

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, NOVEMBER 8, 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
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.
Charles Richardson, Director of Finance
Teresa M. Kenny, Town Attorney
John S. Edwards, First Deputy Town Attorney
James Dean, Superintendent of Highways
Ron Delo, Dept. Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Terrance Sullivan, Police Captain
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardello, Director, OBZPAE
Richard Rose, Jr., Supt. Parks-Rec. & Building Maint.

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

Kevin Nulty introduced the Committee for the Orangetown Youth Court Graduation. This included Marianne J. Walker, Esq., Chairperson Steering Committee, Joseph McCormack, Esq., Assistant Chairperson Steering Committee, and Detective Daniel J. Costello. They explained the importance of this very responsible organization and youth community involvement. The Supervisor, Town Board and Town Clerk presented the graduates with certificates and congratulated them along with their families for their dedication. The Town Board thanked Addy Ducey, Marianne Walker and Joseph McCormack for their dedication and commitment to the Youth Court.

The APWA Scholarship Award was awarded to James Dean Ward, Pearl River, for Cornell University School of Arts & Science and the Orangetown Highway Department, for Sparkill Beautification & Revitalization Project.

National Philanthropy Day is November 12, 2004. This day represents 600 non-for-profit organizations.

The Town has no reason to believe that Anti-Semitic Fliers originated from this community. Orangetown has zero tolerance and will be working with other communities to prevent future incidents.

Thom Kleiner and the Town Board spoke about the failed proposition for the Town Pool and Community Center and Community Center. Supervisor Kleiner suggested that a public conversation take place to discuss reasons why this was voted down. He feels that cost combined with the conception of a Town Pool and Community Center being built as one was a factor. He also stated that racism by some added to the negative vote.

The Town Board hopes to have RFP's for RPC by December 15, 2004.

A lengthy discussion took place between the public libraries representatives and the Town Board. Paul Papay of the Palisades Library, William Beckmann of the Blauvelt Library, Alfred Bristol of the Tappan Library and William Hahn of the Orangeburg Library, presented their request for a 10% increase in their individual budgets.

Public Comment

Jim Murphy, Pearl River, commended the Board and John Giardello for their clean up of Cardean Place.

Eileen Larkin, Palisades, property owners voted against tax increases by voting down the Pool and Community Center. Employees should share health insurance costs and she feels the kiosk parking meters are an expense that can be eliminated.

Andrew Wiley, Pearl River, Is the Town Board going to rescind the Negative Declaration, which was linked to the STEJ project? He spoke about parking issues at RPC, and the STEJ contract.

Watson Morgan, Blauvelt, believes a 10% increase for the libraries is modest.

RESOLUTION NO. 730

CLOSE PUBLIC COMMENT

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

RESOLVED, that the public portion is hereby closed.

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

Noes: None

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RESOLUTION NO. 731

**PROPOSED LL AMEND CHAPTER
39/VEHICLES & TRAFFIC
SURCHARGE/OPEN P H**

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

RESOLVED, that the public hearing to consider a proposed local law adding a new Section to The Code of the Town of Orangetown, Chapter 39 "Vehicles and Traffic", said section to be numbered Section 39-16.1 and titled "Surcharge Pursuant to Vehicle and Traffic Law Section 1809-D" is hereby opened.

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

Noes: None

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Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and Notice of Posting, copies are labeled Exhibit 11-A-04 and made a part of these minutes.

Public Comment:

Eileen Larkin, Palisades, read the Local Law, which stated an additional \$10.00 surcharge, if convicted on State violations.

RESOLUTION NO. 732

**PROPOSED LL AMEND CHAPTER
39/VEHICLES & TRAFFIC
SURCHARGE/CLOSE P H**

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

RESOLVED, that the public hearing is hereby closed.

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

Noes: None

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RESOLUTION NO. 733**PROPOSED LL AMEND CHAPTER
39/VEHICLES & TRAFFIC
SURCHARGE/ADOPTED**

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

RESOLVED, that a local law adding a new Section to The Code of the Town of Orangetown, Chapter 39 "Vehicles and Traffic", said section to be numbered Section 39-16.1 and titled "Surcharge Pursuant to Vehicle and Traffic Law Section 1809-D" is hereby adopted.

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

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RESOLUTION NO. 734**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items eight (8) through twenty (20) are hereby combined.

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

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RESOLUTION NO. 735**POLMER FOR BELT PRESS
DEWATERING/BID AWARDED**

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

WHEREAS the Director of Dept. Environmental Mgt. & Engineering duly advertised for sealed bids for the *purchase of polymer* for belt press dewatering, which were received and publicly opened on October 27, 2004, and

WHEREAS, these bids were referred to the Director of Dept. Environmental Mgt. & Engineering for recommendation and report, a copy is labeled Exhibit 11-B-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for the *purchase of polymer* for belt press dewatering is hereby awarded to Atlantic Coast Polymers, Inc., the lowest qualified bidder, to be charged to Account No. G8130/50449.

