

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, OCTOBER 25, 2004**

The Regular Town Board Meeting was opened at 7:47 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.
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.

Police Officer Joseph Artrip gave an overview of the current conditions and possible solutions regarding parking in Pearl River. Artrip advised the Town Board that the Bids will be publicly opened on December 2nd and a recommendation will follow after a review of the bids.

Supervisor Kleiner announced that the Orangetown Youth Court Graduation will commence on November 8, 2004, 7:30 p.m. at Town Hall. A seminar on "Managing Your Well and Septic System, by Cornell Cooperative Extension will be on November 3, 2004 at 7 p.m.

The Highway Department has been awarded the "Continuing Excellence in Storage". This award recognizes high standards of environmental protection and worker safety.

The Town's information sheet, regarding the Pool and Community Center, should arrive in everyone's mailboxes by Wednesday. All questions should be referred to the Town Board or Rich Rose, Parks and Recreation.

Public Comment

Genevieve Coffey, Pearl River, Who does ACABOR report to and who is responsible for their actions. The 2-ft. special permit, to raise property, is being ignored on her property. When will her August 9th FOIL request be answered?

Eileen Larkin, Palisades, What is the total amount of the Budget? What is the cost for future development regarding the sewer treatment plant?

Ruth Weber, Upper Grandview Association, spoke against the cost of the pool. She is against the building up of Orangetown and she is particularly concerned about future sewer needs.

Esta Baitler, Sparkill, wants to know when will the sidewalks be built along the entire length of Rte 340.

Andrew Wiley, Pearl River, believes cost of parking in Pearl River is too high, suggests chalking tires. LMS provides information to the Town, should they be allowed to give same information to others? He is concerned about future public improvement costs.

Betsy Brenner, Orangeburg, agrees with Esta Baitler. The diagonal parking in Pearl River is dangerous. Requested the media refer to her as Betsy Brenner not wife of Donald Brenner.

Alex Goldberger, Nanuet, thanked the Town Board for dedicating Lanram Rd and now would like his next project Dennis McHugh Court to be dedicated. He suggests smaller parcels to be built on at RPC.

Mary McCloskey, Blauvelt, Is in favor of the Pool & Community Center. This is a must for quality of life in Orangetown.

Lyn Garcia, Sparkill, questioned if future businesses will pay off the Pool & Community Center bond and tax burden. She is concerned about the increase in taxes. Town employees should contribute toward their health benefits.

Shelly Morgan, Tappan, infrastructures in RPC should be built first. He is concerned about the future cost of sewers.

RESOLUTION NO. 703

CLOSE PUBLIC COMMENT

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. 704

**OPEN/2005 PRELIMINARY
BUDGET/PUBLIC HEARING**

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

RESOLVED, that the public hearing on the 2005 Preliminary Budget is hereby opened.

Ayes: Councilpersons Troy, Morr, O'Donnell, Manning
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 10-B-04, and made apart of these minutes.

Councilman Morr offered proposed changes to the 2005 Budget, with a total savings of \$552,878; this would reduce the tax increase to 5.5%. These reductions are labeled Exhibit 10-C-04, and made a part of these minutes.

The Town Board thanked Councilman Morr for his efforts.

Public Comment:

Lyn Garcia, Sparkill, Suggested town employees begin to contribute to health benefits, which would help reduce taxes.

Andrew Wiley, Pearl River, concerned about taxes but appreciates Town Board efforts.

Mary McCloskey, Blauvelt, has 18 years with the Town. Mary explained one of the reasons people worked for the town was the benefits not the salaries.

RESOLUTION NO. 705

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. 706**TB DECISION/ADOPT/2005
PRELIMINARY BUDGET**

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

RESOLVED, that the 2005 Preliminary Budget with proposed changes, labeled Exhibit 10-C-04, and made a part of these minutes, is hereby adopted.

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

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RESOLUTION NO. 707**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items four (4) through eighteen (18) are hereby combined.

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

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RESOLUTION NO. 708**APPROVE ELECTION
BLAUVELT FIRE COMPANY**

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

RESOLVED, that upon the recommendation of the Blauvelt Volunteer Fire Company, Inc., the election of Anthony Marchese and Joseph Kennedy to the position of Firefighter in the Blauvelt Fire Company is hereby approved.

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

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RESOLUTION NO. 709**SET DATE P/H SHADY SIDE
AVENUE SEWER REPLACEMENT**

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

RESOLVED, that the date of November 22, 2004, 8:00 p.m., is hereby set for a public hearing to consider increased cost for the Shady Side Avenue Sewer Replacement project in South Nyack. The Order calling for a Public Hearing to be held November 22, 2004 is labeled Exhibit 10-C1-04, and made a part of these minutes.

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

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RESOLUTION NO. 710**PARKING METERS/PEARL RIVER
RE-ADVERTISE BID**

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

Resolution No. 710 – Continued

RESOLVED, that the Town Attorney is hereby authorized to re-advertise for sealed bids for the purchase of parking meters and or equipment for the Pearl River Parking District, and Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., December 2, 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 Manning, O'Donnell, Troy, Morr
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 711**HUDSON ENERGY/ELECTRIC
STUYVESANT ENERGY/GAS
AUTHORIZE CONTRACTS**

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

RESOLVED, that the Finance Director is hereby authorized to sign one-year contracts with Hudson Energy for electricity supply and Stuyvesant Energy for natural gas supply under the terms of the bid proposals received by Rockland County as representative of the Hudson Valley Municipal Purchasing Group.

