

TOWN OF CLARKSTOWN
Town Board Meeting

Town Hall

12/10/96

8:00 PM

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

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

Supervisor opened the public portion of the meeting.

Appearance: John Cincotta
Congers

Mr. Cincotta thanked the Town Board and Recreation & Parks Department on behalf of the Congers Little League, the hundreds of players, volunteers and families it serves for the new Little League field. He expressed concern over the lack of bathrooms at Congers Kings Park. He presented a petition signed by 380 Little League parents in support of the construction of restrooms.

Appearance: Jack Cuff
West Nyack

Mr. Cuff said it was good to see the light shinning bright at the Commuter Park & Ride on Rt. 59 and Rt. 303. He said the Highway. Dept did a fantastic job on cleaning up the leaves. He asked the Town Board if there was any way to recoup the expenses for frivolous law suits against the Town.

RESOLUTION NO. (1069-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of November 26, 1996 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (1070-1996)

Co. Mandia offered and Co. Smith seconded

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

The Stop sign on Carolina Drive at William Street, New City, to just South of William Street.

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 implementaion.

Continued on Next Page

RESOLUTION NO. (1070-1996) Continued

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. (1071-1996)

Co. Mandia offered and Co. Smith seconded

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

The Stop sign on Carolina Drive at Miliches Lane, New City, NY

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 implementaion.

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. (1072-1996)

Co. Mandia offered and Co. Smith seconded

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

The Stop sign on William Street at Little Tor Rd., New City, NY

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 implementaion.

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. (1073-1996)

Co. Mandia offered and Co. Smith seconded

Continued on Next Page

RESOLUTION NO. (1073-1996) Continued

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

"S" Turn Warning signs (WI-1) in each direction North and South of the approach curves on Cranford Drive, New City, NY

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 implementaion.

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. (1074-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that Resolution No. 595-1996, adopted by the Town Board of the Town of Clarkstown on June 25, 1996, is hereby amended as follows:

RESOLVED, that based upon the recomendation of the Superintendent of Highways, he is authorized to install:

A W2-3 intersection sign (see Section 232.1 of the MUTCD) with a W516 panel beneath bearing the legend, "Driveway". This sign is to be erected on Buena Vista Road at the proper distance from the driveway of #372 New Hempstead Road, New City, New York

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.

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. (1075-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 143 (FIRE PREVENTION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

Continued on Next Page

RESOLUTION NO. (1075-1996) Continued

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 31, 1996, at 12:05 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the newspaper of general circulation and posted in the manner provided by law, and be it

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

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. (1076-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 278 (Vehicles and Traffic)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 31, 1996, at 12:10 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the newspaper of general circulation and posted in the manner provided by law, and be it

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

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. (1077-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"WIRELESS COMMUNICATION FACILITIES"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 31, 1996, at 12:00 noon, or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the newspaper of general circulation and posted in the manner provided by law, and be it

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

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review on the proposed local law entitled, "WIRELESS COMMUNICATION FACILITIES."

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. (1078-1996)

Co. Smith offered and Co. Profenna seconded

WHEREAS, Mr. Willis Armistead of 442 Storms Road, Valley Cottage has requested sanitary sewer service because of a failing septic system and

WHEREAS, it is possible to serve this and three additional properties and

WHEREAS, an easement for sanitary sewer construction is available throught the site known as Rockridge Tax Map 122 C 4.01.

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is authorized to hire Atzl, Scatassa & Zigler P.C. for surveying services to include necessary boundaries, topography, tree locations, easements and description for a lump sum amount of \$4,850.00 and be it

Continued on Next Page

RESOLUTION NO. (1078-1996) Continued

FURTHER RESOLVED, that said fee shall be a proper charge to account #B-8110-409.

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. (1079-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, a member of the Congers Fire Department has requested that street lighting be installed to improve the safety and welfare of the community, and

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator, and

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:

Sherman Avenue, Congers,
(Install two (2) 5800 lumen sodium vapor street light -
existing utility pole numbers 60856/41940 and 60854/41925)

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. (1080-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, In the Matter of the Petition of PROVIDENT SAVINGS BANK, F.A. v. THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN for an Order Pursuant to Article 78 of the CPLR;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Town Attorney 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. (1081-1996)

Co. Smith offered and Co. Profenna seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, WEST BRANCH CONSERVATION ASSOCIATION, INC., et al v. RUDOLPH YACYSHYN, et al;

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. (1082-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Robert Geneslaw Co., to continue to provide planning consultant services to the Town of Clarkstown, for the period from January 1, 1997 to December 31, 1997, in a form approved by the Town Attorney, and be it

FURTHER RESOLVED, that the compensation of Robert Geneslaw Co. for such services shall be \$8,166.00 per month, and that the total compensation shall be \$98,000.00, which shall be charged to Account No. B-8020-409.

