

TOWN OF CLARKSTOWN
Town Board Meeting
1/6/96

Town Hall

8:00 P.M.

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

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

Supervisor declared the public portion of the meeting open.

No one present appeared.

RESOLUTION NO. (72-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of December 29, 1995 are hereby accepted as submitted by the Town Clerk

On roll call the vote was as follows:

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

RESOLUTION NO. (73-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Performance Bond secured by Passbook No. 02-717329 in the amount of \$2,578 furnished in connection with the final approval of the Tarasenko Site Plan is terminated, and the sum of \$2,578 may be released to the guarantor.

On roll call the vote was as follows:

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

RESOLUTION NO. (74-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Laurence Kohler, Director of Purchasing, is hereby authorized to attend the Annual Professional Development Forum of the National Institute of Governmental Purchasing August 2 - 7, 1996 in Austin, Texas, and be it

FURTHER RESOLVED, that funds for same shall not exceed budget appropriation line A-1345-414.

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RESOLUTION NO. (74-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (75-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, and George Drescher, Highway Maintenance Supervisor III, are hereby authorized to attend the Satellite Teleconference ("Stephen Covey: Seven Habits of Highly Effective People and Principle Centered Leadership in Public Works"), sponsored by the American Public Works Association, to be held on January 17, 1996 at Nassau Community College, and be it,

FURTHER RESOLVED, that all necessary expenses be allocated against appropriation Account No. DB-5110-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (76-1996)

Co. Maloney offered and Co. Profenna seconded

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

BID #13-1996
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 February 5, 1996 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (77-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the bid furnishing Athletic and Recreation Supplies is hereby awarded to the following low bidders who have met the specifications:

BID #4-1996
ATHLETIC AND RECREATION SUPPLIES

Anaconda Sports, 1221 Ulster Avenue, Kingston, New York 12401, for items #2,3,7,.8,9,11,15,20,27,45,60,136,137,142,144,148, 149,157,159, as per specifications at a net bid price of \$16,203.54

Bag of Shirts, 45 Lafayette Ave., Suffern, NY 10901, for item #160 as per specifications at a net bid price of \$539.52.

Reckley-Cardy, 1 East First Street, Duluth, MN 55802, for items #58,106,117,113,114,116,120,121,122,123,124,125,126,127,128,129, 131,132, as per specifications at a net bid price of \$1,614.01.

Bill Simone and Associates, Inc., 5 Krey Blvd., Renesselaer, NY 12144-9681, for item #41 as per specifications at a net bid price of \$183.00.

Champion Products, Inc., 7 Allison Drive, Monroe, NY 10950 for items #162,163, as per specifications at a net bid price of \$1,364.20.

Flaghouse, 150 N. Mac Ousten Parkway, Mt. Vernon, NY 10550 for items #16,19,33,62,70,89 as per specifications at a net bid price of \$697.44.

IMC Graphics, 30 Henry Street, Orangeburg, NY 10962 for items #135,138,140,141,143,151,152,158 as per specifications at a net bid price of \$11,167.38.

Kenmar Shirts, 1578 White Plains Road, Bronx, NY 10462, for items #134,145,146A,147,150, as per specifications at a net bid price of \$5,796.96.

Morley Athletic Supply Co., Inc., P.O. Box 557-208 Division St., Amsterdam, NY 2010, for items #1,17,24,28,30,33A,35,37,43,46,54, 57,61,73,75,82,84,93,153,154,156, as per specifications at a net bid price of \$4,132.13.

Passon Sports, P.O. Box 49, Jenkintown, PA 19046, for items #4,5,6,10,12,14,18,21,22,23,25,26,29,31,32,34,36,38,39,40,42,44, 47,49,50,51,52,53,55,56,59,63,64,65,66,67,68,69,71,74,78,79,80, 81,85,92,103,105,111,139 as per specifications at a net bid price of \$5,035.52.