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

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RESOLUTION NO. 736**USED 25-YARD GARBAGE
COMPACTOR/BID AWARDED**

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

WHEREAS the Superintendent of Highways, duly advertised for sealed bids for the *purchase of one (1) used 25-yard garbage compactor*, which were received and publicly opened on August 4, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways, for recommendation and report, a copy is labeled Exhibit 11-C-04, and made a part of these minutes, Now, Therefore, Be It

Resolution No. 736 – Continued

RESOLVED, that the bid for the *purchase of one (1) used 25-yard garbage compactor* is hereby awarded to McNeilus Truck & Manufacturing, Morgantown, PA, the lowest qualified bidder, in the amount of \$114,805.00 to be charged to Account No. H51300012/50200.

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

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RESOLUTION NO. 737**GREENS KEEPER POSITION
RECREATION/ESTABLISHED**

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

RESOLVED, that the position of greens keeper in the Department of Recreation and Parks, grade 19, effective November 9, 2004 is hereby established.

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

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RESOLUTION NO. 738**MICHAEL CARAVELLA
GREENS KEEPER POSITION
RECREATION/APPOINTED**

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

RESOLVED, that Michael Caravella is hereby appointed to the position of greens keeper in the Department of Recreation and Parks, provisionally, grade 19-3, annual salary of \$64,503, effective November 9, 2004.

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

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RESOLUTION NO. 739**DENNIS MCHUGH CT
DEERWOOD-WASHINGTON
MANOR SUBD/HIDDEN
TRAILS DEVELOPERS**

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

RESOLVED, that upon the recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering and the Superintendent of Highways, the offer of dedication is hereby accepted, and the executed deed conveying to the Town of Orangetown, Dennis McHugh Court in Deerwood-Washington Manor Subdivision from Hidden Trails Developers, Incl., as Grantor, in favor of the Town of Orangetown, as Grantee to which is annexed Schedule A is returned to the Town Attorney's Office.

BE IT RESOLVED FURTHER, that the Town Attorney is hereby authorized to forward said conveying document to the Rockland County Clerk's office for recording.

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

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RESOLUTION NO. 740**CUSTODIAN/CARETAKER
LEASE AGREEMENT/BORST
MEMORIAL PARK/LIMANDRI
RECEIVE/FILE**

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

RESOLVED, that the fully executed *Custodian/Caretaker Lease Agreement*, along with Homeowners insurance policy between the Town and Anthony Limandri, for Borst Memorial Park, is hereby received and filed in the Town Clerk's office.

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

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RESOLUTION NO. 741**RESTRICTIVE COVENANT
TOMFORD SUBD/RECEIVE/FILE**

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

RESOLVED, that the *Restrictive Covenant Against Further Subdivision*, of the Tomford Subdivision, property located S/S of Hillside Avenue and E/S of Magnolia Street, Pearl River (68.15 – 5-73.1 and 73.2), is hereby received and filed in the Town Clerk's office.

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

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RESOLUTION NO. 742**VEHICLE TRUCK/HIGH
PRESSURE JET RODDER &
VACUUM MANHOLE
CLEANER/ADV BID**

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

RESOLVED, that the Director of the Dept. Environmental Mgt. & Engineering is hereby authorized to advertise for sealed bids for the *purchase of one (1) vehicle truck with combination high pressure jet rodder and vacuum manhole cleaner* and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., December 9, 2004 and be publicly opened and read aloud at 11:00 a.m., and Be It

RESOLVED FUTHER, 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. 743**BUILDING USE AGREEMENT
SOCSD/APPROVE**

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

Resolution No. 743 – Continued

RESOLVED, that a Building Use Agreement between the Town of Orangetown and the South Orangetown Central School District (SOCSD) to allow the use of SOCSD facilities by the Town, through its Office of Parks and Recreation, for the costs and shared services as described in the Building Use Agreement Between the Town of Orangetown and The South Orangetown Central School District is hereby approved.

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

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RESOLUTION NO. 744**LEASE AGREEMENT/SOCSD
PARK SITES/APPROVE**

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

RESOLVED, that a ten-year Lease Agreement between the Town of Orangetown and the South Orangetown Central School District (SOCSD) for the use of certain SOCSD properties as park sites by the Town, which shall pay all associated maintenance costs and utility fees is hereby approved.

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

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RESOLUTION NO. 745**ORANGEBURG FIRE DISTRICT
TOWN PARKING LOT/APPROVE**

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

RESOLVED, that the Orangeburg Fire District is allowed to use the Town parking lot when needed is hereby approved.

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

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RESOLUTION NO. 746**ADJOURNMENT**

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

RESOLVED, that this meeting hereby adjourned at 9:35 p.m.

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

Charlotte Madigan, Town Clerk