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. (1083-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13 BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, CENTRAL NYACK FIRE DEPARTMENT wishes to adopt MOUNTAINVIEW AVENUE, from Route 59 to Sierra Vista Lane, Central Nyack, New York, and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Central Nyack Fire Department will perform a public service in removing trash from said roadway which would otherwise require Town employees perform such work;

RESOLUTION NO. (1083-1996) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, to adopt MOUNTAINVIEW AVENUE, from Route 59 to Sierra Vista Lane, Central Nyack, New York, and to provide and coordinate services by the Central Nyack Fire Department, to remove trash from the roadway and install two (2) signs identifying the volunteer adopting MOUNTAINVIEW AVENUE.

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. (1084-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Trojan Mechanical, Pearl River, New York, to provide preventative and on-call maintenance for the Liebert HVAC unit located in the computer room, and be it

FURTHER RESOLVED, that the annual fee for such services shall be \$1,200.00 to be billed quarterly for preventative maintenance, plus \$52 per hour for emergency services authorized by the Director of Automated Systems, and shall be charged to Account No. A-1680-438.

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. (1085-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Jeanne Ruland, Mattituck, New York, to provide Software Maintenance and Development for the Office of the Receiver of Taxes, and be it

FURTHER RESOLVED, that the annual fee for such services shall be \$3,000 to be paid semi-annually for existing software, plus \$65.00 per hour for on site custom programming authorized by the Director of Automated Systems, and shall be charged to Account No. A-1330-409.

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. (1086-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the agreement entered into between the Town of Clarkstown and Arthur Conklin dated November 14, 1996, shall be amended to increase the amount of hours Mr. Conklin shall work from twenty hours a week to a maximim of twenty eight hours a week.

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. (1087-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Roy Case of Case Golf Company, to provide architectural services for the design of a municipal golf course for the Town of Clarkstown, and be it

FURTHER RESOLVED, that the fees for such services shall not exceed the sum of \$150,000.00, and shall be charged to Account No. H 1942-409-05-81.

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. (1088-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways that

BID #73-1996
FRONT END LOADER WITH ATTACHMENTS

is hereby awarded to:

H.O. PENN MACHINERY CO., INC.
54 Noxon Road
Poughkeepsie, N.Y. 12603
PRINCIPALS: C.E. THOMAS CLEVELAND
ROBERT S. CLEVELAND
KATHRYN S. CLEVELAND
ELIZABETH S. CLEVELAND
EMILY H. CLEVELAND

for one new caterpillar IT28F Tool Carrier Loader including the following attachments - Air Conditioning, Ride Control, Tink Leaf Claw and extended warranty at the proposed monthly lease cost of \$2,624.60 for 60 months.

Continued on Next Page

RESOLUTION NO. (1088-1996) Continued

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. (1089-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways that

BID #71-1996
TRUCKS FOR HIGHWAY DEPARTMENT

is hereby awarded to:

L.J. MARCHESE CHEVROLET - GEO, INC.
Route 9W - P.O. Box 1000
Ft. Montgomery, NY 10922
PRINCIPAL: Larry J. Marchese

for four (4) 1997 Chevrolet Tahoe 4WD 2-door vehicles model CK10516 @ proposed unit cost of \$28,240.00 each.

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. (1090-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Traffic Safety Engineering Consultant and the Superintendent of Highways that

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

is hereby awarded to

WARDE ELECTRIC CONTRACTING, INC.
100 Wells Avenue
Congers, NY 10920
PRINCIPAL: McCoy Glover

as per their low bid proposal of \$31,797.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt of the following by the Director of Purchasing:

1. Performance Bond - 100%
2. Labor and Materials Payment Bond - 100%
3. Certificate of Contractor's Liability and Property Damage Coverage
4. Certificate of Worker's Compensation and Worker's Disability Coverage

Continued on Next Page

RESOLUTION NO. (1090-1996) Continued

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. (1091-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that James R. Crean, 20 Old Lake Road, Congers, New York, is hereby appointed to the position of Member - Clarkstown Drug Abuse Prevention Council - to serve without compensation - term effective December 11, 1996 and to expire on December 10, 1999.

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. (1092-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has certified on November 19, 1996 that the position of Receptionist Typist - Town Clerk's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Receptionist Typist - Town Clerk's Office - is hereby created - effective December 11, 1996, and be it

FURTHER RESOLVED, that the grade for the position of Receptionist-Typist is hereby established at a grade 16.