School Specialty, 609 Silver St., P.O. Box 3004, Agawam, MA 01001-8004 for item #115,118,119,130 as per specifications at a net bid price of \$417.80.

Sportmaster, P.O. Box 5000, Pittsburgh PA 15206, for item #117 as per specifications at a net bid price of \$129.00

World Wide Games, Mill St., Bid Department, Colchester, CT 06415, for items #48,86,90,91,94,95,96,98,99,100,101,102, 104,108,109,110 as per specifications at a net bid price of \$1,198.25.

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RESOLUTION NO. (77-1996) Continued

FURTHER RESOLVED, that this amount \$48,478.75 be charged against accounts:

7140-307	\$ 241.75
7141-222	2,678.98
7141-307	1,000.00
7141-329	4,138.10
7180-307	5,015.96
7180-329	323.89
7210-307	272.65
7310-222	303.13
7310-307	19,969.50
7310-329	9,829.35
7610-307	1,000.00
7610-329	2,027.30
7620-307	450.00
7620-329	1,228.14
TOTALS:	\$48,478.75

FURTHER RESOLVED, that no bid is awarded for items #13,72,76,77,83,87,88,97,107,133,155,161.

On roll call the vote was as follows:

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

RESOLUTION NO. (78-1996)

Co. Mandia offered and Co. Maloney seconded

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

RID #7-1996
WORK CLOTHING & ACCESSORIES

is hereby awarded to:

Associated Supply Company, Inc.
329 W. 18th St. Ste. 500
Chicago, IL 60616
PRINCIPALS: RON FRANK
 JACK FRANK
 GERALD FRANK

Lou Goldstein Uniforms
200 South 13th Ave.
Mt. Vernon, NY 10550
PRINCIPALS: LOWELL LEVINE
 BARBARA LEVINE

Eastco Industrial Safety Corp.
130 W. 10th Street
Huntington Station, NY 11746
PRINCIPAL: PUBLIC CORPORATION

H. Texier Glove Co., Inc.
Hwy 22 at Mountain Avenue
North Plainfield, NJ 07061
PRINCIPAL: EDGAR L. STAUFFER
 W. RANDALL STAUFFER
 JEFFREY R. STAUFFER

On roll call the vote was as follows:

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

RESOLUTION NO. (79-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, shade trees, as required by the Architecture and Landscape Commission, have not been planted in the Quail Hollow Subdivision, and

WHEREAS, the Town of Clarkstown is holding \$2,850.00 in escrow in connection with this subdivision, and

WHEREAS, the Director of Environmental Control has recommended that the \$2,850.00 being held by the Town be defaulted and used for the installation of shade trees, in accordance with the requirements of the Architecture and Landscape Commission;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$2,850.00 be defaulted, and said funds be used for the installation of shade trees in the Quail Hollow Subdivision.

On roll call the vote was as follows:

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

RESOLUTION NO. (80-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks that the following 1996 part-time salaries be established:

PART-TIME	MINIMUM	MAXIMUM
Recreation Aide.....	\$4.25/hr.	\$ 4.50/hr.
Recreation Assistant.....	4.50/hr.	14.00/hr.
Recreation Leader.....	7.00/hr.	16.00/hr.
Recreation Specialist.....	7.00/session	35.00/session
Refreshment Stand Attendant I....	4.25/hr.	8.00/hr.
Refreshment Stand Attendant II...	6.00/hr.	10.00/hr.
Lifeguard.....	7.00/hr.	12.00/hr.
Head Lifeguard.....	8.50/hr.	13.00/hr.
Water Safety Instructor.....	8.50/hr.	12.00/hr.
Head Water Safety Instructor....	9.00/hr.	13.00/hr.
Laborer-Student.....	6.00/hr.	9.00/hr.
Groundworker (L).....	8.00/hr.	13.00/hr.
Cuistodial Worker (Seasonal) (L)	5.00/hr.	12.00/hr.
Senior Citizen's Leader (Part-Time)	\$11,699.00	\$24,567.00
Swim Area Supervisor (Seasonal)	10,727.00	16,929.00
Senior Recreation Leader (Seasonal)	5,376.00	8,288.00
Senior Recreation Activity Specialist (Seasonal)	3,845.00	5,405.00

