

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/10/91

8:00 P.M.

Present: Supervisor Holbrook
Council Members Kunis, Maloney, Mandia and Smith
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 Lodico
New City, New York

Mr. Lodico spoke regarding the awarding of bids for the new police/court facility.

Appearance: Mr. Joseph McDonough, Vice President
Ferguson Electric

Mr. McDonough spoke as the low bidder for the awarding of the electrical contract for the new police/court facility.

Appearance: Ms. Pam Sutera
West Nyack Road
West Nyack, New York

Ms. Sutera spoke regarding traffic conditions and signs on West Nyack Road and suggested the use of surveillance cameras at the site in question.

Appearance: Mr. John Cuff
West Nyack, New York

Mr. Cuff spoke regarding renewal of building permits where no CO has been granted.

Mr. Cuff also spoke regarding leaf pickup for the Town of Clarkstown.

Appearance: Mr. Oren Goetz
New City, New York

Mr. Goetz spoke regarding disposal of old telephone books.

Mr. Goetz then spoke regarding parking at Clarkstown High School South.

Mr. Goetz then spoke regarding broken street lights in the Town of Clarkstown.

Appearance: Mr. Alan Gussow
Congers, New York

Mr. Gussow spoke regarding agenda item 5(a) - engineering fees for the Congers Lake Dam.

Appearance: Ms. Arlene Owens
Congers, New York

Ms. Owens spoke regarding agenda items 14(a) and (b) - Reclassification of position of Construction Coordinor to Clerk of the Works I and appointment to same.

Ms. Owens also spoke regarding the recycling of telephone books.

Continued on Next Page

Appearance: Ms. Zeporah Fleisher
New City, New York

Ms. Fleisher spoke regarding building permit for a house which someone is building themselves and not being lived in yet.

Ms. Fleisher also spoke regarding disposal of telephone books and suggested that we contact the Public Service Commission regarding same.

Ms. Fleisher spoke regarding Orange and Rockland Utilities doing a poor job on the roads.

Appearance: Ms. Marie Bouchard
Congers, New York

Ms. Bouchard spoke regarding senior citizen tax rates.

Ms. Bouchard also spoke regarding the Highway Department and the poor service they are rendering.

Appearance: Mr. Daniel Cea
Congers, New York

Mr. Cea spoke regarding pickup of recyclables.

Mr. Cea also spoke regarding Items 14 (a) and (b) reclassification of Construction Coordinator to Clerk of the Works and appointment to the same.

Mr. Cea spoke regarding payment of overtime for leaf pickup.

Mr. Cea spoke regarding the awarding of the electrical contract for the new police/court facility.

At this time Councilman Mandia commended Town Attorney Murray Jacobson and his office for the handling of the Daytop matter.

Councilman Mandia also noted that Safety Kleen was attempting to solve the problems connected with their business in Congers.

Appearance: Mr. Bruce Broadley
West Nyack, New York

Mr. Broadley spoke regarding the problem of recycling phone books.

Mr. Broadley spoke regarding the police department and the building of a new facility.

Mr. Broadley also spoke regarding the Pyramid Mall and the problem of owed back taxes.

Appearance: Donald S. Tracy, Esq.
New City, New York

Mr. Tracy spoke regarding Item #11 having to do with Safety Kleen and the proposed signalization on North Harrison Avenue in Congers.

Appearance: Mr. Adolph Salon
Congers, New York

Mr. Salon spoke regarding items #14 (a) and (b) as to the reclassification of Construction Coordinator to Clerk of the Works I.

Continued on Next Page

Appearance: Ms. Marie Broadley
West Nyack, New York

Ms. Broadley spoke regarding odor at the Clarkstown
Landfill.

Ms. Broadley spoke regarding the proposed Pyramid Mall.