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. (1093-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #96002 Receptionist Typist which contains the name of Maureen A. Golden,

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (1093-1996) Continued

RESOLVED, that Maureen A. Golden, 14 DeForest Avenue, New City, New York, is hereby appointed to the position of Receptionist-Typist - Town Clerk's Office - at the current 1996 annual salary of \$21,425.00, effective December 30, 1996.

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. (1094-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the resignation of Nicholas Mazzio, 111 New York Avenue, Congers, New York - Motor Equipment Operator II - Highway Department - is hereby accepted - with regret - effective and retroactive to December 7, 1996.

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. (1095-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that Tomasina Scala, 31 Amundsen Lane, New City, New York is hereby appointed to the position of (temporary) Senior Clerk Stenographer - Building Department - at the current 1996 annual salary of \$32,329.00, effective and retroactive to December 9, 1996 - for a period not to exceed 90 days.

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. (1096-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that upon the recommendations of the Director of Environmental Control and Superintendent of Highways of the Town of Clarkstown, deed(s) from: Israel Herskowitz and Joseph Herskowitz, dated September 27, 1993, conveying the following road(s):

MULBERRY ROAD

444 L.P.

RESOLUTION NO. (1096-1996) Continued

and other public improvements to the Town of Clarkstown in a subdivision as shown on the Final Plat of Joy Acres South Section II is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that a Maintenance Guaranty in the amount of \$5,350.00, secured by Letter of Credit No. 1546, dated November 26, 1996 from Joy Builder's Inc., is hereby accepted, and be it

FURTHER RESOLVED, that Letter of Credit No. 1312 in the amount of \$25,000.00 and Owner's Performance Bond, dated September 24, 1993, may be released to the guarantor.

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. (1097-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that upon the recommendations of the Director of Environmental Control and Superintendent of Highways of the Town of Clarkstown, deed(s) from: Israel Herskowitz, dated January 25, 1994, conveying the following road(s):

MESA PLACE 970 L.P.

and other public improvements to the Town of Clarkstown in a subdivision as shown on the Final Plat of Clarkstown Ridge is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that a Maintenance Guaranty in the amount of \$13,600.00, secured by Letter of Credit No. 1544, dated November 26, 1996 from Joy Builder's Inc., is hereby accepted, and be it

FURTHER RESOLVED, that Letter of Credit No. 1344 in the amount of \$20,000.00 and Owner's Performance Bond, dated May 30, 1996, may be released to the guarantor.

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. (1098-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Pat

Continued on Next Page

RESOLUTION NO. (1098-1996) Continued

Nazarro Disposal, Inc., to pick up debris from property located at 37 Forest Glen Road, Valley Cottage, New York.

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. (1099-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes Robert Stritmater, Director of Automated Systems, to attend the Novell training courses on Implementation and Networking Technologies, and be it

FURTHER RESOLVED, that the fee for said courses shall not exceed the sum of \$2,500.00, and shall be charged to Account No. A-1680-414.

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. (1100-1996)

Co. Smith offered and Co. Profenna seconded

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

BID #8-1997
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 January 8, 1997 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

TBM - 12/10/96
Page 15

RESOLUTION NO. (1101-1996)

Co. Smith offered and Co. Profenna seconded

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

BID #9-1997
PRINTING OF 1997 RECREATION & PARKS BROCHURES

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 January 10, 1997 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

RESOLUTION NO. (1102-1996)

Co. Smith offered and Co. Profenna seconded

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

BID #10-1997
HEMLOCK PARK

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 January 23, 1997 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

RESOLUTION NO. (1103-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrants:

- 1) North side of King Arthur Court approximately 160 feet east of the center line of Dolphin Road (between Lots 26 and 27)

Continued on Next Page

TBM - 12/10/96
Page 16

RESOLUTION NO. (1103-1996) Continued

2) North side of King Arthur Court approximately 800 feet east
of the center line of Dolphin Road (between Lots 31 and 32)

Investigation No: 11297, and be it

FURTHER RESOLVED, that a certified copy of this
Resolution be forwarded to Tricia Betz, Utility Service
Coordinator.