On roll call the vote was as follows:

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

RESOLUTION NO. (81-1996)

Co. Maloney offered and Co. Mandia seconded

WPERFAS, the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks are recommending that improvements be made at various parks and recreation facilities,

NOW, THEREFORE, be it

RESOLVED, that the Town Comptroller is hereby authorized to transfer the sum of \$93,000.00 from Money in Lieu of Land to Parklands and Improvements account.

On roll call the vote was as follows:

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

RESOLUTION NO. (82-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

North Little Tor Road, New City
 (Remove Two (2) - 5800 lumen sodium vapor street lights on existing utility pole numbers 59026/43164 and 59030/43137)
 (Install Five (5) - 5800 lumen sodium vapor street lights on existing utility pole numbers 59050/42967, 59027/43250, 59036/43088, 59051/42930 and 59051/42893)
 (Install Two (2) - 9500 lumen sodium vapor street lights on existing utility pole numbers 59026/43164 and 59030/4137)

On roll call the vote was as follows:

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

RESOLUTION NO. (83-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Emily J. Feiner has requested a leave of absence, without pay, and

WHEREAS, Article XIX, Section I of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.F.A. provides for a leave of absence, without pay,

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RESOLUTION NO. (83-1996) Continued

NOW, THEREFORE, be it

RESOLVED, that Emily Feiner, 74 Stickles Avenue, Nyack, New York - Director of Municipal Counseling Services - is hereby granted a leave of absence - without pay - effective and retroactive to December 1, 1995 to February 28, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (84-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that James Comer, 11 Forestbrook Road, Nanuet, New York, is hereby appointed to the position of Bus Driver II - Mini Trans Department - at the current 1995 annual salary of \$32,809.00, effective January 22, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (85-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Franckel Joseph, 4 Dunlop Drive, Spring Valley, New York, is hereby appointed to the position of Bus Driver III - Mini Trans Department - at the current 1995 annual salary of \$35,835.00, effective January 22, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (86-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Daniel V. Coyne, 6 Brookside Avenue, New City, New York, is hereby appointed to the position of (Provisional) Court Attendant - Town Justice Department - at the current 1995 annual salary of \$21,762.00, (14-AA) - effective pending Rockland County Personnel Office approval.

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RESOLUTION NO. (86-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (87-1996)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Clarkstown shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, and the "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, having a general circulation with said Town and hereby designated the official newspapers of the Town for such publications, and posted on the signed board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN
 NEW YORK, ADOPTED JANUARY 2, 1996, AUTHORIZING
 THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE
 BY THE TOWN HIGHWAY DEPARTMENT, STATING THE
 ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000
 APPROPRIATING SAID AMOUNT THEREFOR, AND
 AUTHORIZING THE ISSUANCE OF \$1,000,000 SERIAL
 BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

an abstract of which bond resolution, concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to acquire various equipment for use by the Town Highway Department; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,000,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$1,000,000 serial bonds of the Town to Finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$1,000,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds authorized to be issued pursuant to this resolution is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,000,000 serial bonds will exceed five (5) years.;

FOURTH: DETERMINING that said bonds and any bond

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RESOLUTION NO. (87-1996) Continued

anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 2. After said bond resolution shall take effect the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (88-1996)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown is presently working on plans to eliminate the pavement icing conditions which occur in certain areas of the Town of Clarkstown, and

WHEREAS, Howard Lampert, Traffic Engineering Consultant, has recommended that temporary road signs "Icy Pavement Zone" be installed for the winter period when icing would likely occur at certain locations in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a total of six "Icy Pavement Zone" signs at Christian Herald Road approximately 200 feet east and west of both Storms Road and Mountainview Avenue; and on northbound Storms Road, approximately 300 feet south of Christian Herald Road (to include the north end of Storms Road.)

On roll call the vote was as follows:

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

RESOLUTION NO. (89-1996)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Howard Lampert, Traffic Engineering Consultant, has recommended that a speed limit sign be installed on Medway Avenue, Congers, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a "Town Speed Limit 30" sign on Medway Avenue, east of Route 303, approximately 100 feet east of the curve, in order to provide the best visibility.

On roll call the vote was as follows:

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

RESOLUTION NO. (90-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby grants permission to Jan & Niles Davies to have a licensed fireworks display on their farm at Dr. Davies Road, New City, New York, on August 24, 1996, subject to §458 of the New York State Labor Law, and notification to the Fire Company and the Clarkstown Police Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (91-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, in recent years heavy snow cumulations have caused problems in undedicated streets within new subdivisions whereby the builder/developer relinquishes or neglects responsibility to clear away fallen snow to provide safe passage; and

WHEREAS, the town has received numerous complaints regarding non-delivery of mail on undedicated streets; and

WHEREAS, the school districts are unwilling to allow their school buses to traverse over undedicated roads; and

WHEREAS, the Constitution of the State of New York considers town provided services, such as snow removal, as a gift and, being a violation of said constitution, except in matters of emergency (life-threatening situations); and

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RESOLUTION NO. (91-1996) Continued

WHEREAS, the Town Board is desirous to grant relief to the purchasers of new homes within these sub-divisions; and

WHEREAS, a study needs to be conducted with specific recommendations made to the Town Board to amend Town Code if needed:

NOW, THEREFORE, be it

RESOLVED, that the Town Planning Board review and consider the feasibility of the Town accepting dedication of the public improvements within the right-of-way prior to the installation of the street pavement final wearing course in existing and new subdivisions; and

FURTHER REVIEW AND CONSIDER, requiring a cash amount for the installation of the final course, to be determined by the Director of Environmental Control, to be placed in an escrow account for payment of said improvement either by the Town or the developer; and

FURTHER REVIEW AND CONSIDER, requiring that the builder of the undeveloped building lots within the subdivision post a cash performance bond to repair or restore any damage caused to the dedicated public improvements as a result of construction to improve such undeveloped lots, in an amount to be determined by the Director of Environmental Control, to cover the cost of replacing all of the public improvements within the right-of-way; and

FURTHER REVIEW AND CONSIDER, that the developer post a cash maintenance bond for defects that may develop within the right-of-way in an amount to be determined by the Director of Environmental Control; and

FURTHER REVIEW AND CONSIDER, requiring that no Certificate of Occupancy be issued until such time as all public improvements within the right-of-way are accepted for dedication; and be it

FURTHER RESOLVED, that the Planning Board report its findings and recommendations to the Town Board, together with proposals to amend Town Code, if deemed to be appropriate.

On roll call the vote was as follows:

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

RESOLUTION NO. (92-1996)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that upon the recommendations of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed dated November 28, 1995 from Pepperidge Realty Corp. conveying the following road(s):

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RESOLUTION NO. (92-1996) Continued

Westerly Drive	1,455 L.F.
Frost Court	412 L.F.
Poe Court	320 L.F.
Pepperidge Drive	803 L.F.
Alcott Court	490 L.F.

and other improvements to the Town of Clarkstown in a subdivision as shown on the Final Plat of 586 BREWERY ROAD is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office, subject to receipt of a Maintenance Bond, in a form approved by the Town Attorney, in an amount equal to \$46,800 or cash in the amount of \$23,400.

On roll call the vote was as follows:

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

RESOLUTION NO. (93-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes payment for the installation of a fence in the vicinity of Allegheny Drive in West Nyack at a cost of \$1,600.00 to be charged to Account A-1990-505

On roll call the vote was as follows:

Councilman Maloney.....	Yes
Councilman Mandia.....	No
Councilman Profenna.....	Abstained
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (94-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Resolution No. 913-1995 be amended as follows:

WHEREAS, it is necessary for the Superintendent of Highways to obtain the rental of private equipment and the services of private contractors for hauling of materials, snow removal and other required services within the Town of Clarkstown, and

WHEREAS, written proposals have been obtained for said services;

NOW, THEREFORE, be it

RESOLVED, to receive and file equipment rental rates and, that the Superintendent of Highways is hereby authorized to utilize the services of the following companies on an "as needed" basis, as determined by the Superintendent of Highways including, but not limited to, hauling of materials and snow removal.

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RESOLUTION NO. (94-1996) Continued

Joseph F. Mutinsky
66 North Grant Avenue
Congers, New York

Rockland Lawn Sprinklers
338 Little Tor Road
New City, New York

Douglas C. Grando
160-4 Route 303
Congers, New York

CG Lawn & Landscaping
9 Hollow Drive
New City, New York

W. Harris & Son, Inc.
37 West Washington Avenue
Pearl River, New York

On roll call the vote was as follows:

Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Abstained
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (95-1996)

Co. Maloney offered and Co. Profenna seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JANUARY 9, 1996, AUTHORIZING THE ACQUISITION OF COMMUNICATIONS EQUIPMENT FOR USE BY THE POLICE DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$200,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$200,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to acquire communications equipment for use by the Police Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$200,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$200,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

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RESOLUTION NO. (95-1996) Continued

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 32. of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocable pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

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RESOLUTION NO. (95-1996) Continued

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, and in "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation in the Town and hereby designated the official newspapers of said Town for such publication.

On roll call the vote was as follows:

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

RESOLUTION NO. (96-1996)

Co. Maloney offered and Co. Profenna seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JANUARY 9, 1996, AUTHORIZING THE ACQUISITION OF VARIOUS COMPUTER EQUIPMENT FOR USE BY THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$100,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to acquire various computer equipment for use by the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$100,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$100,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 32. of the Law, is five (5) years.

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RESOLUTION NO. (96-1996) Continued

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by

RESOLUTION NO. (96-1996) Continued

Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, and in "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation in the Town and hereby designated the official newspapers of said Town for such publication.

On roll call the vote was as follows:

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

RESOLUTION NO. (97-1996)

Co. Maloney offered and Co. Profenna seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JANUARY 9, 1996, AUTHORIZING CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON VARIOUS ROADS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$300,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct drainage improvements on various roads in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$300,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$300,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years, however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall mature no later than five (5) years from the date of original issuance of said bonds or notes.

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RESOLUTION NO. (97-1996) Continued

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocable pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by

RESOLUTION NO. (97-1996) Continued

Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, and in "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation in the Town and hereby designated the official newspapers of said Town for such publication.

On roll call the vote was as follows:

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

RESOLUTION NO. (98-1996)

Co. Maloney offered and Co. Profenna seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JANUARY 9, 1996, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct improvements to various roads in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$500,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years; however the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale

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RESOLUTION NO. (98-1996) Continued

of said bonds shall mature no later than five (5) year from the date of the original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocable pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect

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RESOLUTION NO. (98-1996) Continued

immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, and in "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation in the Town and hereby designated the official newspapers of said Town for such publication.

On roll call the vote was as follows:

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

RESOLUTION NO. (99-1996)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the return of the 1996 Town taxes of Mildred Hurewitz of 108 Western Highway, West Nyack, New York. (Tax Map No. 88-D-2

On roll call the vote was as follows:

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

On behalf of Sheriff James Kralik, District Attorney Michael Bongionno and Judge Margaret Garvey, Councilman Mandia thanked the Town Board for the swearing in ceremony held here at Town Hall.

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 Profenna and unanimously adopted, the Town Board Meeting was declared adjourned, time: 8:09 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk