

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

11/12/91

8: 35 P.M.

Present: Supervisor Holbrook  
Council Members Maloney, and Smith  
Councilmen Kunis and Mandia were absent  
Murray N. Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

Supervisor declared Town Board Meeting open.  
Assemblage saluted the Flag.

Supervisor opened the public portion of the meeting.

Appearance: Mr. John Cuff  
West Nyack, New York

Mr. Cuff objected to Highway Department employees working on last Saturday and Veteran's Day picking up leaves.

Appearance: Mr. Daniel Cea  
Congers, New York

Mr. Cea requested the formation of a civilian committee to study the space needs of the departments in our town for which a new police/court facility will be built.

Appearance: Ms. Marie Bouchard  
Congers, New York

Ms. Bouchard spoke regarding the placement of the new police/court facility. She questioned access of the facility to Route 304. She also spoke regarding Senior Citizen Exemption.

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RESOLUTION NO. (833-1991)

APPOINTING SCOTT B. UGELL  
TO FILL POSITION OF TOWN  
JUSTICE (VACANCY OF WILLIAM  
WRAY)

Co. Maloney offered the following resolution:

WHEREAS, there exists a vacancy in the position of Town Justice which was formerly held by Town Justice William Wray, and

WHEREAS, the Town Board of the Town of Clarkstown is empowered by Town Law, section 64 (5) to fill such vacancy,

NOW, THEREFORE, be it

RESOLVED, that Scott B. Ugell, 43 First Street, New City, New York, is hereby appointed to fill the position of Town Justice - said appointment commencing November 13, 1991 and to terminate on December 31, 1991, at the annual 1991 salary of \$38,596.00.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

Supervisor stated that he wanted to offer the congratulations of the Board to Mr. Ugell. Supervisor asked Judge Howard Miller to come forward and officiate in the swearing in. Judge Miller also offered his congratulations of Scott Ugell who shortly would become Judge Scott Ugell. He then swore Mr. Ugell in as Clarkstown Town Justice.

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Judge Ugell thanked all those who helped him and who voted for him. He said it is a great honor and privilege to be an elected official in this Town and to serve everyone here. He said he would always be available to help anyone who called upon him. He noted this was a great day in his life.

Mr. Vincent Reda, Chairman of the Clarkstown Republican Committee stated that it was his honor to be the first to call Judge Ugell, Your Honor. Mr. Reda stated on behalf of the Clarkstown Republican Committee and the nearly twelve thousand members of the Republican Party in Clarkstown and perhaps all of the citizens of Clarkstown it was his privilege and honor to present to Judge Ugell a gavel. Mr. Reda said he knew that Judge Ugell would serve with discretion, would be firm but compassionate and he knew he had the integrity to do the job. He asked God's blessings on him.

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RESOLUTION NO. (834-1991)

ACCEPTING MINUTES OF TOWN  
BOARD MEETING OF OCTOBER  
22, 1991

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting of October 22, 1991, are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (835-1991)

SETTING PUBLIC HEARING -  
PROPOSED LOCAL LAW AMENDING  
CHAPTER 18 (CODE OF ETHICS)

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 18 (CODE OF ETHICS)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on November 26, 1991, at 8:35 P.M., or as soon thereafter as possible relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

Seconded by Co. Smith

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RESOLUTION NO. (835-1991) Continued

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (836-1991)

DIRECTING SUPERINTENDENT OF  
HIGHWAYS TO CLEAN DRAINAGE  
EASEMENT - (MAP 113, BLOCK  
A, LOT 2) - KOHLER  
SUBDIVISION

Co. Maloney offered the following resolution:

RESOLVED, that the Superintendent of Highway is hereby  
directed to clean out drainage easement - Kohler Subdivision  
(113-A-2), Old Haverstraw Road, Congers.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (837-1991)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND ACTION (DAYTOP  
VILLAGE FOUNDATION, INC.,  
AND DAYTOP VILLAGE, INC. V.  
ASSESSOR, ET AL.)

Co. Maloney offered the following resolution:

WHEREAS, an action has been instituted against the Town  
of Clarkstown entitled as follows:  
DAYTOP VILLAGE FOUNDATION, INC., and DAYTOP VILLAGE, INC.

Plaintiff,

-against-

THE ASSESSOR OF THE TOWN OF CLARKSTOWN,  
THE BOARD OF ASSESSMENT REVIEW OF THE TOWN  
OF CLARKSTOWN, THE TOWN OF CLARKSTOWN,  
THE ASSESSOR OF THE VILLAGE OF NYACK, THE  
BOARD OF ASSESSMENT REVIEW OF THE VILLAGE  
OF NYACK and THE VILLAGE OF NYACK,

Defendant.

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take  
all necessary steps to defend said proceeding.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (838-1991)

DECLARING PROPERTY SURPLUS  
AND AUTHORIZING SALE OF  
SAME - MAP 162, BLOCK A,  
LOT 15.12 (END OF NORTH  
FAIRVIEW AVENUE, NANUET)

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is the owner of premises described on Schedule "A" annexed hereto, which premises is located in Nanuet, New York, at the end of North Fairview Avenue, and

WHEREAS, said premises was acquired as part of the installation of North Fairview Avenue and is not necessary for the present maintenance and use of said road, and

WHEREAS, the Town has received an offer to purchase said property from Thomas Zambrano for the sum of \$2,500.00, which price appears to be the fair market value of said property;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the premises decribed in Schedule "A" annexed hereto is surplus municipal property.
2. That the offer of Thomas Zambrano to purchase said property for the sum of \$2,500.00, which is equal to the fair market value, is hereby accepted.

and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby directed to execute a Contract of Sale and Bargain and Sale Deed, in a form satisfactory to the Town Attorney, for delivery to the purchaser in accordance with the terms of this Resolution, and be it

FURTHER RESOLVED, that this Resolution shall be subject to Permissive Referendum.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
 Councilwoman Smith.....Yes  
 Supervisor Holbrook.....Yes

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RESOLUTION NO. (839-1991)

AUTHORIZING RELEASE OF  
PERFORMANCE DEPOSIT FOR  
KIAFFAS SUBDIVISION

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Performance Bond secured by a Letter of Credit in the sum of \$15,000.00 furnished to the Town of Clarkstown in connection with a Subdivision of Property for C. Kiaffas is terminated and the Letter of Credit may be released to the guarantor.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
 Councilwoman Smith.....Yes  
 Supervisor Holbrook.....Yes

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RESOLUTION NO. (840-1991)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT WITH  
ARTHUR CONKLIN

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to provide services to the Building Department on an advisory and consultative basis, consistent with the terms of said contract, for the period from November 14, 1991 to May 13, 1992.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (841-1991)

ACCEPTING DEED FOR ROAD  
WIDENING ALONG SNAKE HILL  
ROAD FROM EXIT 12  
ASSOCIATES, INC.

Co. Maloney offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a site known as EXIT 12 ASSOCIATES, INC., the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Snake Hill Road, West Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, deed dated September 27, 1991, from Exit 12 Associates, Inc. to the Town of Clarkstown gratuitously conveying a strip of land along Snake Hill Road, West Nyack, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (842-1991)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO INSTALL "NO  
PARKING ANYTIME" SIGNS WITH  
DIRECTIONAL ARROW -  
EASTSIDE HARRISON AVENUE  
AND "STOP" SIGN SHERMAN  
AVENUE AT LAKE ROAD, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

Continued on Next Page

RESOLUTION NO. (842-1991) Continued

Signs that read, "No Parking Anytime" with directional arrows on the eastside of Harrison Avenue from Lake Road, north to the Congers Fire House.

Also, a "Stop" sign on Sherman at Lake Road, Congers.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Mandia.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (843-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING ANYTIME" SIGNS WITH DIRECTIONAL ARROWS WEST SIDE KINGS HIGHWAY, SOUTH OF HOUSE NUMBER 6, TO NEW ACCESS ROAD KINGS HIGHWAY TO WATERS EDGE, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

"No Parking Anytime" signs with directional arrows on the west side of Kings Highway, south of the driveway of house number 6, to the new access road from Kings Highway to Waters Edge, Congers,

