

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
MONDAY, MAY 10, 2004**

The Regular Town Board Meeting was opened at 7:30 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Denis O'Donnell (*Executive Session*)  
Councilman Denis Troy (*Executive Session*)  
Councilwoman Marie Manning (*Executive Session*)  
Councilman Thomas A. Morr (*Executive Session*)

Also present: Charlotte Madigan, Town Clerk (*Executive Session*)  
Eliot Tozer, Deputy Supervisor  
Suzanne Barclay, Executive Asst. to Supvr. (*Executive Session*)  
Teresa M. Kenny, Town Attorney (*Executive Session*)  
John Edwards, Deputy Town Attorney (*Executive Session*)  
Charles Richardson, Director of Finance (*Executive Session*)  
James Dean, Superintendent of Highways  
Jaya Bhattacharyya, Environmental Mgt. & Eng.  
Ronald C. Delo, Environmental Mgt. & Eng. (*Executive Session*)  
Robert Simon, Receiver of Taxes  
Mary McCloskey, Assessor's Office  
John Giardiello, Director, OBZPAE  
Kevin Nulty, Chief of Police (*Executive Session*)

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

\* \* \*

Supervisor Kleiner introduced Donald Brenner, attorney for the senior housing proposal. The Pointe at Lake Tappan will be located on the Mercedes Benz property. Mr. Brenner presented the traffic study, market Analysis, a demographic analysis, and a description of the housing and landscaping. He also gave information regarding taxes and assessment. Jim Tully, from a commercial real estate firm gave all the positive reasons why this would be a good place for businesses and senior housing.

Supervisor Kleiner announced that May 2-8 is New York State Water Week; May 19<sup>th</sup>, 7:30 p.m. there is a seminar on "Lawn Care for a Healthy Environment" at Town Hall and on May 15<sup>th</sup> the Orangetown Highway Department will hold their Annual Open House.

The Town Board will meet mid-week to discuss Part II and III of the traffic study, which was prepared by LMS.

Public Portion

Ed Brenner, Pearl River, asked for clarification regarding the demographics?

Martin Saltzman, Orangeburg, said there is a need to offer a variety and seniors should decide what they can afford. He supports ARC.

Eileen Larkin, Palisades, said Norwood built units that were affordable. She believes Orangetown can build housing for Orangetown seniors, who cannot afford the prices that were presented.

Shelly Morgan, Tappan, asked whether Piermont has given \$50,000 to Orangetown. He said he has a permit for Ferry Rd. for five years, which cost him \$0.00.

Catherine Dodge, Orangeburg, is in favor of the money for Pilgrim Court Park. She believes that they cannot redo all historical houses but the Seth house can be re-done. She would like to be notified of the new Youth Recreation Assessment Advisory Committee meetings. She would like to know whom she should notify for removal of truck debris left on her property?

Fran Oldenburger, Blauvelt, would also like to be notified when the new Youth Recreation Assessment Advisory Committee meets.

Tom Dinan, Pearl River, said high school seniors should be on the Substance Abuse Committee. He is concerned about the congestion of trucks on Magnolia and Springsteen streets.

Ruth Vezzitti, Tappan, questioned the dates of bids and agenda item 18.

**RESOLUTION NO. 324****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. 325****APPOINT/ANN MAESTRI/FINANCE  
SUPERVISOR OF FISCAL SERVICES**

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

RESOLVED, upon the recommendation of Charles Richardson, Director of Finance, Ann Maestri is appointed to the position of Supervisor of Fiscal Services (Town), provisionally, grade 16-1, annual salary of \$50,807.00, effective May 17, 2004.

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

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**RESOLUTION NO. 326****SET DATE/PH/ZONE CHANGE  
TRI BEE LTD/GARDEN HILL  
TOWNHOUSES/PAC**

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

RESOLVED, that the date of May 24, 2004, 8:30 p.m., is hereby set for a public hearing to consider the zone change application from Tri Bee Ltd. for Garden Hill Townhouses, 118-122 South Middletown Road, Pearl River (S/B/L/ 69.17-1-69) for a zone change from Medium Density Residence (R-15) to Planned Adult Community (PAC).

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

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**RESOLUTION NO. 327****RECEIVE/REFER/ZONE CHANGE  
THE HOLLOWES AT BLUE HILL/STEJ**

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

RESOLVED, that the zone change application for "The Hollows at Blue Hill" is received and referred to appropriate agencies for review.

