

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD & AUDIT MEETING
APRIL 14, 2003**

The Regular Town Board Meeting was opened at 7:49 P.M. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Edward Fisher
Councilman Denis O'Donnell
Councilman Denis Troy
Councilwoman Marie Manning

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
James Riley, Town Attorney
Thomas O'Connell, Deputy Town Attorney
Charles Richardson, Director of Finance
James Dean, Superintendent of Highways
Robert Beckerle, Dir. Dept. of Environmental Mgt. & Eng.
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardiello, Director, OBZPAE
Richard Rose, Superintendent of Parks, Rec. & Bldg. Maint.).

* * *

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

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ANNOUNCEMENTS

Chief Nulty introduced Rev. Msgr. Emmet R. Nevin as the new Chaplin for the Orangetown Police Department and Charlotte Madigan, Town Clerk, administered Msgr. Nevin the Oath of Office.

Town Pool/Community Center Kick Off Meeting will be tomorrow, 6:30 p.m.. Town Hall Preliminary award of sports complex proposal with an update.
Senior/Adult Housing Options for Orangetown: Prospective Developers. Higher density if it's in the downtown areas where seniors are able to walk to stores.

PUBLIC PORTION

David Howe presented to the Town Board an opinion of the Committee For Open Space for possible uses for the Rockland Psychiatric Center property as well as suggestions for the property (attached is a copy of a letter).

- RFP process will not appropriately meet the special needs of the Town and may impede a cohesive use concept.
- Create a community recreation park, which would be a refuge.
- Open space that will include trails, recreation, a pool, community center, sports complex, housing or other commercial development.
- New buildings could be designed to complement the present buildings.
- A cohesive use concept with a common aesthetic theme can be achieved by the establishment of a Master Plan for the RPC property.
- A wildlife corridor along the water's edge. A walking path wide enough to accommodate two people.
- RPC should include a Community Center, Pool, Open Space Area, Tennis Courts, Hockey/Sports Complex, Volunteer and Senior Housing, Core Property, Sports.
- The Core property should be considered a prime area for future commercial development.

Jeff Berman spoke about the importance of acquiring the John Collins property, which would include a house and 42 acres. Preservation of this piece will provide a link to the Clausland

Mountain Greenbelt, which includes the nearby Clausland Mountain County Park and the Tackamack Town Park. He asked that a quick resolution be offered tonight to commit to additional funds, up to 10% of the purchase price of the John Collins Property.

Ruth Weber, Upper Grandview Association spoke regarding the decision of the Planning Board, which imposed two conditions on the property located at 57 Tweed Blvd, Re the privacy buffer. These conditions were not met. However, the Certificate of Occupancy was issued by the Building Department. Councilman O'Donnell asked John Giardiello, Director, OBZPAE to have this completed within a two-week period and Mr. Giardiello agreed to this.

Manzer Rutkowski, Tappan, She is very upset that the Planning Board decision is not being followed re the Imperial Sports and Land Banking. Mrs. Rutkowski read a letter from David and Brenda Miller who are concerned with the black top and lack of buffer.

Paul Malone, Tappan, Concerned that the development of the Meditation Center will be invasive on the trees in the area, and these are old and not replaceable.

Elizabeth Werner, Pearl River, against extending the police regulation for Franklin Avenue concerning the Four Hour Parking Signs on both sides of the street.

James K Riley, Pearl River, as a citizen, if these signs are removed then signs on all other streets should be removed as well. Commuter parking is a problem and this will change the streets in Pearl River to a parking lot rather than attractive avenues. Therefore, he is in favor of no parking on Franklin Avenue.

Paul Prisco, Palisades, opposed to the plan to build Senior Citizen Homes on the Golf Course in Palisades.

Mary McCloskey, Blauvelt, reiterated the feelings of many regarding the need for Adult Community Housing. She also thanked the Town Board for their meeting last week that drew a large crowd because of this important issue.

Donald Brenner, Orangeburg, #20 who is Grounds Care Ltd. and what do they do?

Mr. Richardson responded that Grounds Care Ltd. is the current state vendor for mowing at RPC.

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RESOLUTION NO. 223 APPOINT/POLIC

**E CHAPLAIN
MSGR. EMMET R. NEVIN**

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

RESOLVED, that upon the recommendation of the Chief of Police, appoint Monsignor Emmet R. Nevin, St. Catherine's Church, Blauvelt, NY to serve in the position of Police Chaplain to the Orangetown Police Department is hereby appointed.

Ayes: Councilperson s Fisher, Troy, O'Donnell, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 224 OPEN/CONTINUE

**/ PH
LL/REG SNOW PLOWING**

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

RESOLVED, that the public hearing to consider the adoption of a proposed local law, "Regulating Snow Plowing Within the Town of Orangetown" is hereby opened and continued from March 10, 2003.

Ayes: Councilperson s Manning, Troy, Fisher, O'Donnell
Supervisor Kleiner

Noes: Non e

The Town Clerk presented affidavit of publication and notice of posting, copies are labeled Exhibit 4-A-03 and made part of these minutes.

TOWN OF ORANGETOWN
COMMITTEE FOR OPEN SPACE
ORANGETOWN HALL
ORANGEBURG, NEW YORK 10962

April 4, 2003

Orangetown Town Council
26 Orangeburg Road
Orangeburg, New York 10962
Supervisor Thom Kleiner
Council Members: Edward Fisher
Marie Manning
Dermis O'Donnell
Denis Troy

HAND DELIVERED AND MAILED

Dear Supervisor Kleiner and Town Council Members:

The Committee for Open Space has formulated this letter to provide a broad opinion of the possible uses for the RPC property as well as furnishing comments on some of the currently suggested uses for the property.

The Town's recent purchase of the RPC property provides the Town Board with a unique opportunity to plan a park of scenic and tranquil beauty while balancing the economic, social, environmental, and recreational needs for the benefit of all future residents of Orangetown.

It is the opinion of this Committee that the current RFP process will not appropriately meet the special needs of the Town concerning this property and will impede a cohesive use concept. Rather than immediately construct a costly series of large regional entertainment and recreation centers, the Town Board can develop and create a community recreation park. This local gathering place would be a

refuge for all the residents of the various towns, hamlets and villages of Orangetown.

The Open Space Committee encourages a cohesive vision that will tie together all the elements of the property regardless of whether it is open space, trails, recreation, a pool, community center, sports complex, housing or other commercial development. Central Park, Bear Mountain and Tallman State Parks are excellent examples of this cohesive master plan concept. While Bear Mountain has a hotel, swimming pool, ice skating rink, zoo and carousel, the architecture is classic, unobtrusive and linked by common design elements. Central Park has a theater, boathouse, cafe, restaurant, skating rinks, zoo and major streets intersecting it, yet most people think of it as wooded park land. This naturalistic harmony with development can only be accomplished by careful planning. For example, many of the buildings at RPC over the next twenty years will be torn down or reused. In this case simply deciding that all new buildings be designed of fieldstone, glass and wood, would ensure that all developers adhere to a similar cohesive aesthetic concept.

It is the recommendation of the Open Space Committee that a cohesive use concept with a common aesthetic theme can be achieved by the establishment of a Master Plan for the RPC property. It is crucial that an overall plan for the property be put in place by the Town Board, with input from the community, developers and all Town committees, including this Committee, before any development is allowed to go forward. Certainly, a master plan need not be occasion for endless analysis; the plan may in fact be created in a relatively short period of time and may evolve as specific needs are addressed. Broad land use decisions must precede the specifics; unifying elements must be established before the details are implemented.

Lake Front

The Committee requests a wildlife corridor along the water's edge. This is consistent with the Committee's overall plan for open space in Orangetown. The Committee suggests that there be a minimum buffer of 200 feet and a maximum buffer of 300 feet around the perimeter of the Lake thereby helping to minimize environmental impacts on the watershed. This approach toward establishment of buffers along waterfronts has been adopted on Lake Tappan in Bergen County; and north of Orangetown, Clarkstown is adopting protection along the Hackensack watershed. The buffer, as proposed, would change in width due to topographical and developmental constraints. The buffer should be permanently zoned Parkland. Included would be a trail that ideally would be handicap accessible with a minimum 8-foot wide hard track surface. The hard track surface could be used for walkers, joggers, bicyclists, prams, wheelchairs, and would provide a safer walking area for the elderly, the blind and the disabled. Wider portions might also include earthen, wood chip or pebble surfaces to minimize non-porosity and to retain a natural forested quality to the trail. The trail should meander and include: small picnic areas, benches with irregular seating configurations, and a series of Interpretive Centers explaining the history, geology, flora and fauna of the area. The trail should have low-level lighting that is shielded for light pollution purposes. A central gazebo at a prominent part of the buffer would provide a vista upon the Lake and a possible fishing pier. Along the former Boy Scout Camp, there should be cooking areas and a pavilion or two that could be rented for family and community functions or as a shelter for sudden inclement weather.

Any fencing separating the United Water Company property and Town property should be of a decorative and/or subtle nature. Along the border of Lake Tappan, a variable width water quality buffer area [adjacent to the potable water supply reservoir] should be established as a network of open green space and conservation area. This area would be limited to hiking, bird watching and fishing (by permit issued by the water company.) A hiking trail extending more

than a mile to Convent Road could also be established parallel to Lake Tappan.

COMMUNITY CENTER

The Committee suggests that any Community Center should be located in an existing structure through adaptive re-use. For example, the existing recreation building (Building 38) or the larger auditorium (Building 40) would be suitable for this use. A Community Center in Orangetown could be a meeting place for young and old, small and large groups, and sustain creative uses, indoor games and other activities. There could be multiple small meeting rooms designed for groups of 20-25 Town residents, and large rooms to accommodate the various needs of the community. Additional recommendations include: a large game room for table top games such as ping pong, an adequate sound system for parties, a small kitchen which could be used for parties, space for a cafe concession stand and a gallery space for local art work.

POOL

A long awaited Town pool could be a tremendous benefit to our community. The Committee endorses the concept of a Community Pool and suggests that it be one-half Olympic size and be convertible in its size and shape so as to provide not only lap areas but also areas for wading and possibly water sports. The placement should be at the most scenic area of RFC selected with the assistance of a landscape architect to fit in the overall cohesive use concept. Parking in this area can be adjacent to a private recreational facility, if one exists, but there needs to be a mechanism where only Town Residents can utilize the Town parking facility and access to the Pool. The parking area must contain an integrated pattern that is tree lined and provides spots for sitting along clusters of trees. The parking area must utilize state of the art drainage systems that incorporate gravel filters and provisions for storm water runoff. Additionally, the Pool

area would encompass a pool house for showers, changing facilities and bathrooms.

Open Space Area

A small outdoor open amphitheater concert area would be a wonderful addition to RFC. It should be sited in a natural sloping area that is sufficiently removed from any commercial structure. A permanent stage with grass seating would support activities such as plays, concerts and summer camp entertainment. The Shakespeare stage at Sterling Forest and the Harry Chapin lakeside venue at Eisenhower Park in Nassau County are wonderful local examples of outdoor concert areas.

Tennis Courts

The Committee supports the idea of indoor tennis courts. Placement of the courts should be either in an existing building or in a bubble on land that has been previously developed and is no longer in use. If the courts are to be used exclusively by the residents of Orangetown, the changing rooms of the pool could be used for the court as well.

Hockey/Sports Complex

Prior to the development of any sports complex, the Committee requests that the Town Board determine that a need really does exist in Orangetown for such a recreational complex.

The Committee has studied the development and placement of any large privately owned recreational/sports complex on the property and has determined the following:

- 1) Such a complex is most suitable in a pre-existing commercial zone (i.e. the Mack-Cali site, the commercial lot adjacent to Lowe's on Rt. 303 or along Rt. 304; and such a complex does not necessarily need to be placed on the RPC property.

2) If such a complex is placed on the property it should be located in the "triangle" section of the property and/or located in an existing vacant building.

3) If such a complex is built on open land it should not be on the premier open space area where the current proposals have the facility placed. Rather a plan for interconnected sports fields, picnic and play areas in a parkland setting would be a better use for this area.

4) If such a complex is built, parking should be shared or clustered with other development and away from passive recreation and wetlands.

Volunteer and Senior Housing

The Committee suggests that any residential development on the RFC property be extremely limited and must be cohesive in appearance with the open space areas and recreational uses of the property. The existing single family homes located on Blaisdell Road could, as suggested by others in the community, be used for volunteer or not-for-profit purposes. The ownership of these existing homes should be subject to restrictions regarding community use for volunteers with very limited resale options. The use of these homes for community purposes should not set a precedent for any future residential development along this portion of the property.

There exists a need for Senior Housing in the Town. Therefore, in response to this need the Committee suggests any Senior Housing be primarily located in already existing buildings which could be renovated for housing purposes. Placement of any Senior Housing could be close to the childrens village side for easy access to Van Wyck/Convent Road and the Core where further commercial areas are possible.

Core Property

While maintaining the consistent architectural approach, the core property should be considered a prime area for future commercial development, volunteer, affordable and/or senior housing. Adaptive reuse should be considered for the existing structures when appropriate. New buildings in this area must be coordinated with a plan for overall development. Parking should be planned so that few, if any, new spaces are required. One way to do this is to integrate business hour needs with weekend needs. For instance, an indoor recreation facility located next to a commercial concern might be able to share much of its parking area. Similarly, public transportation could serve both areas.

Sports

The Committee suggests that if the need for additional recreational space exists in the Town for field sports, the fields may be located in RPC in areas that are relatively level and clear. While the triangle is an ideal location for large sports activities, there should be some areas in the broader RPC - Veteran's Park area for smaller recreational activities compatible with the other family activity uses planned for the site. Also fields that already exist on the property can be used for recreational space. Baseball and soccer fields should be tree lined and buffered from each other and provide picnic areas, canopied by trees where the games can be watched and enjoyed. As stated earlier, parking for sports should be shared with parking for other uses on the property. While the combined site may ultimately provide more outdoor sports facilities than many other areas in the Town, its use should not be at the expense of already existing convenient neighborhood facilities and school grounds.

Environmental Concerns

It is recommended that the majority of the current landscaping and woods on the property be left intact since many of the trees are old and irreplaceable.

The existing shrub and tree buffers also provide an essential habitat for vast numbers of insects, forest animals and birds and should be protected.

Overdevelopment, pollution, increased traffic, noise and artificial lighting on the property would certainly disrupt this habitat and could lead to the dislocation of the natural inhabitants.

Care should be taken to protect the extensive natural drainage system that includes elevation changes of 200 feet with drainage from areas outside the property. This also includes wells that dot the property that need to be protected for water quality, irrigation and geothermal uses.

Many wetlands exist on the property and in the aggregate (estimated at more than 100 acres) form a considerable ecological asset that should be protected and enhanced through the use of alternative wetland and watershed protection methodologies.

Parking and development should be kept to the sites of the abandoned buildings as much as possible. Many uses of the property are seasonal and parking should be shared and clustered. It would be preferable not to see any development from the road, clear cutting should be completely avoided and except for rubble that has no useful purpose no usable dirt or soil should be removed from the property.

Conclusion

In conclusion, recreation planning is concerned with human development and the stewardship of the land by helping people relate to their environment and each other. If a town is to provide effective leisure opportunities, it needs to develop a course of action to solve current problems and anticipate future needs. The overall goal of recreation planning at RFC is to improve the quality of life by creating a better, more healthful, pleasurable and attractive environment in Orangetown.

Lastly, it is the opinion of the Committee that it is essential for the Town Board to devise and implement a Master Plan, with appropriate community input, in order to achieve the successful development and preservation of the RFC property that is so desired by the residents of Orangetown.

Respectfully submitted by :

Jeff Berman - Chair

Amanda Clark

David Howe

Micki Leader

Francine McGuire

Watson Morgan

Francine Oldenburger

Carol Schelin

Larry Vail

AFFIDAVIT OF PUBLICATION

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Signed,

[Signature] g>QU:=:^

NOTICE OF HEARING

NOTICE I S HEREB Y GIVE N
I that a publi c hearin g wil l b e
held by the Town Board of the
Town o f Orangetow n a t th e
Orangetown Town Hall, No. 26 ;
urangeburg Road, - Orange -
burg, Ne w York c 1096 2 o n Si e
14th da y of April, 200 3 a t a i O
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to th e Cod e o f th e Tow n o f
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Town of Orangetown.
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aw ma y b e examine d by an y
imeresod patt y at the Office of
the Town Clerk.
All intereste d person s wil l b e
heard. . .

I B y order of the Town Board of
the Town of Orangetown.

i Dated: March 25, 2003

i. CHARLOTT E MADIGAN
Town Clerk

JAMES K. RILEY
Town Attorney
Town of Orangetown

Sworn to before me

ttis_ day of. Apr 20 D^

Jessie L. Araujo

Notary Public, Westchester County

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Peail River	WestMya*
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JESSIE L ARAUJO
NOTARY PUBIC, STATE OF NEW YORK
NO.01AR6083528
QUALIFIED IN WESTCHESTER COUNTY/
TERM EXPIRES NOVEMBER 18,2006

NOTICE OF POSTING: Notice of public hearing to consider a proposed local law
Adding a new Chapter to the Code of the Town of Orangetown
"Regulating Snow Plowing".

STATE OF NEW YORK)
COUNTY OF ROCKLAND) SS .
TOWN OF ORANGETOWN)

Charlotte Madigan being duly sworn upon her oath, deposes and says;

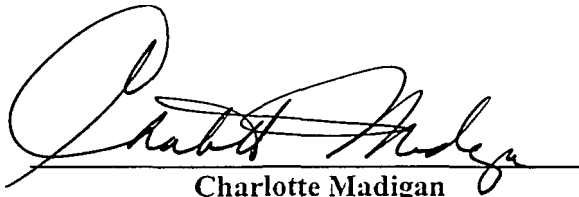
That, she is, at all times hereinafter mentioned was, duly elected.
Qualified and acting Town Clerk of the *TOWN of ORANGETOWN*, in the County of
Rockland. State of New York.

That, on the 31st day of March
2003, she caused to be conspicuously posted and fastened up a notice, a true copy of
which is annexed hereto and made a part of hereof, in the following places, at least one of
which is a public place within the *TOIVN of ORANGETOWN*, New York .

1. Town Hall Bulletin Board

3.

4.



Charlotte Madigan

Town Clerk

Subscribed and sworn to before me

This 31st day of March - _____ 2003

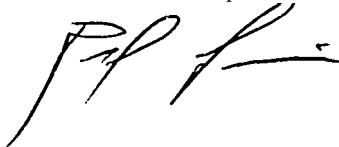
ROBERT R. SIMON

Notary Public, State of New York

Na01SIS005857

Residing In Rockland County

Commission Expires December 21, 2004



NOTICE OF HEARING

NOTICE I S HEREB Y GIVE N tha t a publi c hearin g wil l b e hel d b y th e
Town Boar d of the Town o f Orangetown at the Orangetow n Town Hail , No . 2 6
Orangeburg Road , Orangeburg , Ne w York 1096 2 on the 14' " day of April, 200 3
at 8:10 P M to consider a propos ed loca l la w adding a ne w Chapter to the Cod e
of the Town of Orangetown entitle d Regulatin g Sno w Plowing withi n the Town of
Orangetown.

A copy of the proposed local law may be examined by any interested party
at the Office of the Town Clerk .

All interested persons will be given an opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated:March 25, 2003

CHARLOTTE MADIGAN
Town Clerk

JAMES K. RILEY
Town Attorney
Town o f Orangetown

Resolution No. 224 - Continued

The public portion was opened and the following people spoke:

Judy Goodrich, Upper Grandview, (against) believes invasive doesn't understand what the Town is trying to accomplish.

Fran Oldenburger, Blauvelt, present law not enforced, against proposal, application invasive.

Ruth Weber, Upper Grand View Association, (against legislation) concerned with over legislation specifically regarding the Maintenance Law and the Snowplowing as well as the Landscaping legislation to be voted on tonight. Permits from the building department are unfair to some as will this legislation be if it is passed.

James Dean, Superintendent of Highways, presented the reasons for this legislation and a lengthy discussion took place between the Town Board members.

Bill Bosley, wanted to know how long it would take to get a permit.

Marty Oldenburger, Blauvelt, (against legislation) wanted to know what is the need for a database?

Mr. Dean responded to the question, saying that the primary reason for the law was so that the Town would know which contractors were working near Town right of ways and information could be provided to contractor.

RESOLUTION NO. 225 CLOS

**E P/H LL
REG SNOW PLOWING**

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

RESOLVED, that this public hearing is hereby closed.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 226 DESIGNATIO

**N OF LEAD
AGENCY**

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

RESOLVED, that the Town of Orangetown hereby declares itself Lead Agency in this matter.

Ayes: Councilperson s Troy, O'Donnell, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 227 LL/RE

**G SNOW PLOWING
TB/DECISION/ADOPT/FAILS**

Councilman Troy made a motion to **Adopt** the following resolution, which was seconded by Supervisor Kleiner and on a **roll call failed** three (3) to two (2):

RESOLVED, that this Town Board **failed to adopt** a Local Law to "Regulate Snow Plowing Within the Town of Orangetown".

Ayes: Councilperson s Troy,
Supervisor Kleiner

Noes: O'Donnell , Fisher, Manning

RESOLUTION NO. 228 OPEN/CONTINUE/P

**H LL
LANDSCAPERS & TREE SURG**

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

RESOLVED, that the public hearing to consider the adoption of a proposed local law, "Regulating Landscapers and Tree Surgeons Within the Town of Orangetown is hereby opened and continued from March 10, 2003.

Ayes: Councilperson s O'Donnell, Manning, Troy, Fisher
Supervisor Kleiner

Noes: Non e

The Town Clerk presented affidavit of publication and notice of posting, copies are labeled Exhibit 4-B-03 and made part of these minutes.

The public portion was opened and the following people spoke:

Judy Goodrich, Upper Grandview, against legislation.

Ruth Weber, Upper Grand View Association, against legislation, micro managing, there is legislation already on the books that would address problems.

Supervisor Kleiner is in favor of this legislation and gave information specific to safety issues that this law would address.

Councilperson Fisher is concerned that this law may indicate that certain training may be accompanying the license, giving the people a false sense of security.

Councilperson O'Donnell is concerned that this would result in over legislation. Presently , there exist laws that would be able to deal with these infractions.

Councilwoman Manning is in agreement with Councilman O'Donnell that there is sufficient legislation giving the Police Department authorization to cite anyone breaking the law. Would like to further study this law and perhaps be able to arrange to have this brought back and look at again.

* * *

RESOLUTION NO. 229 CLOS

**E P/H LL/REG
LANDSCAPERS/TREE SURG**

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

RESOLVED, that this public hearing is hereby closed.

Ayes: Councilperson s O'Donnell, Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 230 LL/LANDSCAPERS/TRE

**E SURG
TB/DECISION/TABLE/FAILS**

Councilman Fisher made a motion to **Table** the following resolution, which was seconded by Councilman O'Donnell and on a **roll call failed** three (3) to two (2):

RESOLVED, that this Town Board **failed to Table** a Local Law to "Regulate Landscapers and Tree Surgeons Within the Town of Orangetown.

Ayes: Councilperson s Fisher, O'Donnell
Noes: Councilperson s Troy, Manning
Supervisor Kleiner

AFFIDAVIT OF PUBLICATION

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STATE OF NEW YORK
COUNTY OF WESTCHESTER

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duly sworn, says that hefehe is the princsaJ clerk of Tlie Journal News, a new^aper pubEshed in the County of Westchester and State of New Yoik and the notice of which the annexed is a printed copy, was publi^ied in tlie newspaper sidicated on the ieit and <v>i the dates chedced below:

y^:-9r/r^

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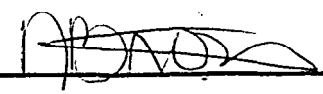
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- Dotes Feny
- Bmsfoca
- Gresnbutgh
- Haiisan
- Harthdate
- HaiMthORie
- knngEson
- Larctsnacs
- Uffiaoneek
- Pieicisanh^e
- PortCheste-
- PuciQse
- Rye
- Scaisd^e
- Ianytown
- Thormwood
- VaSaBa
- VV>e Plains
- Hrfslings on Hudson

Signed. 

NOTICE OF HEARING

'NOTIC E I S HEREB Y GIVE N that a publi c hearin g wil l b e held by the Town Board of the Town o f Orangetow n a t th e Orangetown Town Hatl , Na.26 Orangetburg Road , Orange - 1 burg, Ne w York 1096 2 o n th e 114th da y o f April, 200 3 a t 8 - ^ IPM t o consid e r a propose d to - cal la w addin g a ne w Chapte r t o th e Cod e o f th e Tow n o f Orangetown entitl e d Regulat - ing Landscaper s en d Tre t Sur - SBons withi n th e Tow n o f rangetown. '

A cop y o f th e pnspose d loca l law ma y b e examine d by . any interested party a t th e Omco o f the Town ueirL

All intereste d person s wil t b e given a n opportunit y t o b e hearl

By order of the Town Board of the Town of Orangetown.'

Dated: March 25, 2003. /

CHARLOTTE MADIGAN
Town Clerk

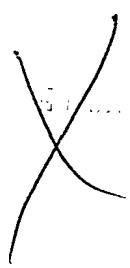
JAMES K. RILEY
TownAttomsy ' . .
Town or Orangetown

Swom to before me

litis | () dayof kiA -20. **m**

, Notar y Public, Westchester^unt y

JESSIE L ARAUJO
NOTARY PUBIC, STATE OF NEW YORK
NO.01AR6083528
QUALIFIED IN WESTCHESTER COUNTY
TERM EXPIRES NOVEMBER 18.2006



Hoddand Area

- SuSem
- BSauvet
- Collets
- GamervSle
- Havetstiaw
- HSbom
- Nanuet
- : New O ^
- I Nyac k
- l Orai^ebu s
- ; PaBsadt s
- ! Pear i River
- i Pienno m
- Pomona
- Sli ir'isl lurg
- Spail^
- firing V^ey
- Stony Point
- laBinan
- Iappan
- "nieas
- TbruKJib Gove
- Valley Callage
- West Havets&sw
- WestNyack

NOTICE OF Posting: Notice of public hearing to consider a proposed local law adding a new Chapter to the Code of the Town of Orangetown, "Regulating Landscapers and Tree Surgeons".

STATE OF NEW YORK)
COUNTY OF ROCKLAND) SS
TOWN OF ORANGETOWN)

Charlotte Madigan being duly sworn upon her oath, deposes and says;

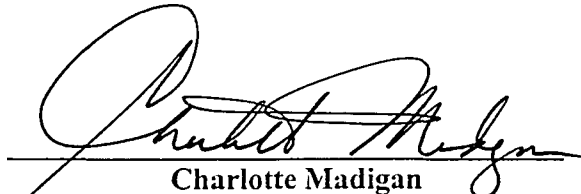
That, she is, at all times hereinafter mentioned was, duly elected. Qualified and acting Town Clerk of the TOWN of ORANGETOWN, in the County of Rockland, State of New York.

That, on the 31st day of March, 2003, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the TOWN of ORANGETOWN, New York.

1. Town Hall Bulletin Board

3.

4.


Charlotte Madigan
Town Clerk

Subscribed and sworn to before me

This 31st day of March, 2003

ROBERT R. SIMON
Notary Public, State of New York
No 01SI5005857
Residing In Rockland County
Commission Expires December 21, 2004



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Orangetown at the Orangetown Town Hall, No. 26 Orangeburg Road, Orangeburg, New York 10962 on the 14th day of April, 2003 at 8:20 P M to consider a proposed local law adding a new Chapter to the Code of the Town of Orangetown entitled Regulating Landscapers and Tree Surgeons within the Town of Orangetown.

A copy of the proposed local law may be examined by any interested party at the Office of the Town Clerk.

All interested persons will be given an opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: March 25, 2003

CHARLOTTE MADIGAN
Town Clerk

JAMES K. RILEY
Town Attorney
Town of Orangetown

RESOLUTION NO. 231 LL/LANDSCAPERS/TRE

**E SURG
TB/DECISION/RESERVE/FAILS**

Councilman Fisher made a motion to **Reserve** the following resolution, which was seconded by Councilman O'Donnell and on a **roll call failed** three (3) to two (2):

RESOLVED, that this Town Board **failed to Reserve** a Local Law to "Regulate Landscapers and Tree Surgeons Within the Town of Orangetown.

Ayes: Councilperson s Fisher, O'Donnell
Noes: Councilperson s Troy, Manning
Supervisor Kleiner

RESOLUTION NO. 232 LL/LAND

**S CAPERS/TREE SURG
TB DECISION/ADOPT/FAILS**

Councilman Troy made a motion to **Adopt** the following resolution, which was seconded by Supervisor Kleiner and on a **roll call failed** two (2), two (2) to one (1):

RESOLVED, that this Town Board **failed to adopt** a Local Law to "Regulate Landscapers and Tree Surgeons Within the Town of Orangetown.

Ayes: Councilperson n Troy, Supervisor Kleiner
Noes: Councilperson s O'Donnell, Manning
Abst: Councilperson n Fisher

RESOLUTION NO. 233 COMBIN

E AGENDA ITEMS

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

RESOLVED, that agenda items thirteen (13) through thirty-three (33) are hereby combined.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: None

RESOLUTION NO. 234 GRANT/NYSE

**C CONTRACT
NO. T302173/DOWN TO THE
HUDSON: THE SPARIGLL
CREEK/MUSEUM**

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

Whereas, the Town of Orangetown herein called the "Municipality," after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in the State Contract, herein called the "Project" is desirable, in the public interest, and is required in order to study and/or implement the local project or program; and

Whereas, under Chapter 55, Section 1 and 2, of the Laws of 1999 relating to the Local Assistance Budget, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement and

Resolution No. 234 - Continued

Whereas, the Municipality has examined and duly considered Chapter 55, Section 1 and 2, of the Laws of 1999 relating to the Local Assistance Budget and deems it to be in the public interest and benefit under this law to enter into a contract therewith:

NOW, THEREFORE, BE IT RESOLVED BY Town of Orangetown

1. That Thom Kleiner, Town Supervisor

is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State and to provide such additional information as may be required.

2. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York together with the State Contract.

3. That this Resolution take effect immediately.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: None

* * *

RESOLUTION NO. 235 POLIC

**E REGULS/ADOPT
HANDICAP PK/PR POST OFFICE**

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

RESOLVED, that installation of a handicapped parking space at the southwest corner of South Main Street, Pearl River at the entrance to the Post Office is hereby approved.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: None

* * *

RESOLUTION NO. 236 POLIC

**E REGULATIONS
ADOPT/PERMANENT**

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

RESOLVED, that upon the recommendation of the Traffic Advisory Board, Police Department, Highway, and Town Attorney, adopt the 6-month police regulations on Exhibit 4-C-03, which is made part of these minutes are hereby approved as permanent regulations.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: None

* * *

RESOLUTION NO. 237 ADOP

**T EQUALIZATION SRY
CONTRACT/PAUL YONKE**

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

SIX MONTH POLICE REGULATIONS

6/11/01 Res . #385

"No Parking Here To Corner" on Washington Avenue (north and south) at the intersection of Railroad Avenue, and install "4-Hour Parking " sign s i n th e unrestrict e d area s o f Washington Avenue, Pearl River

6/11/01 Res . #386

"No Standin g Her e T o Corner " sign to be put up on Edward Street to the placed 100' south of Kings Highway, Sparkill.

7/23/01 Res . #436

"No Parking" signs on either side of Swanekin Road for 300' in a southerl y direction , fro m th e intersectio n wit h Blauvelt Road, Blauvelt.

7/23/01 Res . #435

"Stop" sign s to be installed on Highview Avenue, Orangeburg east o f Western Highway. On e sign should be placed east of the railroa d crossin g and one sign placed on the west side of the railroad crossing at Western Highway.

7/23/01 Res . #434

"No Through Trucking" on Lexington Avenue and Concord Drive, Tappan.

10/9/01 Res . #556

"Two Hou r Parking " sign s o n th e west side of North Main Street from Washington Avenue to Lewis Avenue, Pearl River.

10/9/01 Res . #557

"15 Minut e Parking " sign s on the south side of Old Tappan Road, Tappan in front of stores.

12/17/01 Res . #693

Installation o f a "Stop" sign at the intersection of Kings Highway and Hagen Court, Sparkill.

12/17/01 Res . #694

"No Parking " sig n on the westerly portion of Edward Street from Kings Highway to Park Place, Sparkill.

12/17/01 Res . #695

"No Parking " sign along the entire length of the north side of yadanza Coiirt, Sparkill.

EXHIBIT

Final 2002 Budget Adjustments as Requested by External Auditor

Transfer 568,283 in TOV funds to pay labor costs for the Pear River Street Lights in the Capital Fund.

Account Number	Amount		
B0599917 3599	9 S	68,28	3
B9901179 5090	0 \$	68,28	3
H0503100 4386	4 \$	68,28	3
H8989642 5020	0 S	68,28	3

« B. Transfer \$25,000 in appropriations from TOV to offset deficit in the Highway - Part-Town Fund.

Account Number	Amount
B9901179 50900	\$ 25,000
B3620174 50471	\$ (300)
B3620174 50455	\$ (612)
B3620171 50011	\$ (15,727)
B3620171 50020	\$ (425)
B8010174 50488	\$ (3,077)
B5182174 40455	\$ (2,470)
B8010174 50456	\$ (863)
B8020174 50455	\$ (792)
B8020174 50440	\$ (419)
B8020174 50446	\$ (240)
B8020174 50471	\$ (75)
D0503104 40531	\$ 25,000
D0599904 35999	\$ (25,000)

Transfer \$132,498 in Police TOV app to cover the school year costs of the 1

Account Number	Amount
B3640164 50471	\$ (250)
B3640164 50465	\$ (1,610)
B3640164 50440	\$ (100)
B3120164 50453	\$ (9,906)
B3120164 50405	\$ (5,194)
B3120164 50444	\$ (4,787)
B3120164 50447	\$ (5,005)
B3120164 50458	\$ (4,280)
B3120164 50469	\$ (3,117)
B3120164 50480	\$ (2,368)
B3120164 50486	\$ (1,000)
B9030168 50800	\$ (38,973)
B9060168 50800	\$ (7,488)
B0599916 35999	\$ 47,500
B9015168 90810	\$ (920)
B3120162 50200	\$ 132,498

D. Adjust Youth Recreation and Youth Programs revenues by \$3,000.

Account Number	Amount	
A0235000 4235	0 \$	(3,000)
A0382000 4038	9 \$	3,000 0

Resolution No. 237 - Continued

RESOLVED, that upon the recommendation of the Town Assessor, award a contract to Paul Yonke for \$11,500 for review of the equalization survey for the upcoming tax year is hereby awarded. Cost s are to be charged to A1355/50457.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

^ = ^

RESOLUTION NO. 238 APPROV

**E 2003 FUNDING/
PROJECT GRADUATION**

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

RESOLVED, that upon the recommendation of the Finance Director, the following funding for Project Graduation is hereby approved and to be charged to Account number A4211/50457:

Nanuet High School \$45	0
Nyack High School \$1,25	0
Tappan Zee High School \$2,50	0
Pearl River High School \$2,50	0

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 239 ADOPTTOWN'

**S EXT AUDIT
2002 BUDGET ADJUSTMENTS**

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

RESOLVED, that upon the recommendation of the Town's external auditor, 2002 budget adjustments as shown on Exhibit 4-D-03, which are made part of these minutes, are hereby approved.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

^ ^ ^

RESOLUTION NO. 240 ADOPT/GOUND

**S MAINTEN
CONTRT/GOUNDS-CARE LTD**

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

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings approve a contract with Grounds-Care Ltd. for grounds maintenance for the Orangetown portion of the Rockland Psychiatric Center site at an annual cost of \$32,600 to be charged to A1620/50457 is hereby approved.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 241 APPOIN

**T CLERK/BUILDING
JENNIFER FEIERTAG**

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

RESOLVED, that Jennifer C. Feiertag is appointed to the position of clerk/typist in the Building Department, provisional, grade 2-1, annual salary of \$25,471.00, effective April 15, 2003.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 242 AMEN

**D RESOLUTION 70/03
SNIPER BASIC COURSE/
POLICE DEPT.**

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

RESOLVED, that permission is hereby granted to one police officer to attend a conference entitled, "Sniper Basic Course" in Fort Dix, N.J. from 4/21-4/25/03 at a cost of \$652,500 to be charged to Account #B3120/0441-0480.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 243 PERMISSIO

**N GRANTED
POLICE DEPT/NYS CRIME
PREVENTION CONF**

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

RESOLVED, that permission is hereby granted for two Orangetown Police Department detectives to attend the New York State Crime Prevention Coalition Conference in Lake George, NY from May 6-9, 2003 at a cost of \$577.50 to be charged to Accounts B/3120/0441-0480.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 244 PERMISSIO

**N GRANTED
POLICE DEPT/ROCKLAND CTY/
SHERIFF'S/AS-400**

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

RESOLVED, that permission is hereby granted for the Police Chief to negotiate and sign an agreement with Rockland County leaving a surplus AS-400 to the Sheriff's Department as a back-up to a system used by the County and the Orangetown Police Department.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 245 PERMISSIO

**N GRANTED/
RECEIVER OF TAXES/SEMINAR
FOR TAX COLLECTING**

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

RESOLVED, that permission is hereby granted for Robert R. Simon to attend a Training Seminar for Tax Collecting Officers in Auburn, NY from June 8-11, 2003, at a cost of \$545.00 to be charged to Accounts A/1330/0441-0480.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

^ ^ ^

RESOLUTION NO. 246 ACCEP

T MINUTES

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

RESOLVED, that the Regular Town Board and Audit minutes of March 24, 2003; and Special Town Board minutes of March 21, 2003, March 24, 2003, April 4, 2003 and April 10, 2003 are hereby accepted.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

** H :

RESOLUTION NO. 247 APPOINT/SHAD

**E TREE COM
WILLIAM DOOLITTLE**

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

RESOLVED, that William Doolittle is appointed to the Orangetown Shade Tree Commission.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner

Noes: Non e

* * *

RESOLUTION NO. 248 CONTRACT/PUBLI

**C LANDS
COLLINS PROP CLAUSLAND
MOUNTAIN**

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

WHEREAS, the Trust for Public Land is a non-for-profit entity dedicated to the protection and preservation of public lands; and

WHEREAS, the Town for Public Land has negotiated a contract for the acquisition of 42 acres of land (with a resident house) owned now or formerly by John Collins located on Clausland Mountain for the sum of \$2,700,000; and

WHEREAS, the Town of Orangetown has remained committed to its preservation of lands located on Clausland Mountain for public park purpose; and

WHEREAS, the Trust for Public Land has requested that the Town of Orangetown express a commitment to participate in the acquisition of the 42 acres now under contract to the extent often percent (10%) of the purchase price or \$270,000.

RTBM 4/14/03 10

Resolution No. 248 - Continued

NOW, THEREFORE, BE IT RESOLVED, that the Town of Orangetown hereby determines that it will participate in the acquisition of the 42 acres which constitute the John Collins parcel to the extent of ten percent (10%) of the agreed upon total purchase price of \$2,700,000, re to the extent of \$270,000 contingent upon the other 90% to be provided by other sources, subject to presentation and approval by this Town Board of a purchase agreement in acceptable form, and subject to ownerships provisions, conditions, and covenants, which will serve to protect and preserve such parcel as passive recreational lands.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 249 ENTE R AUDIT

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

RESOLVED, that this Town Board enters Audit Meeting at 11:00 P.M.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

* * *

RESOLUTION NO. 250 PA Y VOUCHERS

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

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for General Fund, Town Outside Villages, Blue Hill, Highway, Sewer, Risk Retention, and Utilities in the amount of \$982,522.11.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 251 PA Y MANUAL CHECKS

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

RESOLVED, that the Finance Office is hereby authorized to pay Manual Checks in the amount of \$8,230.00.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

RESOLUTION NO. 252 ENTE R EXECUTIVE SESSION

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

RESOLVED, that this Town Board enters executive session to discuss particular police litigation and other personnel matters at 11:10 P.M.

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

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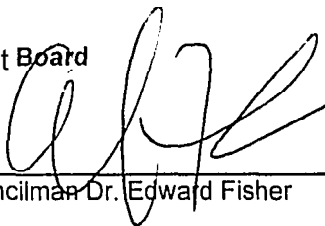
Date: 4/1/03

Warrant: 4/1/03

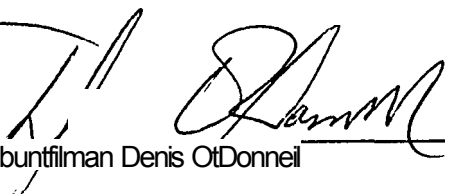
Approved for payment in the amount of \$91,112.7 8

The above listed claims are approved and ordered paid from the appropriations indicated


Audit Board



Councilman Dr. Edward Fisher




Councilman Denis O'Donnell



Councilwoman Marie Manning



Councilwoman Jenis Troy



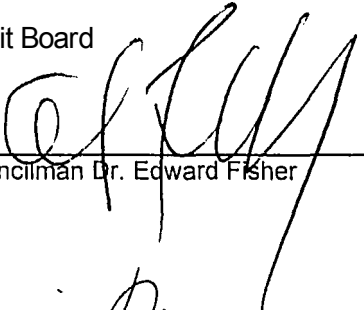
Supervisor Thom Kleiner

Date: 4/14/0 3
Warrant: 4/14/0 3

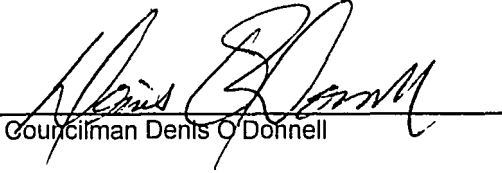
Approved for payment in the amount of \$891,409.3 3

The above listed claims are approved and ordered paid
from the appropriations indicated

Audit Board



Councilman Dr. Edward Fisher




Councilman Denis O'Donnell



Councilwoman Marie Manning ^



Councilman Denis Troy



Supervisor Thom Kleiner

TOWN OF ORANGETOWN

MANUAL CHECKS

Audit Date: 4/14/03

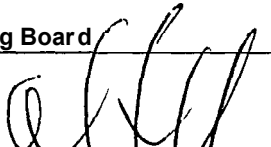
Payee	ChepKff	Dale	Amount	pe\$criptio_____n
ROCKLAND CTY HEALTH DEPT.	2376	3/31/03	\$ 130.0	0 PERMI T APPL1C.-2 TRUCKS-SWR.DPT,
U.S. POSTAL SERVICE	3473	4/7/03	\$ 1,600.0	0 POSTAG E
" " "	7496	"	\$ 700.0	0 POSTAG E
	23007	"	\$ 5,800.0	0 POSTAG E

Approval for Payment

8,230.00

The above listed claims are approved and ordered paid from appropriations indicated.

Auditing Board



Councilman Dr. Fisher

councilman Troy I

Supervisor Kleiner



Councilwoman Manning



Councilman O'Donnell

RESOLUTION NO. 253 RE-ENTE

R RTBM

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

RESOLVED, that this Town Board re-enters the Regular Town Board meeting at

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e

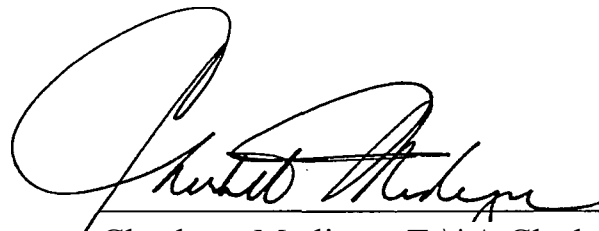
RESOLUTION NO. 254 ADJOURNMENT/MEMOR

Y

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

RESOLVED, that this meeting is hereby adjourned at 11:30 P.M. in memory of Billy Kayser (Pearl River), Warren DeMeola (Blauvelt), Michael Antonutti (Pearl River) and Josephine Aurell (Orangeburg).

Ayes: Councilperson s Fisher, Manning, O'Donnell, Troy
Supervisor Kleiner
Noes: Non e


Charlotte Madigan, To*A Clerk