWN LITTLE  
LEAGUE/USE AGREEMENT  
RECEIVE/FILE**

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

RESOLVED, that the Use Agreement between the Town and the South Orangetown Little League is received and filed in the Town Clerk's office.

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

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**RESOLUTION NO. 376****CLERK/TYPIST PAYROLL  
NO. 1726/TERMINATED**

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

WHEREAS, clerk/typist payroll no. 1726 has been separated by the service of the Building Department by reason of disability resulting from occupational injury or disease as defined by the workers compensation law; and

WHEREAS, clerk/typist payroll no. 1726 has been on leave of absent for a period of at least 18 months; and

WHEREAS, clerk/typist payroll no. 1726 has been provided a pre-termination opportunity to be heard pursuant to Section 71 of the Civil Service Law; and

WHEREAS, the Orangetown Town Board did not hear or receive any written statement from clerk/typist no. 1726 as offered in the letter of May 12, 2005;

NOW THEREFORE, BE IS RESOLVED, that Clerk/Typist No. 1726 is hereby terminated as a clerk/typist of the Town of Orangetown pursuant to Section 71 of the Civil Service Law, subject to the reinstatement rights provided for therein, effective May 24, 2005.

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

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**RESOLUTION NO. 377****ADJOURNMENT/MEMORY**

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

RESOLVED, that this meeting hereby adjourned at 9:40 p.m. in memory of Walter Finnegin, father of Barbara and grandfather of Christine Dardzinski.

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

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**Charlotte Madigan, Town Clerk**