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

Noes: None

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RESOLUTION NO. 712**AUTHORIZE REVENUE/EXPENSE
ACCTS/SIDEWALKS RT 340**

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

RESOLVED, that upon the recommendation of the Finance Director, Revenue Account No. H0498900-43865 and Expense Account No. H5410002-50200, each with a budget of \$125,000.00 for the Route 340 Sidewalk Capital Project are hereby created.

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

Noes: None

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RESOLUTION NO. 713**AMEND RESOLUTION NO. 561/04
EMERGENCY SEWER REPAIRS
TRICKLING FILTERS 1, 2, & 3
DORR-OLIVER ELMCO**

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

RESOLVED, that Sewer Director is authorized to make emergency repairs to *trickling filters 1, 2 and 3* to reflect award of contract not to exceed \$350,000 to Dorr-Oliver Elmco to be charged to Account No. G8130/50475.

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

Noes: None

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RESOLUTION NO. 714**SIDEWALK SNOWPLOW/HWY
ADVERTISE BID**

Councilwoman Manning offered the following resolution, which was seconded by Councilman O'Donnell 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 sidewalk snowplow*, and Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., November 10, 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 Manning, O'Donnell, Troy, Morr
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 715**NEW HEAVY-DUTY TANDEM
DUMP TRUCK/AWARD BID**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the *purchase of one (1) new heavy-duty tandem dump truck with accessories*, which were received and publicly opened on June 16, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways for recommendation and report, a copy is labeled Exhibit 10-D-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for the *purchase of one (1) new heavy-duty tandem dump truck with accessories* is hereby awarded to *Meadowland Ford Truck Sales, Secaucus, New Jersey*, the most qualified bidder, in the amount of \$194,955.00 to be charged to Account No. H51300012/50200.

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

Noes: None

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RESOLUTION NO. 716**KINGS HWY DRAINAGE &
HAZARD MITIGATION PROJECT
CERTIFICATE OF
APPROPRIATENESS/APPROVE**

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

RESOLVED, that the Certificate of Appropriateness for the Kings Highway Drainage and Hazard Mitigation project is hereby approved.

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

Noes: None

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RESOLUTION NO. 717**POLICE MATRON/LESLIE
O'KEEFFE/MARY STEINBERGER
TERESA HAMILTON/APPOINT**

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

RESOLVED, that Leslie O'Keeffe, Mary P. Steinberger and Teresa A. Hamilton are hereby appointed to the position of Police Matron at an hourly rate of \$25.00.

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

Noes: None

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RESOLUTION NO. 718**POLICE/SURPLUS VEHICLES
AVAILABLE FOR AUCTION**

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

RESOLVED, that following vehicles are surplus and available for auction:

Year	Make	VIN	Mileage
1997	Ford Crown Victoria	2FALP71W8VX139103	94,600
2003	Ford Crown Victoria	2FAFP71W43X112605	68,400
1985	Chevrolet Army Ambulance	CCH03415FF379823	12,400
1997	Ford Crown Victoria	2FALP71W8VX139098	

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

Noes: None

RESOLUTION NO. 719**LOCAL LAW/CHAPTER 39
SURCHARGE VEHICLE &
TRAFFIC LAW/SET PH DATE**

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

RESOLVED, that the date of November 8, 2004, 8:00 p.m., is hereby set for a public hearing to consider adopting a Local Law to amend the Code of the Town of Orangetown, Chapter 39 entitled "Vehicles and Traffic," by adding Section 39-16.1, to be entitled "Surcharge Pursuant to Vehicle and Traffic Law Section 0809-D.

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

Noes: None

RESOLUTION NO. 720**CHERRY BROOK UNDERGROUND
WATER DETENTION SYSTEM
PROJECT NO. M03002
RECEIVE/FILE AGRMT**

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

RESOLVED, that the *Cherry Brook Underground Water Detention System Agreement, Project Contract No. M03002* is received and filed, in the Town Clerk's Office.

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

Noes: None

RESOLUTION NO. 721

ACCEPT MINUTES

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

RESOLVED, that the Regular Town Board Meeting, Audit Meeting, and Executive Session minutes of October 12, 2004 are hereby accepted.

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

Noes: None

RESOLUTION NO. 722

**ELECTION INSPECTORS &
POLLING PLACES/APPROVE**

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

RESOLVED, that upon the recommendation of the Town Clerk, the lists of Election Inspectors and Polling Places, for the 2004 regular Election, labeled Exhibit 10-E-04 and made a part of these minutes, are hereby approved.

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

Noes: None

RESOLUTION NO. 723

ADJOURNMENT/MEMORY

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

RESOLVED, that this meeting hereby adjourned at 9:45 p.m. in memory of Robert Bergman, Sr., Pearl River and Mary Cuddy, Thorpe Village.

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

Noes: None

Charlotte Madigan, Town Clerk