

**TOWN OF ORANGETOWN
SPECIAL TOWN BOARD MEETING
FOR A PUBLIC HEARING TO CONSIDER THE PURCHASE
OF THE JOHN J. COLLINS PROPERTY
TUESDAY, OCTOBER 7, 2003**

The Special Town Board Meeting was opened at 8:12 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Edward Fisher
Councilman Denis O'Donnell
Councilman Denis Troy
Councilwoman Marie Manning

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
Suzanne Barclay, Executive Asst. to Supvr.
James Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
Richard Rose, Superintendent of 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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Councilman Fisher asked to address the people and the Town Board regarding a serious RPC situation that was in the newspaper. The Journal News reported a patient from RPC was missing and should have been supervised regarding his medications. Dr. Fisher's concern was lack of notification to officials that would be able to protect the citizens. He will address this matter in the future when investigation is completed. However, officials with New York State should be admonished for their lack of concern for the residents of Orangetown.

RESOLUTION NO. 587 OPEN/PH/ACQUISITION

**N
JOHN J COLLINS PROPERTY**

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

RESOLVED, that the public hearing to consider acquisition of the John J. Collins property pursuant to the following is hereby opened:

Authorize the Town Supervisor to execute and deliver a contract of purchase for the acquisition of certain real property currently owned by the Estate of John J. Collins and/or others on the north side of Clausland Mountain Road in the Town of Orangetown for a sum not to exceed \$2,700,000 of which a sum not to exceed \$750,000 is to be paid directly by the Town of Orangetown with the remainder of the proceeds or purchase price to be paid, credited, recognized or reduced in the form of (i) a credit from the Seller or reduction in the purchase price to the Seller representing the value of certain lands of approximately four acres and buildings to be retained by Seller; and (ii) in the form of a credit from Seller or a reduction in the purchase price to Seller representing the purchase price of certain lands which are proposed to be conveyed to a third party representing approximately two acres along the eastern boundary of said premises; and (iii) by payments of the remaining amounts to be due and owing towards

Resolution No. 587

the purchase price by the State of New York, the County of Rockland, the Village of Piermont and other governmental and non-governmental entities.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: None

Charlotte Madigan, Town Clerk, presented the affidavit of publication and notice of posting, copies are labeled Exhibit IO-A-03 and made a part of these minutes.

Public portion:

Fred DeVan, Piermont Village Trustees, read letter from Ed Traynor, Mayor of Piermont, copy is labeled Exhibit IO-B-03, and made a part of these minutes.

Andrew Wiley, Pearl River, He is against the purchase of this property because of its loss in taxes to Orangetovvn. This land is protected already by the zoning, which the developers would have to adhere to.

Jeff Berman, Blauvelt, Open Space Committee, read statement imploring the Town Board to agree to purchase this extraordinary piece of property. He was going to the Legislature to address them tonight about this purchase and their contribution.

Shelly Morgan, Tappan, questioned why Piermont was adding \$50,000? What will be in it for them?

Paul Prisco, Palisades, is in favor of the purchase of this property. Buying this property could actually be a tax savings.

Jo Baer, Nyack, is in favor of the purchase of this property future generations.

Tom Dinan, Pearl River, is in favor of the purchase of this property.

Amy Ffield, Upper Grandview, is in favor of the purchase of this property because it is critical for parkland.

Larry Vail, Tappan, Open Space Committee, is in favor of the purchase of this property. This piece of property is number 1 on the Open Space Committee's list.

Jon Howard is in favor of the purchase of this property. He feels this property is irreplaceable.

Sarah Tucker, read an e-mail in favor of the purchase of this property.

W.T. DeBary, Tappan is in favor of the purchase of this property. He settled in Orangetovvn over 50 years ago and first remembers the site of the mountain. We should save this magnificent natural setting.

Pam Cantor, Piermont, is in favor of the purchase of this property because it purifies the air, which is polluted by the bridge.

Jakob Franke, Northvale, NJ, NYNJTC, in favor of the purchase of this property. If this property is sold to a developer, it would be like a hole in a donut.

Watson Morgan, Blauvelt, Open Space Committee, is in favor of saving this centeipiece property.

Nicholas Christie-Blide, Tappan, is in favor of the purchase of this property. We need this property to help conserve water supply.

