

TOWN OF CLARKSTOWN
Town Board Meeting

Town Hall

1/14/97

8:00 PM

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

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

Certificates of Awards were presented to
Christopher E. Gara, Jason P. Teitel and Brendan Walsh for
achieving the rank of Eagle Scout. Councilman Maloney
presented the awards.

Appearance: John Lodico
New City, New York

Spoke on report on Hackensack River Project and Nyack Water Co
and presented a map of area to the Town Board. Also spoke
about Dutch Garden restoration and asked the Town to adopt and
put in Town Park.

RESOLUTION NO. (28-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of December
31, 1996 and January 2, 1997 are hereby accepted as submitted
by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (29-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the
Supervisor to enter into a renewal agreement with Partners in
Safety, Inc., 561 North Street, Middletown, New York, for a
period of one year, in a form satisfactory to the Town
Attorney, to provide alcohol and drug testing of safety-
sensitive employees including transportation employees and
those holding commercial driver's licenses, and be it

FURTHER RESOLVED, that the fee for such services
shall be according to the proposal dated December 12, 1996
attached, and shall be charged to Account No. A-9000-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (30-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Clarkstown Parks Board and Recreation Commission recommends hiring the following landscape architect to do the professional landscape architectural services for the Town of Clarkstown's Municipal Golf Course:

Robert G. Torgerson, LA, CPESC

FURTHER RESOLVED, that they will do work as set forth in their proposal dated December 20, 1996, not to exceed \$5,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (31-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Clarkstown Parks Board and Recreation Commission recommends hiring the following land surveyors to do the surveying for the Town of Clarkstown's Municipal Golf Course:

Atzl, Scatassa & Zigler, Land Surveyors, P.C.

FURTHER RESOLVED, that their proposal includes boundary survey, topographical survey, and mapping as part of Phase I as set forth in their proposal dated August 13, 1996, not to exceed \$19,600.

On roll call the vote was as follows:

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

RESOLUTION NO. (32-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the Clarkstown Senior High School South, a non-profit organization, to provide services and programs for residents of the Town of Clarkstown, pursuant to the proposal from Camille Zambito, Chairperson of the Post Prom activities, dated October 1, 1996, that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate the sum of \$2,500.00 in economic assistance to the Clarkstown Senior High School South, and be it

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RESOLUTION NO. (32-1997) Continued

FURTHER RESOLVED, that these funds are to be charged against Account No. A 8840-424.

On roll call the vote was as follows:

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

RESOLUTION NO. (33-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organizations to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, THAT THE Town Board shall allocate the following sums in economic assistance for 1997 to:

Rockland Community College	\$3,222.20
Senior Citizens Club	
Rockland Center for Holocaust Studies	1,000.00

FURTHER RESOLVED, that the total amount of \$4,222.20 be transferred from Account # A 1990-505 to Account # A 8840 424.

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1997 and are to be charged against Account # A 8840 424.

On roll call the vote was as follows:

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

RESOLUTION NO. (34-1997)

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, GIOVANNI PITEO and ANNA PITEO, in a proceeding pursuant to ARTICLE 78 of the CPLR against THE ZONING BOARD OF THE TOWN OF CLARKSTOWN, DOLPH MILICH, in his capacity as Building Inspector 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.

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RESOLUTION NO. (34-1997) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (35-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, FRANK COLORITO, BRIDON REALTY COMPANY and THE GRAND UNION COMPANY v. TOWN BOARD OF THE TOWN OF CLARKSTOWN, 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.....Yes
Councilman Mandia.....Absent
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (36-1997)

Co. Maloney offered and Co. Profenna 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 #6-1997
ATHLETIC AND RECREATION SUPPLIES

All Sports Publication, 137 Walnut Ct., Waleska, GA 30183, for item #32 as per specifications at a net bid price of \$96.00.