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

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**RESOLUTION NO. 328**

**RECEIVE/ZONE CHANGE/THE  
POINTE AT LAKE TAPPAN/ARC**

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

RESOLVED, that the zone change application for “The Pointe at Lake Tappan” is received for consideration by OBZPAE and the Town Attorney.

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

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**RESOLUTION NO. 329**

**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items three (3) through fifteen (15) are hereby combined.

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

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**RESOLUTION NO. 330**

**APPROVE AID/KNIGHTS OF  
COLUMBUS-PEARL RIVER**

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

RESOLVED, that the request of the Triune Council of the Knights of Columbus in Pearl River for four (4) portable toilets for their carnival on the Central Avenue field May 12<sup>th</sup> – May 16<sup>th</sup> is hereby approved.

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

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**RESOLUTION NO. 331**

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

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

RESOLVED, that the request of the Pearl River Rotary Club for two (2) portable toilets, barricades and trash receptacles for the Rotary Soap Box Derby-Practice on May 23<sup>rd</sup> and for the Rotary Soap Box Derby on June 6<sup>th</sup> is hereby approved.

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

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**RESOLUTION NO. 332****APPROVE AID/SAINT CHARLES  
A.M.E. ZION CHURCH/SHOW-  
MOBILE**

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

RESOLVED, that the request of Saint Charles A.M.E. Zion Church for the use of the show-mobile for their 139<sup>th</sup> year of Service parade on May 22nd is hereby approved.

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

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**RESOLUTION NO. 333****APPOINT/SUBSTANCE ABUSE  
COMMITTEE**

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

RESOLVED, that Ann Marie Mills, Judy Ebeling, Jeremy Brown, Mike Loughran, Det. Daniel Costello, Det. Michael MacPadden, and Det. Jim Nawoichyk (from the Orangetown Police Juvenile Aide Bureau) are hereby appointed to the *Substance Abuse Committee*. Councilman Denis Troy will be the Liaison.

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

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**RESOLUTION NO. 334****DESIGNATE 5/16 – 5/22/04  
NATIONAL PUBLIC WORKS**

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

RESOLVED, that the week of May 16-22, 2004 is hereby proclaimed "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. 335****APPROVE/HWY/ADOPT-A-SPOT**

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

RESOLVED, that the Town of Orangetown, a municipal corporation, organized under the Town Law of the State of New York, which Town has a place of business at 26 Orangeburg Road, Orangeburg, New York 10962, expressly authorizes and approves the Adopt-A-Spot Committee, a volunteer organization, with Leona Bloom and Betty Turk, as part of the Adopt-A-Spot Committee to contribute toward the development and maintenance of a more attractive and litter-free Town Highway R.O.W. segment as described in the Highway Work Permit as Ethan Allen Court circle center island, otherwise known as the "Spot," by performing necessary and/or desired cleanup activities, as particularly set forth in and pursuant to the terms and conditions of the Town of Orangetown Highway Department Adopt-A-Spot Agreement between the Town of Orangetown Highway Department and Ethan Allen Court Adopt-A-Spot Committee, dated May 10, 2004.

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

**RESOLUTION NO. 336**

**ADV BIDS/NEW BACKHOE  
LOADER W/ACCESS/HIGHWAY**

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

RESOLVED, that the Superintendent of Highways is hereby authorized to advertise for sealed bids for the purchase of *one (1) new backhoe loader and accessories* and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., May 26, 2004, 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 a regular Town Board meeting.

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

Noes: None

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**RESOLUTION NO. 337**

**ADV BIDS/NEW LIGHTENING  
LOADER W/ACCESS/HIGHWAY**

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

RESOLVED, that the Superintendent of Highways is hereby authorized to advertise for sealed bids for the purchase of *one (1) new lightening loader and accessories* and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., May 26, 2004, and be publicly opened and read aloud at 11:05 a.m., and Be It

RESOLVED FURTHER, that a report of all bids received and recommendation concerning the award is to be made at a regular Town Board meeting.

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

Noes: None

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**RESOLUTION NO. 338**

**ADV BIDS/YARD STREET  
SWEEPERS /HIGHWAY**

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

RESOLVED, that the Superintendent of Highways is hereby authorized to advertise for sealed bids for the purchase of *two (2) new 7.3 cubic yard street sweepers* and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., May 26, 2004, 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 a regular Town Board meeting.