Micki Leader, Orangeburg, Open Space Committee, is in favor of the purchase of this property. This property is the headwaters for the Sparkill Creek.

William Ryan, S. Nyack, is in favor of the purchase of this property. This property is a key location for the Sparkill Creek.

Dan Baisley, Blauvelt, new resident, is in favor of the purchase of this property.

Margerita Bunge, Grandview, is in favor of the purchase of this property. This is about leaving a legacy to the next generation.

Jonathan Bell, in favor of the purchase of this property.

Donald Steinmaster, Upper Grandview, is in favor of the purchase of this property. If developed it would degrade the surrounding lands.

Mary McCloskey, Blauvelt, against the purchase of this property. She reiterated what she had stated in her letter in the Our Town newspaper. If the Town purchases this property, it would remove this property from the tax rolls. A 14 home limit would contribute to the tax roll. The property is beautiful but you can only spend what you can afford.

Mary Dolan, Peari River, is in favor of the purchase of this property. It is important to keep open space, because it helps keep our water clean.

Betsy Brenner, Orangeburg, the Journal News press release has the assumption that we are already committed to this purchase, which would negate a public hearing.

Eileen Larkin, Palisades, is in favor of the purchase of this property.

RESOLUTION NO. 588 CLOS

E PH/JOHN J COLLINS

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

RESOLVED, that the public hearing is hereby closed.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 589 J:^^ (<e6c\ a.\ ^m')lo. o}Q3, ^/39|C^DESIGNATION OF LEAD AGENCY/JOHN J COLLINS

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

RESOLVED, that the Town of Orangetown hereby declares itself Lead Agency in this matter.

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

RESOLUTION NO. 590 J^C^CIUMU A Vb ^ H 3)a?)i) H SEQR A DECLARATION JOHN J COLLINS

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

RESOLVED, that a negative SEQRA Declaration is hereby adopted, copy is labeled Exhibit IO-C-03 and made part of these minutes.

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner

Noes: None

* ^ : *

RESOLUTION NO. 591 T

B DECISION/JOHN J COLLINS PROPERTY

Councilman Troy offered to **table** the following resolution, which was seconded by Councilman Fisher and on a roll call motion failed to carry as follows:

RESOLVED, that the Town Supervisor is authorize to execute and deliver a contract of purchase for the acquisition of certain real property currently owned by the Estate of John J. Collins and/or others on the north side of Clausland Mountain Road in the Town of Orangetown for a sum not to exceed \$2,700,000 of which a sum not to exceed \$750,000 is to be paid directly by the Town of Orangetown with the remainder of the proceeds or purchase price to be paid, credited, recognized or reduced in the form of (i) a credit from the Seller or reduction in the purchase price to the Seller representing the value of certain lands of approximately four acres and buildings to be retained by Seller; and (ii) in the form of a credit from Seller or a reduction in the purchase price to Seller representing the purchase price of certain lands which are proposed to be conveyed to a third party representing approximately two acres along the eastern boundary of said premises; and (iii) by payments of the remaining amounts to be due and owing towards

Ayes: Councilperso n Troy, Fisher
Noes: Councilperson s O'Donnell, Manning
Supervisor Kleiner

RESOLUTION NO. 592 T

**B DECISION/JOHN J
COLLINS PROPERTY**

Councilwoman Manning offered the following resolution, which was seconded by Councilman O'Donnell and was adopted on a roll call as follows:

RESOLVED, that the Town Supervisor is authorize to execute and deliver a contract of purchase for the acquisition of certain real property currenly owned by the Estate of John J. Collins and/or others on the north side of Clausland Mountain Road in the Town of Orangetown for a sum not to exceed \$2,700,000 of which a sum not to exceed \$750,000 is to be paid directly by the Town of Orangetown with the remainder of the proceeds or purchase price to be paid, credited, recognized or reduced in the form of (i) a credit from the Seller or reduction in the purchase price to the Seller representing the value of certain lands of approximately four acres and buildings to be retained by Seller; and (ii) in the form of a credit from Seller or a reduction in the purchase price to Seller representing the purchase price of certain lands which are proposed to be conveyed to a third party representing approximately two acres along the eastern boundary of said premises; and (iii) by payments of the remaining amounts to be due and owing towards

Ayes: Councilperso n Manning, O'Donnell, Supervisor Kleiner
Noes: Councilperso n Troy
Abstained: Councilperso n Fisher

Councilman Denis Troy voted no on this resolution, as he would only commit to \$750,000 for the entire 42 acres of the Collins property including the house and surrounding 2 or 4 acres. He had prefer'ed tabling the resolution until this matter could be decided rather than committing to \$750,000 for only part of the property.