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (844-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING ANYTIME" SIGNS WITH DIRECTIONAL ARROWS SOUTH SIDE OLD SCHOOLHOUSE ROAD FROM CONGERS ROAD BACK TO CONGERS ROAD (ENTIRE LENGTH)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (844-1991) Continued

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to intall:

Signs that read, "No Parking Anytime" with directional arrows on the south side of Old Schoolhouse Road from Congers Road back to Congers Road, Congers (the entire length)

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (845-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "STOP" SIGN AT DRIVEWAY FOR NEW CITY FITNESS CENTER WHERE IT INTERSECTS SHRIEVER LANE, NEW CITY

Co. Maloney offered the following resolution:

RESOLVED, that in the interest of safety, the Superintendent of Highways is hereby authorized to erect a "STOP" sign at the location where the driveway for the New City Fitness Center intersects Shriever Lane, New City.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (846-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #67-1991 - DEMOLITION OF STRUCTURES (MAP 163, BLOCK A, LOT 11) - HUTTON AVENUE, NANUET

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #67-1991  
DEMOLITON OF STRUCTURES  
HUTTON AVENUE, NANUET  
MAP 163-A-11

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday,

Continued on Next Page

RESOLUTION NO. (846-1991) Continued

December 12, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (847-1991)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #6-1992 -  
ATHLETIC AND RECREATION  
SUPPLIES

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #6-1992  
ATHLETIC AND RECREATION SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, December 13, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (848-1991)

REJECTING PROPOSALS  
RECEIVED FOR BID #52-1991 -  
DEMOLITION OF STRUCTURE AND  
AUTHORIZING DIRECTOR OF  
PURCHASING TO READVERTISE  
FOR BID #52A-1991 -  
ASBESTOS REMOVAL/BUILDING  
DEMOLITION, PASCACK ROAD,  
SPRING VALLEY (MAP 164,  
BLOCK A, LOT 16.01)

Co. Maloney offered the following resolution:

RESOLVED, that all proposals received for

BID #52-1991  
DEMOLITION OF STRUCTURE

Continued on Next Page

RESOLUTION NO. (848-1991) Continued

are hereby rejected, and be it

RESOLVED, that the Director of Purchasing is hereby authorized to re-advertise for bids for:

BID #52A-1991  
ASBESTOS REMOVAL/BUILDING DEMOLITION  
PASCACK ROAD, SPRING VALLEY (164-A-16.01)

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, December 12, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Director of Purchasing.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (849-1991)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #66-1991 -  
ASBESTOS REMOVAL/BUILDING  
DEMOLITION CHESTNUT STREET, CENTRAL  
NYACK (MAP 120, BLOCK G,  
LOT 37)

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #66-1991  
ASBESTOS REMOVAL/BUILDING DEMOLITION  
CHESTNUT STREET, CENTRAL NYACK (120-G-37)

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, December 12, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Director of Purchasing.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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(RESOLUTION NO. (850-1991)

AWARDING OF BIDS FOR BID  
#2-1992 -  
CUSTODIAL/JANITORIAL  
SUPPLIES (VARIOUS BIDDERS)

RESOLUTION NO. (850-1991) Continued

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that:

BID #2-1992  
CUSTODIAL/JANITORIAL SUPPLIES

is hereby awarded to:

AETNA SUPPLY INC.  
137 N. MAIN STREET  
SPRING VALLEY, N.Y. 10977  
PRINCIPALS: HARRY FRIEDMAN  
FAY FRIEDMAN

BURKE SUPPLY CO., INC.  
BLDG. 293, BROOKLYN NAVY YARD  
FLUSHING AVE. & CUMBERLAND ST.  
BROOKLYN, N.Y. 11205  
PRINCIPALS: PHIL BURKE  
NORMAN BURKE

FREMONT INDUSTRIAL CORP  
90 MAGNOLIA AVE.  
WESTBURY, N.Y. 11590  
PRINCIPALS: FRANK DEGRIGRO

HALBRO CONTROL INDUSTRIES, INC.  
2090 ROUTE 110, P.O. BOX 260  
FARMINGDALE, N.Y. 11735  
PRINCIPALS: STANTON HALPERN  
CHARLES HALPERN

E. A. MORSE & CO., INC.  
11-25 HARDING ST.  
MIDDLETOWN, N.Y. 10940  
PRINCIPALS: WINIFRED V. MORSE  
EMERSON A. MORSE

JOHN A. EARL, INC.  
216 UNION STREET  
HACKENSACK, N.J. 07601  
PRINCIPALS: JANET EARL  
DONALD B. EARL

ZEP MANUFACTURING CO.  
P.O. BOX 299  
SPRINGFIELD, N.J. 07081  
PRINCIPAL: PUBLIC CORPORATION

PURITAN CHEMICAL CO.  
8-10 GWYNNS MILLS COURT  
P.O. BOX 517  
OWINGS MILLS, MARYLAND 21117  
PRINCIPAL: GIBSON CHEMICALS, LTD.

ROSEBRAND WIPERS  
517 W. 35th STREET  
NEW YORK, N.Y. 10001  
PRINCIPALS: GEORGE JACOBSTEIN  
RITA SHAPERO

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (851-1991)

AWARDING BIDS FOR BID  
#1-1992 - STATIONERY  
SUPPLIES (VARIOUS BIDDERS)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that:

BID #1-1992  
STATIONERY SUPPLIES

is hereby awarded to:

CHESLERS STATIONERY  
15 E CENTRAL AVE  
PEARL RIVER NY 10965  
PRINCIPAL: YUN TAEK LEE

SUMMIT OFFICE SUPPLY  
34 MIDLAND AVE  
PORTCHESTER NY 10573  
PRINCIPAL: PUBLIC CORPORATION

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RESOLUTION NO. (851-1991) Continued

MANHATTAN STATIONERY  
HARRISON EXECUTIVE PARK  
3010 WESTCHESTER AVE  
PURCHASE NY 10577  
PRINCIPAL: HARVEY ARONOFF

ALLWIN STATIONERY  
20 DEXTER PLAZA  
PEARL RIVER NY 10965  
PRINCIPAL: NORMAN SAKOFF

OLSON & GORDON  
66 BROCKWAY PLACE  
WHITE PLAINS NY 10602  
PRINCIPAL: JAMES H GORDON

ADVANTAGE BUSINESS PROD  
3 CROSS STREET  
SUFFERN NY 10901  
PRINCIPALS: TAMARA BRISK  
SAM SCHWED  
JACK SCHWED

as per item/price attached schedule.

(Item/Price Schedule on file in Town Clerk's Office.)

Seconded by Co.

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (852-1991)

AWARDING BIDS FOR BID  
#3-1992 -  
PHOTOCOPIER/FACSIMILE  
MACHINE SUPPLIES (VARIOUS  
BIDDERS)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the  
Director of Purchasing that:

BID #3-1992  
PHOTOCOPIER/FACSIMILE MACHINE SUPPLIES

is hereby awarded to:

ADVANTAGE BUSINESS PROD.  
3 CROSS STREET  
SUFFERN NY 10901  
PRINCIPALS: TAMARA BRISK  
SAM SCHWED  
JACK SCHWED

DEC COPIER  
6A ROUTE 9W  
WEST HAVERSTRAW NY 10993  
PRINCIPALS: C. WURF  
G. LIEBERMAN

EASTMAN KODAK  
10 MADISON AVE  
MORRISTOWN NJ 07960  
PRINCIPAL: PUBLIC CORPORATION

BOUTONS BUSINESS MACHINES  
95 ROUTE 304  
NANUET NY 10954  
PRINCIPAL: JOHN MAIORANO

WORLD OF FAX INC  
94 HAVERMILL ROAD  
NEW CITY NY 10956  
PRINCIPAL: SCOTT I PANESS

as per the attached item/price schedule.

(Item/Price Schedule on File in Town Clerk's Office.)

Seconded by Co. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (852-1991) Continued

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (853-1991)

AWARDING BID FOR BID  
#44A-1991 - FENCING AT  
RUSSIAN ORTHODOX CHURCH  
(BARCIA BROTHERS, INC.) -  
CHARGE TO CAPITAL ACCOUNT H  
9710-01-409

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control that Bid #44A-1991, Fencing at Russian Orthodox Church, encompassing the installation of 3650+ linear feet of galvanized steel chain link fence is hereby awarded to:

Barcia Brothers, Inc.  
876 River Drive  
Garfield, New Jersey 07026

as per their bid proposal of \$7.99 per linear foot of fence for a total of \$29,500.00; and be it

FURTHER RESOLVED, should it be deemed necessary by the Director of the Department of Environmental Control after discussions with Orange and Rockland Utilities, Inc., that the portion of the fence running from New Clarkstown Road to Kingsgate Parkway parallel to the existing Orange and Rockland Utilities, Inc. easement be grounded and the additional cost be approved; and be it

FURTHER RESOLVED, that these totals be charged to Capital Account H 9710-01-409.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (854-1991)

INCREASING ESTIMATED  
REVENUE ACCOUNT NO. B  
02-9-2701 (REFUND OF PRIOR  
YR. EXPENSE) AND  
APPROPRIATION ACCOUNT NO. B  
8110-424 (CONTRACTURAL  
EXPENSES) (SEWER DEPARTMENT)

Co. Maloney offered the following resolution:

WHEREAS, it is necessary to transfer funds into Appropriation Account B 8110-424 (Contractural Expenses)

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account No. B 02-9-2701 (Refund of Prior Yr. Expense) and Appropriation Account No. B 8110-424 by \$47,000.00.

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RESOLUTION NO. (854-1991) Continued

Secoded by Co.

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (855-1991)

DECREASING CONTINGENCY  
ACCOUNT NO. A 1990-505 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 8730-114  
(ENVIRONMENTAL  
CONTROL-PART-TIME)

Co. Maloney offered the following resolution:

WHEREAS, Appropriation Account No. A 8730-114  
(Environmental Control - Part-Time) requires additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A  
8730-114 (Environmental Control - Part-Time) requires additional  
funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A  
1990-505 and increase Appropriation Account No. A 8730-114 by  
\$5,200.00.

Secoded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (856-1991)

DECREASING APPROPRIATION  
ACCOUNT NO. B 3620-201  
(FURNITURE & FIXTURES) AND  
INCREASE APPROPRIATION  
ACCOUNT NO. B 3620-438  
(MAINTENANCE AGREEMENTS)  
(BUILDING DEPARTMENT)

Co. Maloney offered the following resolution:

WHEREAS, Appropriation Account No. B 3620-438  
(Maintenance Agreements) requires additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. B  
3620-201 (Furniture & Fixtures) and increase Appropriation Account  
No. B 3620-438 by \$386.00.

Secoded by Co. Smith

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RESOLUTION NO. (856-1991) Continued

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (857-1991)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1640-31  
(GASOLINE) AND INCREASING  
APPROPRIATION ACCOUNT NO. A  
1640-406 (EQUIPMENT  
REPAIRS) (TOWN GARAGE)

Co. Maloney offered the following resolution:

WHEREAS, Appropriation Account No. A 1640-406  
(Equipment Repairs) requires additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A  
1640-311 (Gasoline) and increase Appropriation Account No. A  
1640-406 by \$2,500.00.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (858-1991)

INCREASING ESTIMATED  
REVENUE ACCOUNT CS 11-8-  
2680-0 (INSURANCE  
RECOVERIES) AND TRANS-  
FERRING TO APPROPRIATION  
ACCOUNT NO. SR 8160-225  
(COMPUTER EQUIPMENT)

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has received \$6,226.00  
for the damage to the computers at the landfill, and

WHEREAS, the computers have to be replaced,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue CS 11-8-2680-0  
(Insurance Recoveries) by \$6,226.00 and transfer to Appropriation  
Account No. SR 8160-225 (Computer Equipment).

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (859-1991)

2 2 2  
TRANSPERRING FUNDS FROM A  
885 AND INCREASE  
APPROPRIATION ACCOUNT NO. A  
3230-319 (D.A.R.E. MISC.  
SUPPLIES) (POLICE)

Co. Maloney offered the following resolution:

WHEREAS, \$7,000.00 has been requested from the Reserve  
for D.A.R.E. Programs,

NOW, THEREFORE, be it

RESOLVED, to transfer said funds from A 885 and  
increase Appropriation Account No. A 3230-319 (D.A.R.E. Misc.  
Supplies).

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (860-1991)

REFERRING PETITION FOR  
"OPEN DEVELOPMENT AREA" TO  
VARIOUS BOARDS WITH RESPECT  
TO MOUNTAIN SHADOWS COMPANY

Co. Maloney offered the following resolution:

WHEREAS, a petition has been made to the Town Board by  
MOUNTAIN SHADOWS COMPANY, seeking approval for an "Open Development  
Area" under Section 280-a(4) of the Town Law;

NOW, THEREFORE, be it

RESOLVED, that the said petition is hereby referred to  
the Building Inspector, the Director of Environmental Control, the  
Superintendent of Highways, the Planning Board and the Traffic and  
Traffic Fire Safety Advisory Board for study and recommenda-  
tion on or before November 22, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (861-1991)

RESCINDING RESOLUTION NO.  
(817-91) SCHEDULING PUBLIC  
HEARING ON SPECIAL PERMIT  
FOR SEVIM MANAGEMENT, INC.

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 817, adopted by the Town  
Board on October 22, 1991, scheduling a public hearing on the  
petition of Sevim Management, Inc. for a special permit to allow for  
additional pumps and tanks to be installed at the existing gasoline  
filling and service station, on property known as Map 33, Block B,  
Lot 15.04, is hereby RESCINDED.

Continued on Next Page

RESOLUTION NO. (861-1991) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (862-1991)

SETTING PUBLIC HEARING ON  
PROPOSED LOCAL LAW AMENDING  
CHAPTER 262 - SENIOR  
CITIZEN EXEMPTION

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 262 (TAXATION)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on November 26, 1991, at 8:30 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (863-1991)

SETTING PUBLIC HEARING ON  
PROPOSED LOCAL LAW  
CONCERNING USER FEES -  
REFUSE AND GARBAGE DISTRICT

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"A LOCAL LAW TO PROVIDE FOR THE BILLING OF USER  
FEES AS A SEPARATE ITEM ON THE ANNUAL TAX BILL"

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (863-1991) Continued

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on November 26, 1991, at 8:40 P.M. or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (864-1991)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO USE  
PERSONNEL AND EQUIPMENT TO  
PLOW UNDEDICATED STREETS

Co. Maloney offered the following resolution:

WHEREAS, heavy snowfalls and other inclement weather may create hazardous conditions and cause a state of emergency to exist in the Town of Clarkstown and unplowed or impassable roads may pose an increased danger to life and property as a result of fire, sickness, lack of food and medical assistance to persons residing on unplowed or impassable streets;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the authority granted under Executive Law, Section 24(4), the Supervisor of the Town of Clarkstown is hereby authorized to use any and all facilities, equipment, supplies, personnel under his control and direction and other resources of the Town of Clarkstown in such a manner as may be necessary or appropriate to cope with any natural emergency created by an extraordinary fall of snow or other weather condition, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to use personnel and equipment to plow undedicated streets in the Town of Clarkstown during such heavy snowfall or other conditions, if necessary to prevent imminent hazard to life and property.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (865-1991)

AUTHORIZING SUPERVISOR TO  
EXECUTE AMENDMENT TO  
CONTRACT WITH VELZY  
(CLARKSTOWN LANDFILL  
CLOSURE)

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown entered into a contract with Charles R. Velzy Associates, Inc., a division of Velzy/Weston, to perform professional services for a Remedial Investigation and Feasibility Study concerning the Clarkstown Landfill Closure, and

WHEREAS, the Town of Clarkstown entered into a State Assistance contract with the New York State Department of Environmental Conservation (NYSDEC), signed by the NYSDEC on January 3, 1990, concerning the Clarkstown Landfill, which contract provided for an increase in the scope of the Remedial Investigation and Feasibility Study for the Clarkstown Landfill closure;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute an amendment to the contract with Charles R. Velzy Associates, a division of Velzy/Weston, to provide for the performance of the services described in the State Assistance contract, and at the cost set forth in Schedule "A" annexed to said State Assistance contract, and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to January 22, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (866-1991)

GRANTING EXTENSION OF SICK  
LEAVE OF ABSENCE TO MOTOR  
EQUIPMENT OPERATOR II -  
HIGHWAY DEPARTMENT (ROBERT  
MANN)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Robert Mann, 12H Jeanne Marie Gardens, Nanuet, New York - Motor Equipment Operator II - Highway Department - is hereby granted an extension of his Sick Leave of Absence - at one half pay - effective and retroactive to November 9, 1991 to Deember 9, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (867-1991)

ACCEPTING RESIGNATION OF  
MEMBER AND CHAIRMAN -  
LITTER CONTROL BUREAU  
(AUDREY PALEY)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Audrey Paley, 5 Avon Lane, New City, New York - Member and Chairman - Litter Control Bureau - is hereby accepted - effective and retroactive to October 25, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (868-1991)

APPOINTING TO POSITION OF  
LABORER - DEPARTMENT OF  
ENVIRONMENTAL CONTROL  
(TRANSFERRING FROM  
MAINTENANCE DEPARTMENT)  
(RAYMOND A. DeFOREST, III)

Co. Maloney offered the following resolution:

RESOLVED, that Raymond A. DeForest, III, 22 Old Brick Road, New City, New York, is hereby appointed to the position of Laborer - Department of Environmental Control - (transferring from Maintenance Department) - at the current 1991 annual salary of \$25,445.00, effective November 18, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (869-1991)

AUTHORIZING DEPARTMENT OF  
ENVIRONMENTAL CONTROL TO  
TAKE EMERGENCY ACTION ON  
CHURCH STREET CULVERT -  
CHARGE TO CAPITAL ACCOUNT H  
1989-02-409

Co. Maloney offered the following resolution:

WHEREAS, the Church Street culvert over the Nauraushaun Brook has deteriorated posing a potential safety hazard; and

WHEREAS, the Chairman of the Rockland County Drainage Agency has determined that the culvert is inadequate and is proposing a substantial enlargement of the culvert; and

WHEREAS, the Rockland County Superintendent of Highways has performed a structural inspection recommending that a Four Ton Limit Without Exception sign be installed and that temporary shoring be erected immediately;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (869-1991) Continued

RESOLVED, that the Director of Environmental Control is authorized to take immediate action to perform the emergency measures recommended by the Rockland County Superintendent of Highways; and be it

FURTHER RESOLVED, that these expenditures be a proper charge to Capital Account H 1989-02-409.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (870-1991)

AUTHORIZING TOWN ATTORNEY  
TO APPEAL DECISION OF  
SUPREME COURT (MARANGI V.  
PLANNING BOARD)

Co. Maloney offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of Dominick Marangi against the Planning Board of the Town of Clarkstown, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to appeal said decision.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (871-1991)

AUTHORIZING EMERGENCY  
REPAIR OF PUMP IN DELLWOOD  
PUMP STATION - CHARGE TO  
B-8110-424

Co. Maloney offered the following resolution:

WHEREAS, repairs are required for pump #1 in the Dellwood Pump Station, and

WHEREAS, continued operation of the Dellwood Pump Station at 50% of capacity constitutes a risk to the health and safety of the community, and

WHEREAS, the repairs to pump #1 must be completed in the most expeditious manner possible;

NOW, THEREFORE, be it

RESOLVED, that the Directors of Purchasing and Environmental Control be authorized to obtain repair services from

Continued on Next Page

RESOLUTION NO. (871-1991) Continued

Rapid Pump and Meter Service Co., Inc., for the approximate amount of \$6,200.00, on an emergency basis, without recourse to competitive bidding; and be it

FURTHER RESOLVED, that this should be a proper charge to B-8110-424.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (872-1991)

DIRECTING HIGHWAY  
SUPERINTENDENT TO REPAIR  
ENTRANCE PORTION OF EAST  
EVERGREEN AVENUE, NEW CITY

Co. Maloney offered the following resolution:

WHEREAS, the roadway known as East Evergreen Avenue, New City, New York, has deteriorated, and

WHEREAS, the entrance portion of East Evergreen Avenue provides access to the Town parking lotd;

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby directed to repair the entrance portion of East Evergreen Avenue with Item four so that proper access will be provided to the Town parking lot situated thereon.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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There being no further business to come before the Town Board and no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 9:05 P.M.

PATRICIA SHERIDAN,  
Town Clerk

