

209

TOWN OF CLARKSTOWN
Special Town Board Meeting

Town Hall

11/18/96

8:00 PM

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

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

Supervisor Holbrook explained that we have a proposed portion of the maintenance agreement between the Town of Clarkstown and EklecCo. The numbers were finalized late today. The other portion of the agreement between the State and the Thruway is still in the process of being reviewed between our Attorney's office and EklecCo's Attorneys. This is not going to be acted on tonight. We need EklecCo to look at it and get their response. The other portion with the State of New York and the Thruway has to be finalized. Even if the whole thing were in a form to be acted upon by the Town Board tonight, it would not result in the immediate signing of the map.

Supervisor Holbrook read the following proposed portion of the agreement between the Town of Clarkstown and EklecCo., the State of New York and the New York State Thruway Authority,

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with EklecCo, the State of New York, and the New York State Thruway Authority, regarding ownership and maintenance of certain improvements between the Thomas E. Dewey Thruway and a Town highway to be built in connection with the site of Palisades Center, in a form and substance to be approved by the Town Attorney, which agreement shall be in recordable form, PROVIDED that the said Maintenance Agreement includes, but is not limited to, the following items:

1. The Town shall maintain, at EklecCo's expense, a separate \$10,000,000.00 per occurrence liability insurance policy, with no deductible;
2. EklecCo shall contribute \$85,175.00 annually into a sinking fund for replacement of the bridges;
3. EklecCo shall provide a sinking fund in the amount of \$156,996.00 annually for future paving of the roads;
4. EklecCo shall provide a sinking fund in the amount of \$25,550.00 annually for bridge deck replacement;
5. EklecCo shall make payments on the first of every year with respect to the above conditions;
6. EklecCo shall create an escrow fund in the amount of \$101,500.00 to be replenished as used, for maintenance (including lighting) and repair of the roads. The escrow fund will be reviewed periodically to take into account inflation factors.

Supervisor stated that this is the sum and substance of the Town's position at this juncture. Once we get a response from EklecCo, we will be able to consider this and the Thruway agreement. The Thruway and the NYS Dept. of Transportation basically do not want any responsibility for these roads. This is not an attempt to delay anything. The Town Board has to be

Continued on Next Page

STBM - 11/18/96
Page 2

cognizent of the fact that these conditions are designed to protect the Town not only now, but far into the future. These figures were arrived at by taking a look at construction costs on bridges because ultimately they will have to be replaced. The same is true for the ring roads. It is more complicated than simply passing a resolution. Once we hear from EklecCo, together with our Town Attorney and staff, we will put this in a form that can be presented to the Board for ratification.

RESOLUTION NO. 1031-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Assessor's Office is hereby authorized to purchase the MLS (Multiple Listing System) current offerings and completed sales books to assist appraisers in the defense of Small Claims Assessment Review.

FURTHER RESOLVED, that the current charges of \$350.00 for the remainder of 1996 and \$900.00 per year thereafter will be charged against line 1355-318.

On roll call the vote was as follows:

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

RESOLUTION NO. (1032-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, JEFFREY SASSON and SHERRI SASSON v. TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (1033-1996)

Co. Smith offered and Co. Mandia seconded

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

Continued on Next Page

STBM - 11/18/96
Page 3

RESOLUTION NO. (1033-1996) Continued

BID #76-1996
TRAFFIC SIGNAL INSTALLATION
NORTH MAIN STREET AT PHILLIPS HILL ROAD, NEW CITY

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 December 9, 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.....Absent
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

There being no further business to come before the Town Board, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted the Special Town Board Meeting was declared closed, time: 8:20 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk