

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD & AUDIT MEETING
APRIL 28,2003**

The Regular Town Board Meeting was opened at 7:50 P.M. Supervisor Kleiner presided. The Supervisor called the Roll. Present were:

Councilman Edward Fisher
Councilman Denis Troy
Councilwoman Marie Manning

Councilman Denis O'Donnell (Absent)

Also present: Elio

t Tozer, Deputy Supervisor
Suzanne Barclay, Executive Asst. to Supvr.
Thomas O'Connell, Deputy Town Attorney
Dennis Michaels, Deputy Town Attorney
Charles Richardson, Director of Finance
Teresa Sebastian, Town Clerk's Office
Mike Yannazzone, Highway General Foreman
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
Bert von Wurmb, Building Department
Richard Rose, Superintendent of Parks, Rec. & Bldg. Maint.).

* * *

The Pledge of Allegiance to the Flag was led by Supervisor Thom Kleiner

* * *

Supervisor Kleiner discussed the development issues re the RPC, which included the Town Pool & Community Center, Sports Complex and Master Plan for Core and related areas.

PUBLIC PORTION

Peggy & Kevin Powers, Pearl River, frustrated about getting the Town to correct a 24/7 loud humming noise coming from a generator located on Blue Hill Plaza property. Building Department never returns calls. John Giardiello, Director, OBZPAE made a suggestion to soundproof the 4th side. Also, plantings not done in Town right of way.

Ruth Weber, Upper Grand View, Today was deadline for privacy screening of pine trees between their property and their neighbors property. Bert von Wurmb, Building Dept. informed the Town Board that there is an Escrow Agreement (90 days) for the privacy screen to be in place.

Paul Malone, Tappan, Barbara shop across from the "76" House in Tappan is not in compliance with Historic Area Board of Review guidelines.

Trish Moran, Pearl River, wanted to know whether a public hearing or discussion will be held on the final plans for the Sports Complex before the end of June. If the multi-purpose area is to be used as a third rink, suggested another traffic study be done at that time.

Eileen Larkin, Palisades, Thanked the Town Board for the contribution of \$500.00 toward ramp in the Palisades Community Center. Spoke regarding RPC concerns such as reasonable priced Senior Housing, need for a master plan, small theater and impact study on water.

Bill Bosley, Official Complaint - it is unethical for Mr. Rossi of the Planning Board to write a letter threatening the other members of the Planning Board to ignore the advice of the Town Attorney in regards to the Sickles Farm subdivision. He wants a fair review May 28th from the Planning Board and Mrs. Rossi's resignation.

Marilyn Dugandzic, Pearl River, complained about the expense of sewage back up into her home. Loss of personal property as well as the clean-up costs. The Town's insurance is offered 50% of her lost. Appealing for 100% restoration.

Donald Brenner, Orangeburg, (rebuttal Mr. Bosley) - Mr. Rossi or myself never threaten the Town Board or any government official. Three attorneys submitted documentation, which indicated that the Town Attorney's opinion maybe improper. To make an accusation that myself or Mr. Rossi made a threat of any kind is untrue and improper.

Mr. Theodore Weber, Upper Grandview, reiterated Mrs. Weber's concern and would appreciate the plantings of the privacy screen be done within two weeks.

Carol Silverstein, Orangeburg, are the amounts for the community service groups more or less than last year? Recommended "The Salvation Army," should be included.

Ellen McCarty, Tappan, still waiting for the plantings to be done. She feels escrow not enough. Fran Oldenburger, Blauvelt, thanked Rockland Beautiful and all the volunteers who helped with the Sparkill cleaning. Would it be possible for a tour of RPC Building 38 and 40? Jim Murphy, Pearl River, asked if the Property Maintenance Law was ever adopted?

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RESOLUTION NO. 257 AWARD/DUM

**P TRUCKS/
MEADOWLAND FORD/
HIGHWAY DEPT**

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

WHEREAS the Town Clerk duly advertised for sealed bids for the Highway Department, which were received and publicly opened on February 13, 2003, and

WHEREAS, these bids were referred to the Highway Department, for recommendation and report, a copy is labeled Exhibit 4-E-03, and made a part of these minutes,

NOW, THEREFORE, BE IT RESOLVED, that the bid for the purchase of two (2) new heavy-duty tandem dump trucks with accessories be award to Meadowland Ford Truck Sales of Secaucus, New Jersey, the lowest qualified bidder, in the amount of \$311,316.00 to be charged to account number D5130/50200.

Ayes: Councilperson s Fisher, Troy, Manning
Supervisor Kleiner

Noes: None

RESOLUTION NO. 258 DESIGNATE/POLIC

**E ENTRANCE
"POLICE PLAZA"**

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

RESOLVED, that the street that runs in front of the Police Department entrance is designated as "Police Plaza" in honor of those police officers that have died in the line of duty.

Ayes: Councilperson s Troy, Fisher, Manning
Supervisor Kleiner

Noes: None

RESOLUTION NO. 259 AMEN

**D RESOLUTION NO. 200/03
DEDICATION/SGT BOLLINGER CT
KING'S RIDGE SUBDIVISION**

Councilwoman Manning offered the following resolution, which was seconded by Councilman Fisher and on a **roll call** three (3) to one (1), was **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 and deed conveying to the Town of Orangetown that certain road, street or avenue, with all public improvements thereon and hereunder shown and designated as "Sergeant J. Newton Bollinger Court," on a certain subdivision map entitled 'King's Ridge located at Town of Orangetown, Rockland Co., New York,' and filed in the Rockland County Clerk's office on March 29, 1999, in Book 119 of Maps, at page 67 as Filed Map No. 7235, is hereby accepted and received; and authorize the Town Attorney to forward documents for recording.

Ayes: Councilperson s Manning, Fisher
Supervisor Kleiner

Noes: Councilperson n Troy

Jdi^Mjisko

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

SS.

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 29 day of JANUARY
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
- 2.
- 3.
- 4.
- 3.

**Charlotte Madi^n
Town Clerk**

Subscribed and sworn to before me

This 2 9 day of JANUAR Y 2003



ROBERT R. SFMOM ~ 1
Notary Public, State of New York
No. 01SI5005857
Residing In Rockland County
Commission Expires December 21-9 oOf

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on February 13, 2003, and will be publicly opened and read aloud at 11:30 A.M. for furnishing Two (2) New Heavy Duty Tandem Dump Trucks with Accessories, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The Superintendent of Highways will submit a report to the Town Board of all bids received and his recommendation concerning the awarding of a Contract at a meeting of the Town Board of the Town of Orangetown.

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 103 d of the General Municipal Law.

No contract is deemed to have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

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

DATED: January 29, 2003

JAMES J. DEAN CHARLOTT
SUPERINTENDENT OF HIGHWAYS TOW

E MADIGAN
TOWN CLERK

AFFIDAVIT OF PUBLICATION

from

Wxt Journal Ncuis

STATE OF NEW YORK
COUNTY OF WESTCHESTER

Northern Area

Amawalk	NotthSalan
Armonk	Qsstreng
Baldwin Place	PeeisiaS
Bedford	Pound RdQB
Bedford Hills	Pudys
Clarkstown	Shenofock
Croton	ShiubOak
Croton Falls	Somers
Croton Harbort	South Sal&n
Croton Point	Vetplanck
Croton Park	WSaccabuc
Croton Pt	Ycckbwn Heights
Crotonville	Cannei
Crotonville	Cotd Spring
Crotonville	Ganson
Crotonville	Lake Peeksidn
Crotonville	Mahopac
Crotonville	M^nnpacF^Is
Crotonville	ruatcsm yaiisg
Crotonville	PiitWfion

LOLA HAL L

being

duly sworn, says that he&he is the princ^jal cteric of The Journal News, a newspaper pubEshed in the Coun^ of Westchester and State of New Yorlc, and the notice of which the annexed is a printed copy, was published in the new^japer ii^cated on the left and on the dates checked below:

Year_ 03

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19 20 21 22 23 24 25 26 27 28 29 30 31

NOTICE TO BIDDERS

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... RECEIVED by the Town Board of Orangeburg, New York on February 13, 2003, and will be publicly opened and read aloud at 10:00 A.M. on February 13, 2003, at the Town Clerk's Office. Two (2) New Heavy Duty Tandem Dump Trucks with Accessories, in accordance with the Contract Document, to be obtained at the Town Clerk's Office.

X

Signed.

Hall

The Superintendent of Highways will submit a report to the Town Board of all bids received and his recommendation concerning the awarding of a Contract at a meeting of the Town Board of the Town of Orangeburg.

No bid will be accepted without a Non-Collusion Statement as required pursuant to Section 103K1 of the General Municipal Law.

No contract is deemed to

have been created until approved by a Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangeburg, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

By order of the Town Board of the Town of Orangeburg.

DATED: January 29, 2003

JAMES J. DEAN
SUPERINTENDENT OF
HIGHWAYS

CHARLOTTE MADIGAN
TOWN CLERK

NOTARY

QUALITY CONTROL: ELX.c;:;cT;:; C: L.ifi

Central Area

Ard^ ^	PleasantvSe
Aidsi^ OR Hudson	Poet Chester
OobbsPeny	Purchase
Bmsfofti	Rye
Gieetturtg)	Scargate
Hanson	Tanytown
HarCadale	Thomwood
favgmton	WI^PiaIRS
Lazctsnm t	Hastings on Hudson
JlgnaiDneck	

Stith Area

UountVennn	Eastches&r
yetlKBss	NewRocheOe
TucicAoe	PeBEtni
Brorcc^ie	

Rockland Area

Sulfem	Pomona
Bauveft	Sloatsburg
Cof^eis	Spatidi
^mervSle	Spiir^feSey
Hai^erstraw	Stony Poi'il
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Sworn to before me this

30
January 20 *03*
Mary

Notary

Westchester County

BID ITEM: TW 0 [2] MEW IEAVY DUTY TAMHEM
 DUMP TRUCKS W/ACCESSORIES

BID OPENING TIME: 10:00 AM

DATE 02/13/03

CONTRACTOR
 NAME
 &
 ADDRESS

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 2. *Handwritten name and address*
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 4. *Handwritten name and address*

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TIME RECEVES

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 Supervisor
 Highway
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RESOLUTION NO. 260 RELEASES

**E PERFORMANCE BOND
KING'S RIDGE SUBDIVISION
SGT BOLLINGER CT**

Councilman Fisher offered the following resolution, which was seconded by Councilwoman Manning and on a **roll call** three (3) to one (1), was **adopted**:

RESOLVED, that upon the recommendation of the Town Attorney's Office, the Department of Environmental Management and Engineering, and the Superintendent of FDghways, King's Ridge Subdivision's, developer/subdivider Joy Builders, Inc.'s, liquidated Performance Bond (formerly a Letter of Credit) in the form of cash held by the Town in the amount of \$358,224.00, plus the Town's accumulated interest on said sum less its administrative costs, be returned/refunded to the said developer/subdivider, except for the amount of \$4,400.00, which \$4,400.00 shall be retained and continued to be held by the Town as escrow funds to ensure proper growth of plantings (\$2,000.00) and to ensure D.E.M.E.'s receipt of final "as-built" drawings in satisfactory form to D.E.M.E. (\$2,400.00) and that the Department of Finance and the Office of the Town Attorney are authorized to execute any documents or instruments necessary to effectuate same."

Ayes: Councilperson s Fisher, Manning
Supervisor Kleiner

Noes: Councilperso n Troy

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RESOLUTION NO. 261 RECEIV

**E & FILE/PILOT AGREE
KEYMED/OLYMPUS**

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

RESOLVED, that the Pilot Agreement between KevMed/Olvmpus and Countyof Rockland Industrial Development Agency (IDA) for property located at 330 Blaisdell Road, Orangeburg, New York, Tax Map No. 73.20-1-32 is hereby received and filed.

Ayes: Councilperson s Troy, Manning, Fisher
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 262 ADOPTED/AI

**D
SUPPORT OUR TROOPS RALLY**

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

RESOLVED, that aid to the "Support Our Troops" committee for a rally for the U.S. Troops, May 18, 2003, starting at 3:00 P.M. by providing 30 garbage receptacles, 4 port-a-sans, the showmobile and service to include pick-up of garbage receptacles is hereby approved.

Ayes: Councilperson s Fisher, Troy, Manning
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 263 COMMUNIT

Y GROUP FUNDING

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

RESOLVED, that funding is hereby approved, and that the Supervisor is hereby authorized to enter into contracts for the community service groups for the amounts as shown on

Resolution No. 263 - Continued

Exhibit 4-F-03, which are made apart of these minutes, with expenditures charged to account no. A7320/50457.

Ayes: Councilperson s Fisher, Manning, Troy
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 264 AUTHORIZE/SUPERVISO

**R
COLLATERAL SOURCE BILL
S.622/A.3483**

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

RESOLVED, that the Supervisor is authorized to send a letter indicating support for Collateral Source Bill S.622/A.3483, which seeks to disallow public employees from suing for a claim for which they received workers compensation.

Ayes: Councilperson s Fisher, Troy, Manning
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 265 ENTE

R AUDIT

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

RESOLVED, that this Town Board enters Audit Meeting at 9:50 P.M.

Ayes: Councilperson s Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 266 PA

Y VOUCHERS

Councilman Troy offered the following resolution, which was seconded by Councilman Fisher 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, Capital Projects and Utilities for a total amount of \$1,098,416.19.

Ayes: Councilperson s Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

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RESOLUTION NO. 267 PA

**Y MANUAL &
ESCROW CHECKS**

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

RESOLVED, that the Finance Office is hereby authorized to *pay Manual Checks* in the amount of \$408.50 and *escrow releases* in the amount of \$29,750.00 , for a total of \$30,158.50.

Ayes: Councilperson s Troy, Fisher, Manning
Supervisor Kleiner

Noes: Non e

Attachment
2003 Community Programs

	Approved 2003
21st Century Schools	\$0
Big Brothers Big Sisters	\$1,000
Camp Venture	\$15,000
Child Enrichment Center	\$500
Chore (Volunteer Action Center)	\$1,000
Community Playgroup	\$7,000
Foster Granparents	\$1,200
Headstart of Rockland	\$13,000
Hudson Valley Children's Museum	\$0
Lions Club of Blauvelt	\$0
Meals on Wheels	\$13,000
Nyack Center	\$1,500
Palisades Community Center	\$500
Retired and Sr Volunteer Program	\$800
Rockland Com. Coll. Sr. Citizens	\$1,000
Rockland County Historical Soc.	\$800
Rockland Family Shelter	\$2,700
Salvation Army	\$1,000
Sons of Union Vets of Civil War	\$0
Touch	\$0
Volunteer Counseling Services	\$1,000
Total	\$61,000

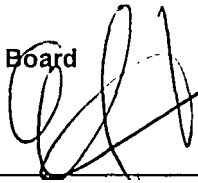
Notes
The 2003 budget is \$60,000

Date: 4/22/0 3
Warrant: 4/22/0 3

Approved for payment in the amount of \$23,388.37

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

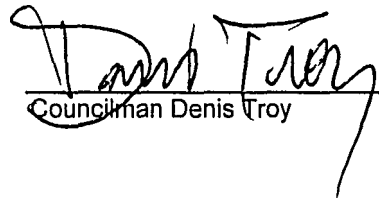
Audit Board




Councilman Dr. Edward Fisher

Councilman Denis O'Donnell



Councilwoman Marie Manning ZJ

Councilman Denis Troy

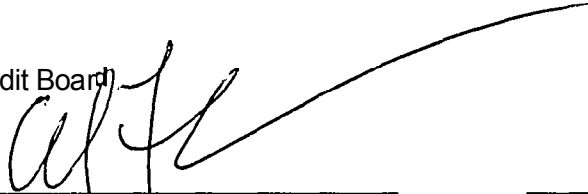
Supervisor Thom Kleiner

Date: 4/28/03
Warrant: 4/28/03

Approved for payment in the amount of \$1,075,027.8 2

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

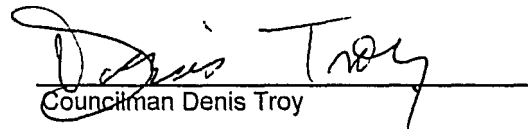
Audit Board)




Councilman Dr. Edward Fisher

Councilman Denis O'Donnell



Councilwoman Marie Manning

Councilman Denis Troy

Supervisor Thom Kleiner

TOWN OF ORANGETOWN

MANUAL CHECKS

Audit Date: 4/28/03

Payee	Check#	Date	Amount	Description
THE PORT AUTHORITY OF NY & NJ	7500	4/24/03	\$ 6.00	TOLL DUE 3/5/03
COOKSTOWN QUALITY INN	7498	4/17/03	\$ 402.50	CONF.4/21-25/03 RES.#24 3
		TOTAL	\$ 408,50	

ESCROW RELEASES

BRAHMA CONSTRUCTION CORP.	1,500.00	SECT.73.19.BLK1.LOT 9
BLJAUVELT MINI MALL	28,250.00	SECT70.14.BL K 4.LOT 36 (ERIE ST)
	TOTAL \$	29,750.00

Approval for Payment **30,158.50**

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


Auditing Board ^



Councilman Dr. Fisher



Councilman Troy



Supervisor Kleiner



Councilwoman Manning

Councilman O'Donnell

RESOLUTION NO. 268 ENTE

R EXECUTIVE SESSION

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

RESOLVED, that this Town Board enters executive session with the Police Commission to discuss particular Police Department issues at 9:55 P.M.

Ayes: Councilperson s Fisher, Troy, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 269 RE-ENTE

R RTBM

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

RESOLVED, that this Town Board re-enters the Regular Town Board meeting at 10:00 P.M.

Ayes: Councilperson s Fisher, Troy, Manning
Supervisor Kleiner

Noes: Non e

RESOLUTION NO. 270 ADJOURNMENT/MEMOR

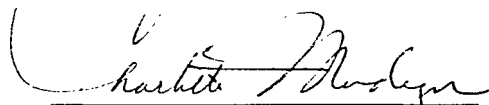
Y

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

RESOLVED, that this meeting is hereby adjourned at 10:03 P.M. in memory of Mary Hull, Tappan and Lucille Lever, Pearl River.

Ayes: Councilperson s Fisher, Troy, Manning
Supervisor Kleiner

Noes: Non e



Charlotte Madigan, Town Clerk