Anaconda Sports, 1221 Ulster Avenue, Kingston, NY 12401, for items #1, 5, 7, 8, 9, 19, 22, 23, 33, 156, 163, as per specifications at a net bid price of \$3,875.45.

ARC Sports, Rte. 121, North Salem, NY 10560 for items #11,12,18, 27, 28, 34, 37, 49, 50, 81, 113, 115, 118, 119, 124, as per specifications at a net bid price of \$2,832.30.

Beckley-Cardy, 100 Paragon Parkway, P.O. Box 8104, Mansfield, Ohio 44901-8104, for items #2, 15, 35, 36, 64, 112, 116, 117, 122, 126, 137, 138, 139, as per specifications at a net bid price of \$1,039.82.

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RESOLUTION NO. (36-1997) Continued

BSN, P.O. Box 7726, Dallas, TX 75209, for items #4, 6, 10, 13, 14, 17, 20, 21, 30, 39, 42, 43, 45, 48, 51, 52, 53, 54, 56, 57, 59, 65, 66, 67, 68, 70, 72, 73, 74, 78, 79, 82, 85, 86, 88, 89, 95, 98, 99, 100, 101, 104, 127, 148, as per specifications at a net bid price of \$3,316.19.

Chimetime, 2440-C Pleasantdale Rd., Atlanta, GA 30340 for item #134 as per specifications at a net bid price of \$503.51.

Flaghouse, 601 Flaghouse Dr., Hasbrouck Heights, NJ 07604 for items #16, 46, 61, 75, 76, 77, 87, 90, 91, 93, 94, 96, 102, 114, 121, 125, 128, as per specifications at a net bid price of \$910.36

IMC GRAPHICS, 30 Henry Street, Orangeburg, NY 10962 for items #147, 150, 153, 154, 155, 158A, as per specifications at a net bid price of \$2,248.65.

Kenmar Shirts, 1578 White Plains Road, Bronx, NY 10462, for items #143, 144, 145, 146, 149, 151, 152, 157, 158, 162, 165, 166, 168, as per specifications at a net bid price of \$23,036.70.

Morley Athletic Supply Co., Inc., P.O. Box 557-208 Division St., Amsterdam, NY 12010 for items #3, 24, 25, 26, 31, 38, 40, 44, 47, 55, 60, 62, 63, 69, 80, 92, 97, 103, 108, 159, 160, 161, 167, as per specifications at a net bid price of \$6,713.73.

Sportmaster, P.O. Box 5000, Pittsburgh, PA 15205 for items #29, 130, 140, as per specifications at a net bid price of \$1,874.00.

Sporttime, 1 Sport Time Way, Atlanta, GA 30340, for items #105, 109, 111 as per specifications at a net bid price of \$27.18.

World Wide Games, 75 Mill St., Bid Department, Colchester, CT 06415, for items #41, 71, 83, 84, 110, 123, 131, 132, 133, as per specifications at a net bid price of \$883.44

GROSS TOTAL FOR ALL ITEMS: \$47,357.33

FURTHER RESOLVED, that this amount \$47,357.33 be charged against accounts:

7140-307.....	\$ 306.60
7141-222.....	326.87
7141-307.....	1,000.00
7141-329.....	10,281.17
7180-307.....	4,984.02
7180-329.....	1,565.59
7210-307.....	46.45
7310-307.....	20,000.00
7310-329.....	6,236.67
7610-307.....	1,956.78
7610-329.....	154.56
7620-307.....	450.00
7620-329.....	48.62
TOTALS:	\$47,357.33

FURTHER RESOLVED, that no bid is awarded for items #58, 106, 107, 120, 129, 135, 136, 141, 142, 164.

On roll call the vote was as follows:

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

RESOLUTION NO. (37-1997)

Co. Smith offered and Co. Maloney seconded

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

BID NO. 18-1997
900 LINEAR FEET OF 8FT. HIGH CHAIN LINK FENCE

Said fence to be installed along the N.Y.S. Thruway in the vicinity of Demarest Mill Road, West Nyack, to tie into the existing fence on Demarest Mill Road and extended to the PIP exit ramp.

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 Monday, February 3, 1997, at which time bids will be opened and read

On roll call the vote was as follows:

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

RESOLUTION NO. (38-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #13-1997
FIRST AID SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on February 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.....Yes
Councilman Mandia.....Absent
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (39-1997)

Co. Smith offered and Co. Maloney seconded

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

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RESOLUTION NO. (39-1997) Continued

BID #14-1997
FIREWORKS DISPLAY

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on February 6, 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.....	Yes
Councilman Mandia.....	Absent
Councilman Profenna.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (40-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #15-1997
HIGHWAY SIGNING & ROAD MAINTENANCE SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on February 12, 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.....	Yes
Councilman Mandia.....	Absent
Councilman Profenna.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (41-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #16-1997
CRUSHED STONE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on February 14, 1997 at which time bids will be opened and read, and be it

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RESOLUTION NO. (41-1997) Continued

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

RESOLUTION NO. (42-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #17-1997
BITUMINOUS CONCRETE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on February 18, 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.....	Yes
Councilman Mandia.....	Absent
Councilman Profenna.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (43-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #12-1997
RENOVATION OF GERMONDS PARK BATHHOUSE
AND ADJACENT STAFF AREAS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on FEBRUARY 19, 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.....	Yes
Councilman Mandia.....	Absent
Councilman Profenna.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (44-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #96090 Environmental Control Inspector I which contains the name of Matthew T. August.

NOW, THEREFORE, be it

RESOLVED, that Matthew T. August, 6 Tempo Road, New City, New York is hereby appointed to the (Permanent) position of Environmental Control Inspector I - Department of Environmental Control - at the current 1997 annual salary of \$32,909.00 effective January 15, 1997.

On roll call the vote was as follows:

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

RESOLUTION NO. (45-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Madeline Weinberg, 1 Dore Court, New City, New York, is hereby appointed to the position of (temporary) Court Attendant - Town Justice Department - at the current 1997 annual salary of \$28,438.00, effective January 15, 1997 - for the period up to and including the canvassing of the Court Attendant Certification of Eligibles.

On roll call the vote was as follows:

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

RESOLUTION NO. (46-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A. John A. Smith, P.O. Box 1598, Greenwood Lake, New York - Motor Equipment Operator II - Clarkstown Highway Department - is hereby granted a Sick Leave of Absence - at one-half pay - effective February 6, 1997 to March 5, 1997.

On roll call the vote was as follows:

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

RESOLUTION NO. (47-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Supt. of Recreation and Parks that the following 1997 part-time salaries be established:

<u>PART-TIME</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Recreation Aide	\$ 4.75/hr*	\$ 5.00/hr*
Recreation Assistant.....	\$ 5.15/hr**	\$15.00/hr
Recreation Leader.....	\$ 7.00/hr	\$17.00/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	\$ 11.00/hr
Lifeguard.....	\$ 7.00/hr	\$13.00/hr
Head Lifeguard.....	\$ 8.50/hr	\$14.00/hr
Water Safety Instructor.....	\$ 8.50/hr	\$13.00/hr
Head Water Safety Instructor.....	\$ 9.00/hr	\$14.00/hr
Laborer-Student.....	\$ 6.00/hr	\$10.00/hr
Groundworker (L).....	\$ 8.00/hr	\$13.00/hr
Custodial Worker (Seasonal)(L)....	\$ 5.00/hr	\$13.00/hr

		<u>2% Increase</u>
Senior Citizen's Leader (Part-time)	\$11,699.00	\$25,060.00
Swim Area Supervisor (Seasonal)	\$10,727.00	\$17,270.00
Senior Recreation Leader (Seasonal)	\$ 5,376.00	\$ 8,455.00
Senior Recreation Activity Specialist (Seasonal)	\$ 3,845.00	\$ 5,515.00

- * Effective 9/1/97 rate changes to \$5.15 due to federal minimum wage increase.
- **Effective 9/1/97 rate changes to \$5.25.

On roll call the vote was as follows:

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

RESOLUTION NO. (48-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes Supervisor Charles E. Holbrook, to execute a document on behalf of the Town of Clarkstown, as municipal bus operators, to comply with the U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Assistance," at 49 CFR part 27, implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended.

On roll call the vote was as follows:

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

RESOLUTION NO. (49-1997)

Co. Maloney offered and Co. Smith seconded

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to use personnel and equipment to plow undedicated streets in the Town of Clarkstown during such heavy snowfall or other conditions,

if necessary to prevent imminent hazard to life and property, and be it

FURTHER RESOLVED, that if the undedicated streets are part of a development of homes being constructed, that the Superintendent of Highways send a bill to the developer for the cost of snow plowing the undedicated streets in its development. If the bill is unpaid, the amount of such bill shall be included on the next Town tax bill for the developer's property.

On roll call the vote was as follows:

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

RESOLUTION NO. (50-1997)

Co. Maloney offered and Co. Smith seconded

WHEREAS, application has been made for final approval of a 61 lot subdivision in the hamlet of Nanuet to the East side of Pascack Road, and

WHEREAS, it is critical that a proper road network be established to distribute traffic in all directions, so that no one Town road will be overburdened, therefore the Planning Board has required four access points, continuation of Judith and Charles Street, Briar Road continuation, as well as a proposed connection to Pascack Road, and

WHEREAS, this requires the fee ownership of two triangular segments at the end of the cul-de-sac of Charles Street, and

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RESOLUTION NO. (50-1997) Continued

WHEREAS, letters were sent to owners of parcels 5-A-32.07 and 5-A-32.06 by certified mail advising them that "in order to promulgate the road network as desired by the Town of Clarkstown for the subdivision of Pelham West, the Town requires a miniscule triangular portion at the end of Charles Street," and

WHEREAS, in exchange for these triangular segments the Town will transfer the balance of the land of the cul-de-sac as shown on attached maps (shown as Parcel 2 & 4), with the developer of Pelham West to grade and seed such land so that it will become part of the lawn area and provide a larger improved front yard, and

WHEREAS, since it appears that the Town has been unable to negotiate the purchase of these two segments of Charles Street, and

WHEREAS, in order to provide for continued orderly traffic flow and for safety of all residents, it will be necessary to commence condemnation proceedings at once to secure the right to continue Charles Street;

NOW, THEREFORE, be it

RESOLVED that the Town Board will commence condemnation proceedings so that Charles Street may continue into the development of Pelham West, and be it

FURTHER RESOLVED, that Joseph Deutsch, Esq. is hereby authorized to institute the condemnation, on behalf of the Town of Clarkstown, at no cost to the Town, and be it

FURTHER RESOLVED, that Joseph Deutsch, Esq. is hereby authorized to hire an appraiser, at no cost to the Town.

On roll call the vote was as follows:

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

RESOLUTION NO. (51-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, WINDHAM DEVELOPMENT CORPORATION has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioner, from an R-40 District to an R-22 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 109, Block D, Lot 9.03;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33(A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections

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RESOLUTION NO (51-1997) Continued

239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on February 25, 1997, at 8:10 P.M., relative to the proposed amendment, and be it

On roll call the vote was as follows:

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

RESOLUTION NO. (52-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, a request has been made by Kenneth Bergstol, a member of Davies Farms, LLC, that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of right-of-way as shown on a survey entitled, "Survey of Property for Janet M. & Niles M. Davies, Jr.," Town of Clarkstown, Rockland County, New York, dated January 18, 1993, last revised March 26, 1996, prepared by Atzl, Scatassa & Zigler, P.C., and described in the metes and bounds description attached as Schedule "A," for the unimproved portion of SMITH STREET, CHARLES STREET, PARK AVENUE, PACIFIC STREET, UPTON AVENUE, RANDOLPH STREET AND BEACON, Congers, New York, upon the grounds same have never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said roads appear on the Official Map of the Town of Clarkstown and said applicants have further requested that such allegedly abandoned roads be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said portions as described above;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on February 25, 1997, at 8:05 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of said public hearing be published in the official newspaper of the Town and posted in the manner provided by law, and be it

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RESOLUTION NO.(52-1997) Continued

FURTHER RESOLVED, that the Town Attorney prepare said notice of public 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, that the applicant shall fulfill the additional requirements of Section 290-33(C) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notices to property owners of record within five hundred (500') feet of the affected property, and be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Rockland County Commissioner of Planning and to the Clarkstown Planning Board, for their report and recommendations, 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 roll call the vote was as follows:

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

RESOLUTION NO. (53-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Clarkstown Parks Board and Recreation Commission extends to Hasty Hills Stables, permission to use the trails which are part of the Town of Clarkstown property, Lots 2 and 3 located at Routes 202 and 306 for a period of six months, January 1, 1997 through June 30, 1997,

FURTHER RESOLVED, that one month prior to the end of the six month period, Hasty Hills Stables will notify the Clarkstown Parks Board and Recreation Commission if they are interested in renewing the use of the horse trails for another six months,

FURTHER RESOLVED, that the use of these trails depends upon approval of the Town Attorney's office and proper insurance coverage.

On roll call the vote was as follows:

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

RESOLUTION NO. (54-1997)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the assignment of Contract Bid No. 52-1995 from MCPHEE/HAZARD LTD. to WARDE ELECTRIC CONTRACTING, INC., and be it

RESOLUTION NO. (54-1997) Continued

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute the documents necessary to assign Contract Bid No. 52-1995 to Warde Electric Contracting, Inc., which documents shall be in a form satisfactory to the Town Attorney.

On roll call the vote was as follows:

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

RESOLUTION NO. (55-1997)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the annual conference of the National Institute of Governmental Purchasing from August 15-20, 1997 in Ft. Lauderdale, Fl, and be it

RESOLVED, that all necessary expenses be charged to budget account Al345-414

On roll call the vote was as follows:

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

RESOLUTION NO. (56-1997)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that the 1997 salary schedule is hereby amended to increase the salary of the Registrar of Vital Statistics by \$2,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (57-1997)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

KEVIN STOKES EXCAVATING, INC.
P.O. Box 812
Pearl River, N.Y. 10965

PHOENIX EXCAVATORS CORP.
62 Rose Road
West Nyack, N.Y. 10994

RESOLVED, that the following Certificates of Registration be issued:

No. 97-9 - Kevin Stokes Excavating, Inc.
No. 97-10 - Phoenix Excavators Corp.

RESOLUTION NO. (57-1997) Continued

On roll call the vote was as follows:
Councilman Maloney.....Yes
Councilman Mandia.....Absent
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (58-1997)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

W. HARRIS & SON, INC.
37 W. Washington Avenue
Pearl River, New York 10965

RESOLVED, that the following Certificate of Registration be issued:

No. 97-12 - W. Harris & Son, Inc.

On roll call the vote was as follows:

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

RESOLUTION NO. (59-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based on the recommendation of the Traffic and Traffic Fire Safety Advisory Board, Resolution No. 91-1987 is hereby rescinded with regard to a "no Turn on Red" sign at the intersection of Maple Avenue at Demarest Road, New City.

BE IT FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized to remove said sign.

On roll call the vote was as follows:

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

There being no one further wishing to be heard on motion of Councilwoman Smith, seconded by Councilman Profenna and unanimously adopted, the public hearing was declared closed, time: 8:20 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk