

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MARCH 8, 2004**

The Regular Town Board Meeting was opened at 7:36 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
Suzanne Barclay, Executive Asst. to Supvr.
Teresa M. Kenny, Town Attorney
John Edwards, Deputy Town Attorney
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Terrence Sullivan, Police Captain
Robert Simon, Receiver of Taxes
John Giardiello, Director, OBZPAE
Richard Rose, Superintendent of Parks, Rec. & Bldg. Maint.

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The Pledge of Allegiance to the Flag was led by Girl Scout Troop #126.

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Supervisor Kleiner announced we have 1,002 Girl Scouts in Orangetown and March 7-13 is National Girl Scout Week. Councilwoman Manning, past Rockland Girl Scout President, presented Jr. Girl Scout Troop #126 with a proclamation celebrating 92 years of Girl Scouts.

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RESOLUTION NO. 197

**SET DATE PUBLIC HEARING
AMEND ALARM CODES**

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

RESOLVED, that the date of April 12, 2004, 8 p.m. is set for a public hearing to amend the following chapters of the Orangetown Code in accordance with the attached changes, labeled Exhibit 3-A-04, to address excessive false alarms,

- a. Chapter 1C, "Alarm Systems"
- b. Chapter 1D, "Appearance Tickets"
- c. Chapter 6A, "Building, Zoning and Planning Administration"
- d. Chapter 14A, "Fire Prevention Bureau."

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

Noes: None

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Public Portion

Jeff McNichol, Pearl River Business owner, spoke regarding committee to discuss RPC. He is against individual SEQRA for pool and STEJ.

Shelly Morgan, Tappan, feels the Piermont Pier should be open to all residents.

Laura Neuendorf, Blauvelt, is against combining SEQRA for pool and STEJ. She is in favor of moving forward on pool, which was voted on in 1997.

Julie Pollack, Orangeburg, is in favor of moving forward with pool and SEQRA.

Mike Henry, President Pearl River Ice Hockey, spoke regarding the importance of tax ratables in RPC and is against segmentation of SEQRA.
 Dan Dinan, Orangeburg, the pool was voted on in 1997 and we should move forward with SEQRA. He is in favor of SEQRA for the pool/community center.
 Genevieve Coffey, Pearl River, is concerned with the changes, omissions and inconsistency on the Planning Board maps for the Beaver Creek subdivision. She is also concerned with the elevations and flooding on her property.
 Catherine Dodge, Orangeburg, is in favor of passing SEQRA for the pool/community center and feels the Town should move forward.
 Eileen Larkin, Palisades, spoke regarding the new retail establishment being built in NJ, which abuts the Sparkill Creek. The Army Corps of Engineers report is 11 years old. She's in favor of the SEQRA for the pool/community center.
 Fran Oldenburger, Blauvelt, feels if the SEQRA is tied together, it will delay the process. She is in favor of moving forward.
 Mrs. Dinan, Orangeburg, is in favor of approval of the SEQRA for pool. This would allow the project to move forward.
 Betsy Brenner, Orangeburg, concerned that Orangetown residents voted for a pool (in 1997) not a community center. If a community center or a school bond were voted on, the bond for school projects would pass before one a community center.
 Patrick Bent, Pearl River, attorney for STEJ, says all items should be done jointly for SEQRA purposes.
 Don Brenner, Orangeburg, attorney of STEJ, is against segmentation of SEQRA. He believes segmentation could be challenged. All studies, including sewer, parking and traffic should be combined.
 Tom Dinan, Pearl River, we should proceed with the pool project with no further delays. The pool and STEJ were originally separate discussion.
 Tom Lavelle, Tappan, President of Historical Society, is in favor of the relocation of overhead wires on Main St. in Tappan.

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RESOLUTION NO. 198

CLOSE PUBLIC PORTION

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

RESOLVED, that the public portion is hereby closed.

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

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RESOLUTION NO. 199

**RPC/SEQRA DECLARATION
 POOL/COMMUNITY CTR**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and on a roll call was **tabled**:

RESOLVED, that the determination of SEQRA Declaration of environmental significance for the Municipal Aquatic Facility and Community Center on Rockland Psychiatric Center property is hereby tabled.

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

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RESOLUTION NO. 200

**RPC/RECREATION ZONE
 LEAD AGENCY**

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

Resolution No. 200 – Continued

RESOLVED, that the Town Board has declared itself Lead Agency in this matter.

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

RESOLUTION NO. 201

**RE-APPOINT 2004 OPDAC
 KIMBALL PARKER**

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

RESOLVED, that Kimball Parker is re-appointed to the 2004 Orangetown Parks Development Advisory Committee.

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

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RESOLUTION NO. 202

**APPOINT DIRECTOR/DEME
 RONALD C. DELO**

Councilman Morr offered the following resolution, which was seconded by Councilwoman Manning and on a roll call was adopted:

RESOLVED, that Ronald C. Delo is appointed to the position of Director of the Department of Environmental Management and Engineering, full time, and effective no later than July 18, 2004 at a salary of \$140,733.00.

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

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RESOLUTION NO. 203

**AUTHORIZE PAYMENT
 MAIN ST./TAPPAN**

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

RESOLVED, that payment in the amount of \$266,000.00 is authorized for the relocation of the overhead wires and the removal of existing poles on Main Street, Tappan from Oak Tree Road to Washington Street to be charged to the Tappan Redevelopment Capital Project Account No. H8989643.

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

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RESOLUTION NO. 204

COMBINE AGENDA ITEMS

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

RESOLVED, that agenda items six (6) through seventeen (17) except for item no. 9 are hereby combined.

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

RESOLUTION NO. 205**AUTHORIZE HEALTH
DEPT/MOSQUITO DUNK
HIGHWAY FACILITY**

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

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Rockland County Health Department is authorized to use the Orangetown Highway facility for a "Mosquito Dunk Give-Away" on Saturday, April 3, 2004 from 10:00 a.m. to 2:00 p.m.

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

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RESOLUTION NO. 206**AWARD BID/CAST IRON
CURB INLETS/HIGHWAY**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the Highway Department, which were received and publicly opened on January 13, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways, for recommendation and report, a copy is labeled Exhibit 3-B-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for cast iron curb inlets is awarded to Campbell Foundry of Harrison, NJ for various amounts as indicated on the attached bid form.

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

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RESOLUTION NO. 207**ENVIRONMENTAL
RESOURCE EDUCATOR
STORM WATER MGMT**

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

RESOLVED, that with the other four towns in Rockland County, share in the hiring of an Environmental Resource Educator to provide public education and outreach to Rockland County communities, regarding NYS Department of Environmental Conservation's storm water management regulations in the amount of \$6,000 per town annually to be charged to Account No. A5010/50457.

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

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RESOLUTION NO. 208**APPROVE CERTIFICATE
OF REGISTRATION/SEWER**

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

Resolution No. 208 – Continued

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for Sewer Work for 2004 is approved to the following businesses:

Calmart Enterprises, Inc.
Dan Nolan, Inc.
Victor P. Zugibe, Inc.
Ronald J. Tarigo

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

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RESOLUTION NO. 209

**AUTHORIZE PAYMENT
MARTUS GRANIER ESQ
BLAKE PROPERTY**

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

RESOLVED, that payment to Martus Granier, Esq. in the amount of \$736.00 for legal services regarding preparation of an easement for the acquisition of the Mary B. Blake property for open space to be charged to A1420/50457 is authorized.

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

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RESOLUTION NO. 210

EQUIP DECLARED SURPLUS

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

RESOLVED, that the following equipment is declared surplus to the Town's needs:

Gateway computer monitor s/n 17021B004545
Gateway keyboard s/n 51262778

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

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RESOLUTION NO. 211

**RPC/RECEIVE/FILE/BOND
CLOSING DOCUMENTS
\$6,750,000 LAND ACQU**

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

RESOLVED, that the *Bond Closing Documents* for \$6,750,000 – Land Acquisition Bond Anticipation Note 2004 is received and filed in the Town Clerk's office.

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

Noes: Supervisor Kleiner
None

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RESOLUTION NO. 212

**RPC/RECEIVE/FILE
CONTRACT PROF SERV
STUART SCHRAGER PE**

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

RESOLVED, that the *Contract for Professional Services* between the Town of Orangetown and Stuart Schrager, P.E. for inspections of buildings on Blaisdell Road 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. 213

**RECEIVE/FILE/ANNUAL
FINANCIAL REPORT TAPPAN
FIRE DIST**

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

RESOLVED, that the *Annual Financial Report* for Tappan Fire District 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. 214

**RECEIVE/FILE
RESTRICTIVE COVENANT
KEVIN & DAWN BYRNES**

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

RESOLVED, that the *Restrictive Covenant* between Kevin J. Byrnes, Dawn M. Byrnes and the Town Of Orangetown for property located at 239 Manor Blvd., Pearl River Sec 69.09 Blk 1 Lot 35 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. 215

ACCEPT MINUTES

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

RESOLVED, that the Executive Session minutes of February 17, 2004, Regular Town Board minutes of February 23, 2004 and Audit minutes of February 23, 2004 are accepted.

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

Noes: None

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RESOLUTION NO. 216

ADJOURNMENT/MEMORY

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

RESOLVED, that this meeting is hereby adjourned at 10:53 p.m. in memory of Judge Meehan.

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

Noes: None

Charlotte Madigan, Town Clerk