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

Noes: None

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**RESOLUTION NO. 339****ADV BIDS/BED KNIFE GRINDER  
BUNKER RAKE/PARKS**

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

RESOLVED, that the Superintendent of Parks, Recreation and Building Maintenance is hereby authorized to advertise for sealed bids for the purchase of a *bed knife grinder and a bunker rake* for the Blue Hill Golf Course and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., June 2, 2004, and be publicly opened and read aloud at 11:15 a.m., and Be It

RESOLVED FURTHER, that a report of all bids received and recommendation concerning the award is to be made at a regular Town Board meeting.

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

Noes: None

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**RESOLUTION NO. 340****AUTHORIZE TRANSFER \$17,778  
PARTS TRUST ACCOUNT**

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

RESOLVED, that the transfer of \$17,778 from the Parts Trust Account for the purchase and installation of playground equipment at Pilgrim Court Park is hereby authorized.

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

Noes: None

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**RESOLUTION NO. 341****AUTHORIZE APPLICATION TO  
YOUTH DEVELOPMENT  
DELINQUENCY PREVENTION**

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

RESOLVED, that the Supervisor is hereby authorized to apply for funding through the Youth Development Delinquency Prevention Program of the New York State Office of Children and Family Services for 2005.

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

Noes: None

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**RESOLUTION NO. 342****RESCIND RESOLUTION NO. 308  
PURCHASE OF POTASSIUM  
PERMANGANATE**

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

RESOLVED, that Resolution #308 dated 4/26/04, to advertise for bids for the purchase of potassium permanganate for the DEME is hereby rescinded.

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

Noes: None

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**RESOLUTION NO. 343**

**APPROVE FUNDING  
COMMUNITY GROUP**

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

RESOLVED, that the funding is hereby approved, and the Supervisor is hereby authorized to enter into contracts for the following community service groups for the amounts indicated, with expenditures charged to Account No. A7320/50457.

Big Brothers Big Sisters		\$1,000
Camp Venture	***	\$15,000
Care Link (SOAC)		\$1,000
Chore (Volunteer Action Center)		\$1,000
Community Playgroup		\$6,750
Foster Grandparents		\$1,200
Headstart of Rockland		\$13,000
Jewish Family Services		\$250
Meals on Wheels		\$13,000
Nyack Center (current programs)		\$1,500
Retired and Sr Volunteer Program		\$800
Rockland Com. Coll. Sr. Citizens		\$1,000
Rockland County Historical Soc.		\$800
Rockland Family Shelter		\$2,700
Volunteer Counseling Services		\$1,000
Total		\$60,000

\*\*\*Councilman Troy abstained from this item because of his affiliation with Camp Venture.

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

Noes: None

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**RESOLUTION NO. 344**

**APPROVE 2003 BUDGET  
TRANFERS/EXTERNAL AUDIT**

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

RESOLVED, that the 2003 budget transfers as shown in Exhibit 5-A-4, and made a part of these minutes, in preparation for the external audit are hereby approved.

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

Noes: None

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**RESOLUTION NO. 345**

**APPOINT/SANITATION COMM  
BILL BECKMAN**

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

RESOLVED, that Bill Beckman is hereby appointed to the Sanitation Commission.

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

Noes: None

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**RESOLUTION NO. 346**

**ENTER EXECUTIVE SESSION**

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

RESOLVED, that this Town Board enters executive session at 11:15 p.m. to discuss particular Sewer Dept. personnel matters and litigation matters.

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

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**RESOLUTION NO. 347**

**RE-ENTER RTBM**

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

RESOLVED, that this Town Board re-enter the Regular Town Board Meeting at 1:47 a.m.

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

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**RESOLUTION NO. 348**

**APPROVE/EXTENDED SICK  
LEAVE/JOSEPH MULROE**

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

RESOLVED, that extended sick leave for a two-week period at one-half pay, per Article VII, Section B of the CSEA Contract, for Joseph Mulroe, Department of Environmental Management & Engineering, is hereby approved.

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

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**RESOLUTION NO. 349**

**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 1:58 a.m., in memory of Jack Hekker, Former Orangetown Justice, and Gerald Harrington, Pearl River.

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

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**Charlotte Madigan, Town Clerk**