

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, SEPTEMBER 27, 2004**

The Regular Town Board Meeting was opened at 6:50 p.m. Supervisor Kleiner presided. The Supervisor 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 (arrived 7:30 p.m.)
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
Brian Kenney, Assessor
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.

RESOLUTION NO. 640

RE-ENTER RTBM

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

RESOLVED, that this Town Board re-enters Regular Town Board Meeting, from Executive Session, at 7:46 p.m.

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

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Supervisor Kleiner announced a Pearl River Parking Meter Presentation, will be held Wednesday, 10 a.m., Town Hall.

Bennett Kielson Storch and DeSantis discussed the Comprehensive Annual Financial Report for the Fiscal Year Ending December 31, 2003. This is an independent auditor's report made for the purpose of forming opinions on the financial statements. The Town Board had a short discussion and was satisfied with this report. Supervisor Kleiner thanked Bennet Kielson for the report and commended the late Barbara Feld on her dedication and attention to detail regarding the Finance Department.

The Tentative Budget on tonight's agenda will become the Preliminary Budget in approximate three weeks. The Town Pool and Community center will be on the ballot for the November 2nd Election. The RFQ's for RPC are going well and RFP will be proposed in the near future.

Public Comment

Virginia Blake, representing 64 units in the Meadows in Pearl River, is very concerned with safety issues. The Mobil gas station is open 24 hours a day and has caused problems, such as robberies, late night groups hanging out in the parking lots, keeping the residents awake. They have asked the Police Dept for intervention.

Sheila O'Donnell, Pearl River Chamber of Commerce, concerned about RFQ's, senior housing, and retail merchants in RPC. The Chamber is against any and all retail stores in RPC.

Andrew Wiley, Pearl River, spoke about RPC and the Pool and Community Center. Cost is too high and the Town Board needs to review size of projects and sewer concerns.

Shelly Morgan, Tappan, is against the five-minute public speaking limit. Asked for a total amount bonds needed for up coming projects.

Jim Murphy, Pearl River, questioned the status of Cardean Place, regarding the Maintenance Law.

Esta Baitler and Dr. Ed Fisher, representing Venture, Thorpe & Dominican, asked how soon the sidewalks along Route 340 would take to complete after the bidding process was done?

Jay Braslyn, Sparkill, spoke about pedestrian safety hazards along Route 340 and the need for reflector clothing because of these conditions.

Bill Schule & Kevin Powers, representing OMM Soccer, to celebrate the success of the league, announced a Soccer-Fest will be held on Sunday, October 10th at Veterans Memorial Park.

Ruth Weber, Upper Grandview Association, discussed officials roles in government, tax increases, polling the taxpayers before spending, pool petition and the Town's sewer system.

Genevieve Coffey, Pearl River, requested answers from the Building Dept. regarding her property. Measurements of a roof should be from the ground to the peak.

Gail Raffaele, Tappan, When will she receive answers to her questions and what caused the emergency repair of a collapsed manhole on Western Hwy.

Donald Brenner, Attorney, recommends the Town purchase Port-a-Sans rather than renting them.

RESOLUTION NO. 641

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. 642

COMBINE AGENDA ITEMS

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

RESOLVED, that agenda items one (1) through thirteen (13), except items 8 and 10, are hereby combined.

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

Noes: None

RESOLUTION NO. 643

**POLICE PUBLIC AUCTION
OCTOBER 30, 2004**

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

RESOLVED, that upon the recommendation of the Town Clerk and the Police Department, the Town Clerk is authorized to hold a public auction on Saturday, October 30, 2004 at 9:00 a.m. on Town Hall property to dispose of various miscellaneous surplus items, including

Resolution No. 643 - Continued

electronic equipment, and bicycles and the Town Attorney's office is authorized to place an Auction Notice in the Town's official newspapers. Items will be available for inspection between 8:00 a.m. and 9:00 a.m. on October 30, 2004.

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

RESOLUTION NO. 644**AWARD BID/SALYER HOUSE
STEPHEN TILLY ARCHITECT**

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

RESOLVED, that the bid for rehabilitation to the Salyer House is award to Stephen Tilly Architect, at 15%, including consultant fees, of the total construction (estimated at \$75,000).

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

RESOLUTION NO. 645**ORANGETOWN SEWER SYS
SHERIDAN PROPERTY 68.11-1-11**

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

RESOLVED, that connection to the Orangetown Sewer System of four lots, (Sec. 68.11, Blk 1, Lot 11) known as the Sheridan property, on Crooked Hill Road, Chestnut Ridge, is hereby authorized.

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

RESOLUTION NO. 646**REVOCABLE LICENSE/SPARKILL
680 MAIN ST/77.08-4-18**

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

RESOLVED, that consent is granted of a "revocable license" to the owner of property designated as Section 77.08, Block 4, Lot 18 located at 680 Main Street, Sparkill, to allow the existing platform built, without the Town's permission, over the Town's existing Sanitary Sewer Pipe or Line, to remain on such terms and conditions as the Town shall deem necessary and required, including, without limitation, the removal of said platform by the licensee, upon written request from, and without expense to the Town, in the event that said Town of Orangetown Sanitary Sewer Pipe or Line needs to be maintained, repaired and/or replaced. Said "revocable license" must also contain appropriate hold harmless and indemnification provisions in favor of the Town and must be in form and substance acceptable to and approved by the Town Attorney's Office.

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

RESOLUTION NO. 647**WAIVER OF BIDDING
COLLAPSED SEWER MANHOLE**

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

RESOLVED, that an emergency to allow waiver of normal procurement procedures for bidding of an emergency repair of a collapsed manhole on Western Highway, Orangeburg, performed by Cal-Mart Construction is hereby approved.

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

RESOLUTION NO. 648**HIGHWAY PUBLIC AUCTION
OCTOBER 30, 2004**

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

RESOLVED, that the Superintendent of Highways is authorized to host a Surplus Equipment Auction at the Highway Department on Saturday, October 30, 2004.

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

RESOLUTION NO. 649**CO-SPONSOR FUNDING/SOUTH
ORANGETOWN AFTER SCHOOL
ENRICHMENT PROGRAM**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings and the Youth Recreation Advisory Committee, the request for co-sponsored funding from the South Orangetown After School Enrichment Program in the amount of \$1,200 to be charged to line item B7310174/50482 is hereby approved.

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

RESOLUTION NO. 650**TRUST FUND FEES/SUBDIVISIONS
SITE DEVELOPMENT PLANS**

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

RESOLVED, that a motion to amend the trust fund fees for *Subdivisions and/or Site Development Plans* to be paid in lieu of a contribution of land for park use as follows:

From \$5,000 to \$3,500 per lot or per housing unit (3 or more bedrooms) or single-family houses
From \$3,500 to \$3,000 per lot or per housing unit for two-bedroom units
From \$2,000 to \$2,500 per lot or per housing unit for one-bedroom units

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

RESOLUTION NO. 651**TRUST FUND FEES/SUBDIVISIONS
SITE DEVELOPMENT PLANS**

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

RESOLVED, that the trust fund fees for *subdivisions and/or Site Development Plans* to be paid in lieu of a contribution of land for park use is increased as follows:

\$3,500 per lot or per housing unit (3 or more bedrooms) or single-family houses
\$3,000 per lot or per housing unit for two-bedroom units
\$2,500 per lot or per housing unit for one-bedroom units

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

RESOLUTION NO. 652**AUTHORIZE/REPLACEMENT
TRAFFIC CONTROL UNITS**

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

RESOLVED, that the replacement by Verde Electric of the traffic control units for traffic signals at Gilbert and Middletown Road, Pearl River and Erie and Western Highway, Blauvelt at an estimated cost of \$6,800 each is hereby authorized.

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

RESOLUTION NO. 653**PERMISSION GRANTED/POLICE
CONTOMS TACTICAL
PARAMEDIC PROGRAM**

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

RESOLVED, that permission is granted for one Police Officer to attend the *CONTOMS Tactical Paramedic Program* in Braintree, MA, September 27th – October 1, 2004 for a cost of \$795.00 to be charged to Account No. B3120/50441.

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

RESOLUTION NO. 654**RECEIVE AND FILE
2005 TENTATIVE BUDGET**

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

RESOLVED, that the 2005 Tentative Budget is hereby received and filed in the Town Clerk's office.

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

RESOLUTION NO. 655**APPROVE/2004 CERTIFICATE OF REGISTRATION/SEWER WORK**

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

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

Bruce G. Riffard - Stony Point, New York
SHF Corporation - Highland Falls, New York
Mark P. Olson, d/b/a Mark P. Olson Excavation - Suffern, New York

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

Noes: None

RESOLUTION NO. 656**ACCEPT MINUTES**

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

RESOLVED, that the Special Town Board Meeting minutes for 8/30/04, 9/7/04, 9/8/04, 9/10/04, 9/13/04, 9/14/04, 9/17/04, 9/20/04, 9/21/04; Regular Town Board Meeting minutes for 9/13/04; Audit and Executive Session minutes for 8/30/04, 9/7/04 and 9/13/04 are hereby accepted.

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

Noes: None

RESOLUTION NO. 657**APPROVE AID/OMM SOCCER SOCCER-FEST/OCTOBER 10TH**

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

RESOLVED, that aid to the OMM Soccer for their Soccer-Fest to be held at Veterans Memorial Park, on October 10, 2004 by providing 5 port-o-sans, 15 trash receptacles, barricades for enclosing the cooking area, support with parking, use of golf carts, and support of the town generator-truck, to be charged to Account No. A7550/50457 is hereby approved.

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

Noes: None

RESOLUTION NO. 658**APPROVE PORT-O-SANS**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, one (1) port-o-san is to be provided at 3 locations, the DeMeola, Kennedy-Reedy, and Veterans fields to be charged to Account No. A7110/50457.

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

Noes: None

RESOLUTION NO. 659

ADJOURNMENT/MEMORY

Supervisor Kleiner offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that this meeting hereby adjourned at 10:15 p.m. in memory of Tom Dinan, Democrat Chairperson.

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

Charlotte Madigan, Town Clerk