RESOLUTION NO. 593 ADJOURNMENT

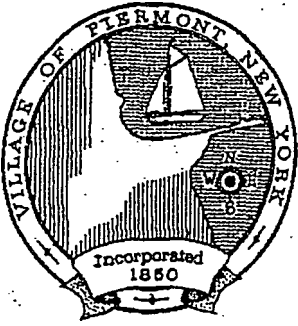
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Councilman O'Donnell offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that this Special Town Board meeting adjourned at 11:13p.m .

Ayes: Councilperson s O'Donnell, Manning, Fisher, Troy
Supervisor Kleiner
Noes: None


Charlotte Madigan, Town Clerk



INCORPORATED VILLAGE OF PIERMONT

478 PIERMONT AVENUE * PIERMONT, NEW YORK 10968 * (845) 359-1258
FAX (845)359-046 6

October 7, 2003

Thom Kleiner, Supervisor
Town Council
Town of Orangetown
Town Hall
26 Orangeburg Road
Orangeburg, New York 10962

Dear Supervisor Kleiner and Council Members Fisher, Manning, O'Donnell and Troy;

Re: Purchase of the Collins Property as part of the Orangetown Open Space initiative

Piermont's Mayor and Trustees regret not attending this meeting as we have our regularly scheduled Village Board meeting at the same time. We ask that you permit this letter to be read and entered into the minutes of this Town Council meeting of October

Piermont Mayor Ed Traynor addressed the Town Council on September 15th and delivered a letter of Piermont's intent to contribute \$50,000 toward the purchase of the Collins Property. On September 22nd, the Village Board set a date of October 28th to hold a public hearing on passing a bond resolution. In previous meetings of both the Piermont Village Board and the Orangetown Town Council we have set forth the reasons why we think this purchase is wise and in the best interests of the health, safety, and long-term environmental integrity of Orangetown and of Piermont.

While we are pleased to see this question put before the Town Council, we are quite concerned that setting a limit of \$750,000 toward the purchase price of the Collins property does not allow any contingency in the event one or more contributing factors toward the purchase of this property falls through.

We recommend that the maximum amount authorized in the bond resolution be \$1,325,000. This amount is based on a purchase price of \$2,700,000, minus \$50,000 from Piermont, minus the \$1,325,000 contribution from Rockland County. If all of the contributing amounts are realized, Orangetown would need to only borrow \$750,000, but would have the flexibility to adjust to a higher amount if required.

This plan greatly increases the likelihood that Orangetown will be able to purchase the Collins property at a modest cost to the taxpayer even if the higher contingency

MAYOR EDWAR D TRAYNOR
TRUSTEES FRE D DEVAN, JOAN GUSSOW, AUDIE MORAN AN D VINCENT O'BRIEN
CLERK-TREASURER DENIS E EHRHART VILLAG E ATTORNEY WALTE R SEVASTIAN

amount is borrowed. The analysis of the cost to the taxpayer of borrowing either 5750,000 or 51,325,000 is as follows:


Assuming a 20-year serial bond at 4.5% interest, borrowing \$750,000 would cost 1.475 cents per \$1000 of assessed value, while borrowing \$1,325,000 would cost 2.6 cents per \$1000 of assessed value. Estimating an average household at \$200,000 assessed value, this translates to an annual amount of \$2.95 per household to borrow the lower amount and \$5.20 per household to borrow the higher amount. This represents between 2/10ths of 1% and 1/3"* of 1% of the projected tax for fiscal 2005.

We have also noted in previous meetings that some taxpayers are concerned with the potentially double-digit Orangetown tax increase for fiscal 2004 and that the Collins property has been connected to this increase. It is important to note that buying this property will have no effect on the 2004 taxes. The debt service for this bond would start in fiscal 2005 at the minimal cost detailed above.

It should also be noted that it is possible that developing the Collins property will cause our taxes to rise. The cost of adding students to the school district and providing services to homes on this site could be significantly higher than the new taxes realized from this property.

As fellow elected officials, we applaud the Town Council's desire to take fiscally responsible steps in preparing the budget for fiscal 2004. We recommend approving a bond in the amount of \$1,325,000 to help secure the purchase of the Collins property as a fiscally prudent and responsible step for fiscal 2005. Bonding this amount balances the short-term impact of a small additional tax increase with the long-term benefits of preservation of open space for us and for those generations that follow in Orangetown.

Sincerely,



Ed Traynor, Mayor
Trustees Devan, O'Brien, Gussow and Moran
Village of Piermont

Cc: Village Attorney Walter Sevastian; Village Clerk Denise Ehrhart

PROJECT ID NUMBER

617.20

Orangetown

APPENDIX C

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR

Town of Orangetown

2. PROJECT NAME

John J. Collins Property

3. PROJECT LOCATION :

Clausland Mountain Road , Blauvelt , N y
Municipality

Rockland
County

4. PRECISE LOCATION : Street Addresses and Road Intersections . Prominent landmarks set -o r Drove / e ma p
Land located on the north side of Clausland Mountain Road, east of Valenza Lane, Blauvelt

5. IS PROPOSED ACTION : f ^ Ne w l] Expansion l 1 Modification / alteration

6. DESCRIBE PROJECT BRIEFLY :

With funding from New York State, the County of Rockland Open Space Acquisition Program and the Village of Piermont, the Town of Orangetown intends to purchase lands of the John J. Collins Estate to be used for permanent open space. The New York State Parks Department will maintain the property.

7. AMOUNT OF LAND AFFECTED :

Initially 3 6 acre s _____ Ultimately 36

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS ?

No l f no , describe briefly:

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT ? (Choose as many as apply.)

• Residential | Industrial | Commercial ^Agriculture Park / Forest / Open Space [•] Other (describe)

• United Water Company owns an adjacent parcel which contains a large water storage tank used to supply water to area residents.

10. DOES ACTION INVOLVE A PERMIT APPROVAL , OR FUNDING , NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal , State or Local)

1^/1 Yes l l No l f yes , list agency name and permit / approval :

New York State, County of Rockland and Village of Piermont will contribute towards purchase.

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL ?

l [Yes l j^IN o l f yes , list agency name and permit / approval :

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION ?

ri Yes P l No _____

l CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant / Sponsor Name Thom Kleiner, Supervisor, Town of Orangetown oae :

Signature _____

If the action is a Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: _____

No. No development of the property is contemplated.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources: or community or neighborhood character? Explain briefly:

No. No development of the property is contemplated.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No. No development of the property is contemplated.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No. This acquisition is in accordance with the Town's adopted Comprehensive Plan. This acquisition will ensure the preservation of this property.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No future development is anticipated as a result of this acquisition.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

None anticipated.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

None anticipated.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly: _____)

Yes No Preservation of this property will protect the environmental characteristics that define a critical environmental area.

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:

Yes No

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town of Orangetown Marc
Name of Lead Agency

h 22, 2004
Date

Thorn Kleiner

Supervisor

Pnt or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

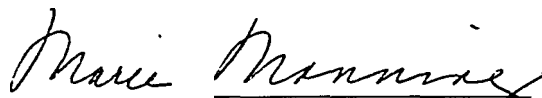
Signature of Preparer (If different from responsible officer)

WAIVER OF NOTICE OF SPECIAL MEETING

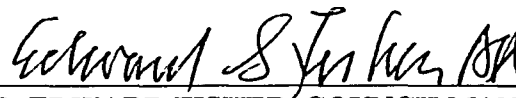
We, the undersigned members of the Town Board of the Town of Orangetown, do hereby waive Notice of Special meeting duly called by the Supervisor of the Town of Orangetown, pursuant to Section 62 of the Town Law at Town Hall.

On October 7, 2003, at the Orangetown Town Hall, Orangeburg, New York

For the purpose of a Public Hearing to consider acquisition of the John J. Collins property.



MARIE MANNING, COUNCILWOMAN



DR. EDWARD FISHER, COUNCILMAN

JDB^IS O'DO^WELL, CO^NC^ILMAN

DENIS M. TROY, COUNCILMAN



THOM KLEINER, SUPERVISOR

Dated at Orangeburg, New York

This 7th h day of October, 2003