RESOLUTION NO. (931-1991)

ACCEPTING MINUTES OF TOWN
BOARD MEETING OF NOVEMBER
26, 1991

Co. Kunis offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting of
November 26, 1991 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (932-1991)

DECLARING TOWN PROPERTY AS
SURPLUS MUNICIPAL PROPERTY
AND AUTHORIZING SALE OF
SAME - MAP 163, BLOCK A,
LOT 18 (KEMMER LANE, NANUET)

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown is the owner of premises
designated as Map 163, Block A, Lot 18, and which premises is
located at Kemmer Lane, Nanuet, New York and

WHEREAS, said premises was acquired from the County of
Rockland on or about June 24, 1985, and recorded in the Rockland
County Clerks Office on July 3, 1985, in Land Records Book 90, at
Page 2028, to be used as a commuter parking lot, and

WHEREAS, the commuter parking lot is no longer necessary
for use by commuters, and

WHEREAS, the Town Board of the Town of Clarkstown
believes that the premises aforesaid is no longer needed for
municipal purposes and should be declared surplus municipal
property, so that same may be disposed of by the Town Board in
accordance with law;

NOW, THEREFORE, be it

RESOLVED, that the premises described herein is hereby
declared surplus municipal property as same is no longer required
for any municipal purpose, and be it

FURTHER RESOLVED, that the Town Attorney is hereby
authorized to obtain the services of a qualified appraiser to
determine the reasonable market value for said premises, and be it

FURTHER RESOLVED, that the Town Attorney is hereby
requested to submit a report in writing indicating methods by which
the Town may dispose of the surplus property declared herein.

Continued on Next Page

RESOLUTION NO. (932-1991) Continued

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (933-1991)

AUTHORIZING COMPTROLLER TO
AUTHORIZE PAYMENT ON LOST
COUPON (BOND NO. 1409)

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown has been advised by Chemical Bank as the agent for Town of Clarkstown, NY Refunding Serial Bond No. 1409 that a coupon due September 1, 1991, has been lost in bearer form, and

WHEREAS, an appropriate Affidavit of Loss and Sole Obligor Indemnity Bond has been tendered by Chemical Bank;

NOW, THEREFORE, be it

RESOLVED, that the Affidavit and Bond referred to above are hereby accepted and the Town Comptroller is hereby directed to authorize payment of a coupon due September 1, 1991, which was detached from Town of Clarkstown, NY 5.70% Refunding Serial Bond No. 1409 (due March 15, 2000) for \$5,000 without physical presentation of said coupon.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (934-1991)

ACCEPTING DEED FOR ROAD
WIDENING PURPOSES ALONG
DUSTMAN LANE, BARDONIA
(KIAFFAS)

Co. Smith offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Subdivision of Property for C. KIAFFAS, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Dustman Lane, Bardonia, 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 December 6, 1988, from CONSTANTINES G. KIAFFAS and ASIMINA K. KIAFFAS to the Town of Clarkstown gratuitously conveying a strip of land along Dustman Lane, Bardonia, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Continued on Next Page

RESOLUTION NO. (934-1991) Continued

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (935-1991)

AUTHORIZING AGREEMENT WITH
MAYO, LYNCH & ASSOCIATES,
INC. FOR CONGERS LAKE DAM
RECONSTRUCTION (CHARGE TO
CONGERS LAKE DAM
RECONSTRUCTION)

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Mayo, Lynch & Associates, Inc., 333 Meadowland Parkway, Secaucus, New Jersey 07094, in accordance with a written proposal dated July 23, 1991, for the Congers Lake Dam Reconstruction, which agreement shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the engineering fees for this project may not exceed \$75,000.00 without further Town Board authorization, and be it

FURTHER RESOLVED, that the necessary funds be charged to the Bond for the Congers Lake Dam Reconstruction.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Kunis.....	No
Councilman Maloney.....	Yes
Councilman Mandia.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (936-1991)

AUTHORIZING SUPERVISOR TO
ENTER INTO AN AGREEMENT
WITH NYACK HOSPITAL -
CHARGE TO ACCOUNT NO. A
8840-424

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Nyack Hospital for the Employee Assistance Program for the twelve (12) month period commencing October 1, 1991 and terminating on September 30, 1992, and be it

FURTHER RESOLVED, that the appropriation of \$8,352.00 to pay for services to be provided shall be charged to Account No. A 8840-424, and be it

FURTHER RESOLVED, that this resolution is retroactive to October 1, 1991.

Seconded by Co. Smith

Continued on Next Page

RESOLUTION NO. (936-1991) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (937-1991)

AUTHORIZING SUPERVISOR TO
EXECUTE AMENDED AGREEMENT
WITH COUNTY OF ROCKLAND
REGARDING SUBSTANCE ABUSE
PROGRAM

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an Amended Agreement with the County of Rockland for the Substance Abuse Services Program for the period July 1, 1991 and ending December 31, 1991, for a total consideration of \$108,095.00.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Kunis.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Abstain
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (938-1991)

SETTING A PUBLIC HEARING
RE: PETITION FOR THE
EXTENSION OF THE CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT TO INCLUDE
MOUNTAIN SHADOWS COMPANY

Co. Kunis offered the following resolution:

WHEREAS, a written Petition dated October 1, 1991 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 31st day of December, 1991, at 12:20 P.M. ES time to consider the said petition and hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (938-1991) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (939-199)

REFERRING PROPOSED LOCAL LAW ENTITLED, "AMENDMENT TO CHAPTER 250 (STREETS AND SIDEWALKS) OF THE CODE OF THE TOWN OF CLARKSTOWN TO THE TOWN OF CLARKSTOWN TO THE CLARKSTOWN PLANNING BOARD AND THE DEPARTMENT OF ENVIRONMENTAL CONTROL

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby refers the following proposed local law entitled, "AMENDMENT TO CHAPTER 250 (STREETS AND SIDEWALKS) OF THE CODE OF THE TOWN OF CLARKSTOWN" to the Clarkstown Planning Board and the Department of Environmental Control for their recommendations:

Amend §250-30. Insurance required, to read as follows:

"§250-30. Insurance required. The applicant shall file with the Superintendent of Highways a general liability policy or certificate of insurance naming the Town of Clarkstown as an additional insured at the same time he files his application for a permit. The Town Attorney shall approve the policy for form. The policy shall insure the Town of Clarkstown and the applicant and shall cover all operations relative to the excavation and reconstruction thereto. Said policy shall have \$500,000 combined single limits for each accident, and property damage liability."

Amend §250, by adding Article IV, to read as follows:

ARTICLE IV

Curb Cuts and Driveway, Road and Street Pavement Connections with any Town Street, Road or Highway

§250-46. Definitions.

A. The following words, when used in this Article, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

APPLICANT - Any person who makes application for a permit.

PERMITTEE - Any person who has been issued a permit and has agreed to fulfill all the terms of this Article.

PERSON - Any natural person, partnership, firm, association, corporation or authority created pursuant to law. Whenever used in any section prescribing and imposing a penalty, the term "person," as applied to associations, shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

Continued on Next Page

RESOLUTION NO. (939-1991) Continued

STREET - A public street, public easement, public right-of-way, public highway, public alley, public way, sidewalk or public road accepted or maintained by the Town.

SUPERINTENDENT - The person in charge of the Department of Highways or the highway operations in the Town, or his authorized deputy, representative or inspector.

TOWN - The Town of Clarkstown, County of Rockland, State of New York.

- B. In this Article, the singular shall include the plural, and the masculine shall include the feminine and the neuter.
- C. In this Article, all approvals, consents, permissions or like authorization of any kind or nature shall and must be in writing in order to be valid.

\$250-47. Permit required for curb cuts and/or connection with any Town Street, Road or Highway.

No person, firm or corporation, public or private, including public service companies and transportation corporations, as defined in Article I of the Transportation Corporations Law shall make any cut or break in curbing adjacent to any Town street, road or highway in the Town of Clarkstown or make any type of connection with any Town street, road or highway in the Town of Clarkstown without first obtaining a permit therefor from the Superintendent of Highways of the Town of Clarkstown as hereinafter provided; provided, however, any person maintaining pipes, lines or other underground facilities in or under the surface of any adjacent street shall act in conformity with \$250-9 of Article II of this Chapter.

\$250-48. Application for a permit.

- A. It shall be unlawful for any person, firm, corporation or municipality to make any type of curb cut connection with any Town street, road or highway without a permit in writing from the Town Superintendent of Highways.
- B. To obtain a permit, an application must be made in writing on the form provided, and signed by the applicant undertaking the work. If the application is made by a municipality, the application shall be executed by its proper officers. In lieu of such execution, the municipality may by resolution, a certified copy of which shall be filed with the Town, designate an agent or officer to execute applications for permits.
- C. Wherever the word "Town" is used in these regulations, it shall also mean the Town of Clarkstown and/or the Town Superintendent of Highways, or his representatives.
- D. Permits will be issued by payment of a \$35.00 filing fee by applicant.

Continued on Next Page

RESOLUTION NO. (939-1991) Continued

§250-49. Driveway Connection.

Before construction of a driveway connection may begin, the permittee shall arrange a field conference with the Town at the site for the purpose of determining grades, drainage, line, sight distance, etc., acceptable to the Town. The permittee shall install proper storm drainage facilities, grade and pave, if necessary, the connection from the existing edge of the pavement to the Right of Way line according to Town specifications. Beyond this point, the permittee shall construct the driveway using a line and grade which shall meet the part constructed to the Right-of-Way line.

§250-50. Road and Street Connection.

To obtain a permit, the applicant must: (a) submit to and have approved by the Town a plan and profile showing proposed drainage system of connections made by a licensed land Surveyor or Professional Engineer; (b) Before a permit can be issued, applicant must first file with the Town Superintendent of Highways adequate and satisfactory evidence that he is covered by public liability insurance in the amount of \$500,000 combined single limit for Property Damage and that under this coverage, or by separate policies in the above amounts, the Town of Clarkstown and/or the Town Superintendent of Highways, are named and fully indemnified. Applicant must also file with the Town Superintendent of Highways adequate and satisfactory evidence that he is fully covered for Workmen's Compensation Insurance. The permittee shall at his own expense entirely, construct the connection up to the edge of the existing Town road pavement, including all drainage, as shown on his approved Plan and Profile.

If the work of the connection is to be performed by a contractor, the contractor must first file with the Superintendent of Highways adequate and satisfactory evidence that he is covered by public liability insurance in the amount of \$500,000 combined single limits for each accident and Property Damage Liability and that under this coverage, or by separate policies in the above amount, the Town of Clarkstown and/or the Town Superintendent of Highways are named and full indemnified. Contractor must also file with the Town Superintendent of Highways adequate and satisfactory evidence that he is fully covered for Workmen's Compensation Insurance.

Any opening in the Town road beyond the limits of the connection shall not be commenced without first obtaining a street opening permit from the Town.

§250-51. Revocation of Permit.

The Town Superintendent of Highways reserves the right at any time to revoke or annul this permit should the said permittee fail to comply with the terms and conditions upon which it is granted.

§250-52. Duties and Responsibilities of Permittee.

- A. The permittee shall be held liable for any damage done to the Town street in making

Continued on Next Page

RESOLUTION NO. (939-1991) Continued

connection. Any damage done shall be restored to its original condition at the expense of the permittee.

- B. The permittee shall be responsible for the protection of traffic on the Town street by the maintenance of lights, barricades, warning signs, traffic control and so forth, where necessary.
- C. It shall be the duty and responsibility of any permittee to agree to save the Town, its officers, employees and agents harmless from any and all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed under said permit. The acceptance of any permit under this Article shall constitute such an agreement by the applicant, whether the same is expressed or not.

\$250-53. Enforcement Officer.

The Town Superintendent of Highways is hereby authorized, directed and designated to enforce the provisions of this Article.

\$250-54. Penalties for Offenses.

- A. Any person, firm or corporation violating any provisions of this Article shall be guilty of a violation and, upon conviction thereof, shall be fined not more than two hundred fifty dollars (\$250.00) or shall be imprisoned not less than fifteen (15) days, or shall be both fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate violation and shall be punishable hereunder.
- B. The application of the above penalty shall not be held to prevent the enforced removal of the prohibited conditions and/or the exercise of any civil rights or remedies set forth in this Article or in any other provision of law."

This local law shall take effect immediately upon filing in the office of the Secretary of State.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (940-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #7-1992
(PRINTING OF SPRING/SUMMER
BROCHURE)

Continued on Next Page

RESOLUTION NO. (940-1991) Continued

Co. Kunis offered the following resolution:

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

BID #7-1992
PRINTING OF SPRING/SUMMER BROCHURE

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, JANUARY 9, 1992 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. Mandia

On roll call the vote was as follows:

- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (941-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #8-1992 (FIREWORKS DISPLAY)

Co. Kunis offered the following resolution:

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

BID #8-1992
FIREWORKS DISPLAY

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, JANUARY 16, 1992 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. Mandia

On roll call the vote was as follows:

- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (942-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #9-1992 - (GROUNDSKEEPING/LANDSCAPE SUPPLIES)

Co. Kunis offered the following resolution:

Continued on Next Page

RESOLUTION NO. (942-1991) Continued

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

BID #9-1992
GROUNDSKEEPING/LANDSCAPE 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: WEDNESDAY, JANUARY 15, 1992 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. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (943-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #10-1992
(HIGHWAY SIGNING AND ROAD
SUPPLIES)

Co. Kunis offered the following resolution:

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

BID #10-1992
HIGHWAY SIGNING AND ROAD 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: WEDNESDAY, JANUARY 22, 1992 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.Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (944-1991)

CORRECTING RESOLUTION NO.
(848-1991) AND AUTHORIZING
DIRECTOR OF PURCHASING TO
READVERTISE FOR BIDS FOR
BID #52A-1991 - ASBESTOS

Continued on Next Page

RESOLUTION NO. (944-1991) Continued

REMOVAL/BUILDING DEMOLITION
PASCACK ROAD, SPRING VALLEY
(MAP 164, BLOCK A, 16.01)

Co. Kunis offered the following resolution:

RESOLVED, that Town Board Resolution 848-1991 is hereby corrected to read

RESOLVED, that the Director of Purchasing is hereby authorized to readvertise 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 TUESDAY, JANUARY 14, 1992 at which time bids will be open 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. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (945-1991)

CORRECTING RESOLUTION NO.
849-1991 AND AUTHORIZING
DIRECTOR OF PURCHASING TO
ADVERTISE FOR BID #66-1991
- ASBESTOS REMOVAL/BUILDING
DEMOLITION, CHESTNUT
STREET, CENTRAL NYACK
(120-G-37)

Co. Kunis offered the following resolution:

RESOLVED, that Town Board Resolution 849-1991 is hereby corrected to read:

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 : TUESDAY, JANUARY 14, 1992 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. Mandia

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (945-1991) Continued

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

RESOLUTION NO. (946-1991)

CORRECTING RESOLUTION NO.
 (846-1991) AND AUTHORIZING
 DIRECTOR OF PURCHASING TO
 ADVERTISE FOR BIDS FOR BID
 #67-1991 - (ASBESTOS
 REMOVAL/BUILDING
 DEMOLITION, HUTTON AVENUE,
 NANUET - (TAX MAP 163,
 BLOCK A, LOT 11)

Co. Kunis offered the following resolution:

RESOLVED, that Town Board Resolution #846-1991 is hereby corrected to read:

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

BID #67-1991
 ASBESTOS REMOVAL/BUIDLING DEMOLITION
 HUTTON AVENUE, NANUET
 TAX 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: TUESDAY, JANUARY 14, 1992 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. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (947-1991)

CORRECTING RESOLUTION NO.
 (891-1991) AND AUTHORIZING
 DIRECTOR OF PURCHASING TO
 ADVERTISE FOR BIDS FOR BID
 #61A-1991 (ACCESSORIES FOR
 CUSHMAN MODEL 809 FRONT
 LINE MOWER

Co. Kunis offered the following resolution:

RESOLVED, that Town Board Resolution #891-1991 is hereby corrected to read:

Continued on Next Page

RESOLUTION NO. (947-1991) Continued

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

BID #61-A-1991
ACCESSORIES FOR CUSHMAN MODEL 809 FRONT LINE MOWER

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, January 10, 1992 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. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (948-1991)

AWARDING BID FOR BID
#4-1992 - BUS
TRANSPORTATION (LAIDLAW
TRANSIT, SADDLE RIVER
TOURS, AND ROCKLAND COACHES)

Co. Maloney offered the following resolution:

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

BID #4-1992
BUS TRANSPORTATION

is hereby awarded to

PART A, ITEM 1 AND 2
PART B, ITEM 2
LAIDLAW TRANSIT
16 HOFFMAN STREET
SPRING VALLEY, NY 10977
PRINCIPAL: PUBLIC CORPORATION

PART B, ITEM 3
SADDLE RIVER TOURS
119 GRAHAM LANE
LODI, NJ 07644
PRINCIPAL: JAMES R. MURPHY, JR.
AND
ROCKLAND COACHES
126 N. WASHINGTON AVE.
BERGENFIELD, NJ 07621
PRINCIPALS: ERNEST A. CAPITANI, JR.
AMELIA CAPITANI GERACE
RICHARD A. CAPITANI
RONALD GERACE

as per price schedule on file in the Purchasing Department.

Seconded by Co. Kunis

Continued on Next Page

RESOLUTION NO. (948-1991) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (949-1991)

DECREASE APPROPRIATION
ACCOUNT A-7140-424
(CONTRACTUAL EXPENSES) AND
INCREASE APPROPRIATION
ACCOUNT A-1621-311
(GASOLINE) (RECREATION AND
PARKS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A-7140-424
(Contractual Expenses) by \$1,800.00 and to increase Appropriation
Account A-1621-311 (Gasoline) by \$1,800.00

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (950-1991)

AUTHORIZING COMPTROLLER TO
AMEND 1991 BUDGET (VARIOUS
ACCOUNTS)

Co. Maloney offered the following resolution:

WHEREAS, pursuant to Section 115 of the Town Law, the
Comptroller of the Town of Clarkstown is hereby authorized to amend
the 1991 budget for transferring unexpended balances of
appropriations among various accounts, and by increasing and
decreasing revenue accounts for the purpose of balancing all funds.

NOW, THEREFORE be it

RESOLVED, that the 1991 budget is hereby amended.

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (951-1991)

AUTHORIZING "NO PARKING
ANYTIME" SIGN ON NORTH

Continued on Next Page

RESOLUTION NO. (951-1991) Continued

HARRISON AVENUE -
AUTHORIZING "WEIGHT LIMIT 4
TONS EXCEPT FOR LOCAL
DELIVERY" ON NORTH HARRISON
AVENUE (VICINITY SAFETY
KLEEN)

Co. Kunis offered the following resolution:

WHEREAS residents have indicated that parking on both sides of the street limits the access to and from their housing development at the north end of North Harrison Avenue, and

WHEREAS, North Harrison Avenue is a dead-end street with no other access,

NOW, THEREFORE, be it

RESOLVED, that to assure the safety and convenience of residents of said housing development the Superintendent of Highways is hereby authorized to install:

Signs that read, "No Parking Anytime" with directional arrows on the eastside of North Harrison Avenue from the Congers Fire House, to the south side of property identified on the Tax Rolls as 128-B-7, and a

Sign that reads "Weight Limit 4 tons except for local delivery" at the south end of the housing development on North Harrison Avenue, north of the Safety Kleen Corp.

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. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (952-1991)

AUTHORIZING PAVING OF ROADS
WITHIN THE CAMELOT
SUBDIVISION

Co. Smith offered the following resolution:

RESOLVED, that the owners of the subdivision known as Camelot are hereby authorized and urged to proceed with having the roads within that subdivision paved immediately.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (953-1991)

AUTHORIZING ACQUISITION OF
RPS DATA FILE INTERFACE
UTILITY PROGRAM BY RECEIVER
OF TAXES

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby authorizes the acquisition of an RPS Data File Interface Utility program for the AS/400 Computer for use by the Town Receiver of Taxes at the cost of \$6,000.00, and be it

FURTHER RESOLVED, that competitive bidding statutes are hereby waived.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (954-1991)

RECLASSIFYING POSITION OF
CONSTRUCTION COORDINATOR TO
POSITION OF CLERK OF THE
WORKS - GRADE 27

Co. Kunis offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on November 12, 1991 that the position of Construction Coordinator can be reclassified to the position of Clerk of the Works I,

NOW, THEREFORE, be it

RESOLVED, that the position of Construction Coordinator is hereby reclassified to the position of Clerk of the Works I - effective December 11, 1991, and be it

FURTHER RESOLVED, that the Grade for the position of Clerk of the Works I is hereby established at a Grade 27.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (955-1991)

APPOINTING TO THE
(PERMANENT) POSITION OF
CLERK OF THE WORKS I
(EDWARD J. LETTRE)

Co. Kunis offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #91112 Clerk of the Works I - which contains the name of Edward J. Lettre,

Continued on Next Page

RESOLUTION NO. (955-1991) Continued

NOW, THEREFORE, be it

RESOLVED, that Edward J. Lettre, 3 Amethyst Court, West Nyack, New York, is hereby appointed to the (permanent) position of Clerk of the Works I - at the current 1991 annual salary of \$39,618.00, effective December 11, 1991.

Seconded by Co. Mandia

On roll call the vote was as follows:

- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (956-1991)

AUTHORIZING TEMPORARY
REPAIRS TO SOUTH MAINTAIN
ROAD, NEW CITY RETAINING
WALL - CHARGE TO ACCOUNT
H8730-25P84-8-409

Co. Mandia offered the following resolution:

WHEREAS, a potentially hazardous condition has been developing along South Mountain Road, east of the Ramapo town line;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to hire Bruce Smith Contracting, Inc. to repair the existing wall, reinstall the guide rail and posts, and place an asphalt protective layer against the wall to prevent water damage. Materials will be purchased under existing Town and County bids where possible, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is authorized to expend up to \$9,000.00 against Account H8730-25P84-8-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (957-1991)

AUTHORIZING DIRECTOR OF
ENVIRONMENTAL CONTROL TO
ENGAGE ENGINEER TO DESIGN
PERMANENT REPAIR FOR SOUTH
MOUNTAIN ROAD RETAINING WALL

Co. Maloney offered the following resolution:

WHEREAS, a potentially hazardous condition has been developing along South Mountain Road east of the Ramapo town line; and

Continued on Next Page

RESOLUTION NO. (957-1991) Continued

WHEREAS, the Director of the Department of Environmental Control has solicited a proposal from M.G. McLaren, P.C., Consulting Engineers, for the permanent correction of this condition;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to engage M. G. McLaren, P.C., to perform engineering design services in accordance with their proposal dated November 7, 1991; and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is authorized to expend \$15,000.00 which expenditure shall be charged to Capital Account H8730-25P84-8-409.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted the public hearing re: Violation Hearing (Chapter 111 of the Town Code, formerly Chapter 31) - Map 113, Block A, Lot 23.2 (DeHart), was opened, time: 9:30 P.M.

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted the public hearing re: Violation Hearing (Chapter 111 of the Town Code, formerly Chapter 31) - Map 113, Block A, Lot 23.2 (DeHart) was closed, RESOLUTION ADOPTED, time: (9:32 P.M.)

RESOLUTION NO. (958-1991)

CHAPTER 111 PROCEEDING
(FORMERLY CHAPTER 31)
VIOLATION HEARING -
AUTHORIZING BUILDING
INSPECTOR TO CORRECT
CONDITION COMPLAINED OF IN
ORDER AND NOTICE - MAP 113,
BLOCK A, LOT 23.2 (DeHART)

Co. Kunis offered the following resolution:

WHEREAS, by Resolution No. 883 dated November 26, 1991, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 111 (formerly Chapter 31) of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 113, BLOCK A, LOT 23.2, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 10th day of December, 1991 after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice

Continued on Next Page

RESOLUTION NO. (958-1991) Continued

pursuant to Chapter 111 (formerly Chapter 31) of the Code of the Town of Clarkstown dated November 26, 1991 have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such condition continues to be uncorrected on or after the 26th day of January, 1991, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of debris and the costs of this proceeding and all other necessary action be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

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 Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 9:32 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

299

Town Hall

12/10/91

9:30 P.M.

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

RE: Chapter 111 (formerly Chapter 31) Violation Hearing - Map 112,
Block A, Lot 23.2 (DeHart)

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper publication and notification.

Supervisor said this is property on the easterly side of Lake DeForest overlooking the reservoir. Mr. Bowler of the Building Department stated that on April 18, 1991 there was a suspicious fire in the basement of the unoccupied structure. In October 1991 a second suspicious fire occurred heavily damaging the structure. On October 10, 1991 Order 9135 was issued to repair or remove the structure. An inspection of the property made on November 13, 1991, finds that the Order 9135 has not been complied with and the building remains open, unsecured and in poor condition. There are letters to the Town Board asking to begin Chapter 31 proceedings (now Chapter 111). On November 26, 1991 the Town Board adopted Resolution 883-1991 to begin the Chapter 111 proceeding.

Mr. Bowler continued, stating that on December 4, 1991 he posted a copy of the Town Board's Order on the premises as requested by the Town Attorney's office. Now, December 10, 1991 we are here at a public hearing. Mr. Bowler passed around pictures of the premises for inspection by Town Board members. Supervisor noted that the whole center is gutted out of the building.

Mr. Bowler went on to state that an inspection of the property made on November 12, 1991 finds an unoccupied structure, heavily damaged by fire. The fire occurred on October 10, 1991. The premises are reportedly owned by Bart H. DeHart at 180 Congers Road, Congers, New York.

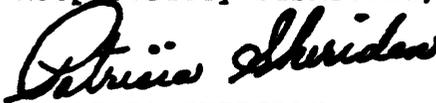
Mr. Bower noted that the owner has been duly notified to remove the structure by order #91-35. Repeat inspections find the premises open and not removed. The large opening in the roof has allowed weather and other elements to enter the premises and further deterioration to the structure.

He said it is the recommendation of this office that because of the poor condition of the building, the failure of the owner to remove the structure, and that the premises may be or become a place of rodent infestation and presents other dangers to the health, safety, morals and general welfare of the public, the building be removed.

Supervisor asked if there was anyone present wishing to make any further comment relative to this proceeding. No one did.

On motion of Councilman Kunis, seconded by Councilman Maloney the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:32 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (958-1991) ADOPTED