

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, APRIL 25, 2005**

The Regular Town Board Meeting was opened at 7:41 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilwoman Marie Manning
Councilman Thomas A. Morr
Absent: Councilman Denis O'Donnell
Absent: Councilman Denis Troy

Also present: Charlotte Madigan, Town Clerk
Eliot Tozer, Deputy Supervisor
Charles Richardson, Director of Finance
Suzanne Barclay, Exec Asst. to Supervisor
Teresa M. Kenny, Town Attorney
John S. Edwards, First Deputy Town Attorney
Mike Yannazzone, Highway Maintenance Supervisor III
Ron Delo, Director of Dept. Environmental Mgt. & Eng.
Terrance Sullivan, Police Captain
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
John Giardello, Director, OBZPAE
Rich Rose, Superintendent of Parks, Recreation and Buildings

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

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Michael Dermos, a recipient of a living donation of a kidney by Reverend Father John Heropoulos of Connecticut, received a Certificate in honor of National Donate Life Month, from the National Kidney Foundation. Michael, along with his father, mother and sister, thanked Father Heropoulos for saving their child's life and for responding to their prayers. They also thanked Lynn Trager, the principal of TZHS, for her kindness and for sending a tutor, so that Michael would be able to graduate with his class. Michael and the foundation expressed the importance of marking the back of your driver's license to make an anatomical gift.

Public Comment

Eileen Larkin, Palisades, questioned the legality of the Community Development Agency and requested this item to be tabled for further discussion. She would like the Board to consider a care facility on the RPC site.

Andrew Wiley, Pearl River, concerned about taxes and the item concerning the Community Development Agency. He is against items giving financial aid to schools or the Vietnam Knights for their POW/MIA rally.

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RESOLUTION NO. 301

CLOSE PUBLIC COMMENT

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

RESOLVED, that the public comment portion is hereby closed.

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

RESOLUTION NO. 302**AUTHORIZE RFP/ENGINEERING
DESIGN/DEME IMPROVEMENTS**

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

RESOLVED, that the Director of the Dept. Environmental Management & Engineering is hereby authorized to release a request-for-proposals for engineering services for the design of improvements to the Town's sewer infrastructure consistent with the five-year Phase 1 Capital Improvement Plan prepared by Ron Delo, Director of DEME.

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

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RESOLUTION NO. 303**COMBINE AGENDA ITEMS**

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

RESOLVED, that agenda items two (2) through eighteen (18) are hereby combined.

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

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RESOLUTION NO. 304**NY PHILOMUSICA/CONCERTS
APPROVE AID**

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

RESOLVED, that the request form New York Philomusica for funding in the amount of \$2,500 for their Annual Summer Winds Concerts in Tappan Memorial Park to be charged to Acct. #A7550/50457 is hereby approved.

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

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RESOLUTION NO. 305**NAM KNIGHTS/POW/MIA
APPROVE AID**

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

RESOLVED, that the request form the Nam Knights of America/MC, Hudson Valley Chapter, Inc., for their POW/MIA rally on September 17, 2005 at Central Avenue Field, Pearl River, for the use of the show mobile, sound system, four portable toilets, and trash receptacles and a waiver of the \$200 fee to be charged to Acct. No. A/7550/50457 is hereby approved.

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

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RESOLUTION NO. 306**SICKELS FARM SUBDIVISION
FIRE HYDRANTS/APPROVED**

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

Resolution No. 306 – Continued

RESOLVED, that upon the recommendation of the Pearl River Fire Department and the Town of Orangetown Fire Inspector, installation of two (2) fire hydrants in the Sickels Farms Subdivision is hereby approved. Hydrant #1 is to be located on the north side of O’Grady Court at the corner of Sickletown Road and hydrant #2 is to be located on the north side of O’Grady Court approximately 450’ east of Sickletown Road.

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

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RESOLUTION NO. 307

**REPAIR/REPLACEMENT OF SEWERS/STREET LATERALS
 RESCIND RES 246/2005 AUTHORIZE RE-ADVERTISEMENT**

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

RESOLVED, that Resolution No. 246/2005 for award of the bid for repair and replacement of sewers including street laterals for the Orangetown Sewer District to Mike Dutra Excavating, Inc. is rescinded and authorization is granted to re-advertise this bid.

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

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RESOLUTION NO. 308

2005 PROJECT GRADUATION

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

RESOLVED, that upon the recommendation of the Finance Director, the following payments for Project Graduation are hereby approved and a total in the amount of \$7,000.00 is to be charged to Account number A4211/50457:

Albertus Magnus	\$ 300.00
Nanuet High School	\$ 450.00
Nyack High School	\$1,250.00
Tappan Zee High School	\$2,500.00
Pearl River High School	\$2,500.00

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

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RESOLUTION NO. 309

KONICA MINOLTA/LEASE PHOTOCOPIERS/AWARDED

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

RESOLVED, that a contract for lease of six (6) photocopiers to Konica Minolta at a monthly cost not to exceed \$1,006.00 for 36 months, to be charged to various departments Account No. 50444 is hereby awarded.