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. (1104-1996)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, it has come to the attention of the
Town of Clarkstown that a brick mailbox stand has been
constructed within the Town's right-of-way in front of premises
designated as Map 5, Block B, Lot 6.25, also known as 17
Chaparral Road, Nanuet, New York and owned by Martin Ginsberg
and Valerie Schlosser, and

WHEREAS, such premises is in the Surrey Court
Subdivision, which subdivision is to be dedicated to the Town
of Clarkstown, and

WHEREAS, the homeowners have indicated a
willingness to hold the Town harmless in the event of any
liability in connection with the brick mailbox stand, if the
Town allows the mailbox stand to remain in place;

NOW, THEREFORE, be it

RESOLVED, that authorization is hereby given to
allow the brick mailbox stand to remain situate in front of 17
Chaparral Road, Nanuet, New York upon receipt of a letter from
the homeowners holding the Town harmless from any liability in
connection with said mailbox stand, and said mailbox stand will
not hinder dedication.

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. (1105-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the regular Town Board Meetings for
1997 shall be held on the second and fourth Tuesdays of each
month at 8:00 P.M., in the Town Hall Auditorium, and be it

Continued on Next Page

RESOLUTION NO. (1105-1996) Continued

FURTHER RESOLVED, that the Workshop meetings for 1997 shall be held on the first and third Mondays of each month at 8:30 P.M., in Room 311 of the Town Hall, which Meetings are scheduled as follows:

<u>TOWN BOARD MEETINGS</u>		<u>WORKSHOP MEETINGS</u>	
January	- 2 (organizational) 14, 28	January	- 6
February	- 11, 25	February	- 3
March	- 11, 25	March	- 3, 17, 31
April	- 8, 14	April	- 14
May	- 13, 27	May	- 5, 19
June	- 10, 24	June	- 2, 16
July	- 15, 29	July	- 7, 21
August	- 12	August	- 4
Sept.	- 9, 23	Sept.	- 15
October	- 14, 28	October	- 6, 20
November	- 18, 25	November	- 3
December	- 9	December	- 1, 15
	31 at <u>NOONTIME</u>		

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. (1106-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that Charles E. Holbrook, is hereby designated as delegate to the Association of Towns Convention, and be it

FURTHER RESOLVED, that Councilman Maloney is hereby designated as alternate delegate to the Association of Towns Convention, and be it

FURTHER RESOLVED, that the following:

- Supervisor
- Councilmen
- Town Assessor
- Town Attorney
- Town Clerk
- Town Comptroller
- Director of Finance
- Superintendent of Highways
- Receiver of Taxes
- Personnel Assistant

are hereby authorized to attend the Association of Towns Convention to be held in New York City on February 16, 1997 through February 19, 1997, and reasonable expenses incurred by the aforementioned be made proper Town charges, and be it

FURTHER RESOLVED, that the following:

Continued on Next Page

RESOLUTION NO. (1106-1996) Continued

Deputy Town Attorneys and Paralegal Specialists,
as designated by the Town Attorney
Town Comptroller's designees
Building Inspector or his designee
Director Environmental Control or his designee
Town Justices
Members of the Planning Board
Director of Purchasing
Superintendent of Recreation and Parks
Members of the Zoning Board of Appeals
Justice Court Clerk

are hereby authorized to attend the Association of Towns Convention to be held in New York City, on February 18, 1996 through February 21, 1996, for trips during their regular work hours, and the daily expenses incurred by the aforementioned during these work hours be made proper Town charges, and be it

FURTHER RESOLVED, that these officials are encouraged to car pool to reduce mileage expenses, and the respective vouchers submitted for this purpose shall not only reflect miles traveled, but also passengers within the vehicle.

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. (1107-1996)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Town to refund the sum of \$64,275.00 to EklecCo for unissued Building Permits.

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. (1108-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Town Board recognized the need to perform repairs to a drainage system, and authorized such repairs under Resolution Number 836-1996, and

WHEREAS, in the course of said authorized work, it became evident that actual field conditions required additional work to achieve the repairs necessary, and

WHEREAS, the Director of the Department of Environmental Control has determined the actual extent of such repairs and the cost thereof,

Continued on Next Page

RESOLUTION NO. (1108-1996) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board does authorize the additional expenditure of \$16,072.49, and be it

FURTHER RESOLVED, that this expense shall be a proper charge to Account #H 7182 400 409 0 55 11.

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. (1109-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Town Board recognizes the need to implement a program to provide for the periodic inspection and maintenance of existing sewer systems, structures, easements and related elements so that these facilities can be maintained in an orderly manner which allows for proper and reliable functioning and incorporates the ability to develop long range economic planning, and

WHEREAS, the complete implementaion of such a program will require several sequential phases to develop, categorize and maintain the information required to administer such a program including the training of Department personnel in the use of selected computer softward, and

WHEREAS, the Director of the Department of Environmental Control has received a proposal from Roy F. Weston of New York, Inc. in the amount of \$10,000.00 to provide the necessary services,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does authorize the Director of the Department of Environmental Control to retain the firm of Roy F. Weston of New York, Inc. for a fee not to exceed \$10,000.00, and be it

FURTHER RESOLVED that this expense shall be a proper charge to Account #H-8738-409-0-62-1.

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. (1110-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Town Board recognizes the need to

Continued on Next Page

RESOLUTION NO. (1110-1996) Continued

implement a program to provide for the periodic inspection and maintenance of existing drainage systems, structures, easements and related elements so that these structures can be maintained in an orderly manner which allows for proper and reliable functioning and incorporates the ability to develop long range economic planning, and

WHEREAS, the complete implementaion of such a program will require several sequential phases to develop, categorize and maintain the information required to administer such a program, and

WHEREAS, the first phase in the development of this program is the preparation of a complete inventory of such structures and the creation of a database to properly maintain records of same, and

WHEREAS, as part of the first phase of such a program the Director of the Department of Environmental Control has received a proposal from Foit-Albert Associates in the amount of \$10,000.00 to Determine Parameters for Development of a Culvert/Small Bridge Management Program to begin the first phase of the program as it relates to road crossings,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does authorize the Director of the Department of Environmental Control to retain the firm of Foit-Albert Associates for a fee not to exceed \$10,000.00, and be it

FURTHER RESOLVED, that this expense shall be a proper charge to Account #H-8738-409-0-62-1

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. (1111-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, to increase Estimated Revenue Account No. SM 11 9 2770 7 (Special Districts Ambulances-BLS Reimbursement) and appropriation Account No. SM 4540 581 1 (BLS-Nanuet Ambulances) by \$38,000.00

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. (1112-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, to increase Estimated Revenue Account No. SM 11 9 2770 8 (Special Districts Ambulances-BLS Reimbursement) and appropriation Account No. SM 4540 581 1 (BLS-Nyack Ambulances) by \$12,000.00

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. (1113-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, a proposed local law entitled:
"A LOCAL LAW ENTITLED, "ALTERNATIVE VETERANS'
TAX EXEMPTION IN THE TOWN OF CLARKSTOWN"

was introduced by Councilman Maloney at a Town Board meeting held on November 26, 1996, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on November 26, 1996, directed that a public hearing be held on December 10, 1996, at 8:05 p.m., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on November 29, 1996, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on November 21, 1996, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 10, 1996;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 15 - 1996, entitled:

"A LOCAL LAW ENTITLED, "ALTERNATIVE VETERANS'
TAX EXEMPTION IN THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

On roll call the vote was as follows:

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

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

TBM - 12/10/96
Page 22

RESOLUTION NO. (1114-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, a proposed local law entitled:

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

was introduced by Councilman Maloney, at a Town Board meeting held on November 26, 1996, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on November 26, 1996, directed that a public hearing be held on December 10, 1996, at 8:10 p.m., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on November 29, 1996, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on November 21, 1996, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 10, 1996;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 16-1996, entitled:

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

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

On roll call the vote was as follows:

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

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:17 P.M.

Respectfully submitted
Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/10/96

8:10 P.M.

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

Re: Local Law re: Alternative Veterans' Tax Exemption

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

Supervisor asked if there was any questions or comments from the public.

Appearance: Jack Cuff
West Nyack

Mr. Cuff asked what the limits were on this Local Law.

Appearance: John Lodico
New City

Mr. Lodico asked if this was based on the veteran's income or joint income.

Appearance: Jerry Donnellan
Director of Veterans Services

Mr. Donnellan explained the tax exemption. He said that the alternative veteran's tax exemption was put in several years ago because the original veteran's tax exemption was based on mustering-out pay relative to World War II veterans. Then came the alternative veterans' exemption. A veteran who serves during a period of war is entitled up to \$12,000.00 off their assessed value. If the same individual also served in a combat zone, he is entitled up to an additional \$8,000.00 for a total of \$20,000.00 maximum. It is not based on income, it is based on when and where the person served.

There being no one further wishing to be heard on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:17 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (1113-1996) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/10/96

8:18 P.M.

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

Re: Local Law re: Amendment to chapter 262 (Taxation) of the
Town Code

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

Supervisor stated that this law relates to income for seniors according to State Law. He asked Mr. Jacobson for totals.

Mr. Jacobson stated that you could earn \$18,499.99 or less and get an exemption of up to 50% in your assessed valuation. The highest income you can have and still have an exemption is less than \$26,899.99.

Supervisor asked if there was any questions or comments from the public?

Appearance: John Lodico
New City

Mr. Lodico asked if this was based on individual or joint income.

Mr. Jacobson said it was joint.

There being no one further wishing to be heard on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:23 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (1114-1996) ADOPTED