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

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RESOLUTION NO. 310**APWA CONGRESS/JAMES DEAN
PERMISSION GRANTED**

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

RESOLVED, that permission is granted to James Dean, Superintendent of Highways, to attend the A.P.W.A. Congress in Minneapolis, MN on September 11-14, 2005 at a cost of \$1,715.00 to be charged to Acct. #A5010/50441/50480.

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

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RESOLUTION NO. 311**PURCHASE/INSTALLATION GUIDE
RAIL/AWARD BID**

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

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the purchase, layout and installation of guide rail, which were received and publicly opened on April 13, 2005. The Superintendent of Highways made a recommendation to the Town Board; a copy is labeled Exhibit 4-D-05, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that this bid is hereby awarded to Chemung Supply, Elmira, NY, the lowest qualified bidder, in the amount of \$28,295 to be charged to Account No. D5110/0044/50475.

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

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RESOLUTION NO. 312**ORANGETOWN JUSTICE COURT
AUTHORIZE GRANT APPLICATION**

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

RESOLVED, that the Supervisor is hereby authorized to submit a grant application for the Orangetown Justice Court to the New York State Justice Court Assistance Program 2005 in the amount of \$10,000 for the purpose of obtaining computer software and hardware to allow credit card payment and to update the Justice Court's current programs.

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

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RESOLUTION NO. 313**ALARM SYSTEMS/CHAPTER 1C
SECTION 1C-6/SET PH DATE**

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

RESOLVED, that the date of May 9, 2005, 8:00 p.m. is set for a public hearing to amend the Town Code of the Town of Orangetown, Chapter 1C entitled "Alarm Systems" adding thereto Section 1C-6(D). The new section is as follows:

Resolution No. 313 - Continued

Section 1C-6 Suspension or revocation of alarm user permits.

- D. Any person that causes a false alarm at residential or commercial premises that utilizes an alarm system shall constitute a violation of this section whether or not said person is the owner of the premises or has an alarm user permit.

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

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RESOLUTION NO. 314

**VEHICLES/TRAFFIC/CHAPTER 39
 SECTION 39-6/SET PH DATE**

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

RESOLVED, that the date of May 9, 2005, 8:05 p.m. is set for a public hearing to amend Chapter 39 Section 39-6 of the Town Code of the Town of Orangetown entitled "Vehicles and Traffic" as approved by Town Board Resolution 695/2004 adding the following:

39-6. Prohibition of parking on designated highways.

B. In the Hamlet of Orangeburg:

- (36) On the north side of Hunt Road along its entire length, except off-pavement parking shall be allowed beginning at a point 650' west of the intersection of Blaisdell Road then continuing westerly for a distance of 1,135'.

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

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RESOLUTION NO. 315

**VEHICLES/TRAFFIC/CHAPTER 39
 SECTION 39-6/SET PH DATE**

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

RESOLVED, that the date of May 9, 2005, 8:10 p.m. is set for a public hearing to amend Chapter 39 Section 39-6 of the Town Code of the Town of Orangetown entitled "Vehicles and Traffic" as approved by Town Board Resolution 696/2004 adding the following:

39-6 Prohibition of parking on designated highways.

C. In the Hamlet of Blauvelt:

- (6) On the north side of Blauvelt Road, between Parkway Drive North and Van Wyck Road, except between Bluefields Lane and Theodore Roosevelt Drive where off-pavement parking shall be allowed.

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

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RESOLUTION NO. 316**RPC/COMMUNITY DEVELOPMENT
AGENCY/CREATION**

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

RESOLVED, that a Community Development Agency for the sole purpose of redeveloping property acquired by the Town of Orangetown at Rockland Psychiatric Center is hereby created.

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

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RESOLUTION NO. 317**CERTIFICATE OF REGISTRATION
SEWER WORK/PR PLUMBING,
HEATING & ELECTRIC, INC.**

Councilwoman Manning offered the following resolution, which was seconded by Councilman Morr 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 Certificate of Registration For Sewer Work for 2005 is approved for Pearl River Plumbing, Heating & Electric, Inc., 60-70 Dexter Plaza, Pearl River, NY.

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

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RESOLUTION NO. 318**ACCEPT MINUTES**

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

RESOLVED, that the Regular Town Board Meeting, Audit Meeting and Executive Session minutes of April 12, 2005 are hereby accepted.

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

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RESOLUTION NO. 319**RPC/LMS PROFESSIONAL
SERVICES AGRMT NO. 79-05
SOCCER COMPLEX**

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

RESOLVED, that the Professional Services Agreement No. 79-05 with Lawler, Matusky & Skelly Engineers, LLP for the development of a Soccer Complex on the RPC triangle is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 320

**NYS DEPT OF ENVIRONMENTAL
CONSERVATION ORDER ON
CONSENT/DEME**

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

RESOLVED, that the NYS Department of Environmental Conservation Order on Consent (Case No. R3-20041025-158) is received and filed in the Town Clerk's Office.

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

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RESOLUTION NO. 321

ADJOURNMENT/MEMORY

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

RESOLVED, that this meeting hereby adjourned at 8:24 p.m. in memory of Florence Simon, Pearl River, Mary Hardy, Piermont and Florence Gross, Piermont.

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

Charlotte Madigan, Town Clerk