

TOWN OF CLARKSTOWN
Town Board Meeting

Town Hall

5/13/97

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.

Chief Collins announced the graduation of the 24th Class of the Clarkstown Youth Court and welcomed everyone. Detective Elmendorf introduced the class of 26 graduates and gave a brief history of the Youth Court. He thanked the Town Board, parents, staff, volunteers and the ADA. Certificates were presented and the Town Board congratulated the graduates and their parents.

Certificate of Award was presented to Michael Katz for achieving the rank of Eagle Scout. Town Board congratulated him, his parents and his troop.

Supervisor announced that Item #1 on the agenda, the DePaulis zone change application, had been withdrawn. Any new plan would require an entirely new application and a new public hearing.

Supervisor Holbrook introduced the following proclamation.

NATIONAL PUBLIC WORKS WEEK
May 18 - May 24, 1997

WHEREAS, public works services provided in our community are an integral part of our citizens' every day lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, The Town Board of the Town of Clarkstown does, hereby, proclaim the week of May 18 through May 24, 1997 as

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"PUBLIC WORKS WEEK"

in The Town of Clarkstown and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Given under my hand and seal of the Town of Clarkstown this 13th day May, 1997.

/s/
Charles E. Holbrook, Supervisor

Supervisor opened the public portion of the meeting.

Appearance: Shirley Lasker
West Nyack

With regard to the DePaulis Application, Ms. Lasker feels the density in our town is too high and there should be a moratorium on zone changes.

Appearance: Dwight Kearns
Congers

Opposed to slaughter of Canadian Geese.

Appearance: Denise Phillips
Garnerville

Feels non-lethal methods should be used for the geese problem.

Appearance: Lucille Divini
Representing C. Scott Vanderhoff

Ms. Divini read a letter from C. Scott Vanderhoff regarding the geese. While he feels the geese overpopulation is a problem, he requests that the Town Board investigate the possibility of non-lethal methods prior to the slaughter of the geese.

Appearance: Dr. Catherine Feldi
New City

Dr. Feldi feels the geese should be spared.

Appearance: Mark Berkowitz
New City

Opposed to the slaughter of geese.

Appearance: Mary Ann Tiernan O'Grady
Connecticut

She rents out border collies to control geese and suggested this as an alternative to slaughter.

Appearance: Lisa Hendrickson
Congers, NY

She is in favor of geese control.

Appearance: Laurie Cunningham
Valley Cottage

Ms. Cunningham feels the geese should be protected.

Appearance: Russell Trojan
Nanuet

He spoke regarding subdivision on Green Road and Item #28, Rockland Hospitality Special Permit.

Appearance: John Cain
Congers

Spoke in favor of controlling geese population.

Appearance: Rita Glin
Clarkstown

Feels geese control issue should be put to a vote.

Appearance: John McKiller
New City

He is in favor of a geese control proposal.

Appearance: Marie Bouchard
Congers

Questioned Item #12 re: the authorization of the Town Attorney to defend ZBA and inquired about who maintains Greentree Cemetery.

Appearance: Eileen Axelband
New City

Spoke in favor of saving geese.

Appearance: Dean Perry
Valley Cottage

Asked the Board to consider other methods to remedy the geese problem.

RESOLUTION NO. (356-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of April 14, 1997 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. (357-1997)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes K. Luke Kalarickal, Director of Environmental Control, to prepare a design for stream bank stabilization for the area of Teal Court, New City, New York.

RESOLUTION NO. (357-1997) 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. (358-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Roy F. Weston of New York, Inc. has submitted a proposal dated April 16, 1997 to conduct surface water sampling from the tributaries which drain Rockland Lake and the golf course, with regard to the Swartwout Lake Project, and

WHEREAS, the Town Board wishes to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Roy F. Weston of New York, Inc., in a form satisfactory to the Town Attorney, to provide surface water sampling from the tributaries which drain Rockland Lake and the golf course, with regard to the Swartwout Lake Project, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed \$3,325.00.

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. (359-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown Police Department is responsible for the administration of the Clarkstown Youth Court program, and

WHEREAS, the State of New York and County of Rockland have each recognized the need to assist local municipalities with such programs through the continuation of Division for Youth funding on a 50/50 matching funds basis;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's Youth Court grant application for 50/50% Division for Youth funding for 1998, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

RESOLUTION NO. (359-1997)

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. (360-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown Police Department is responsible for the operation of the Clarkstown Police Juvenile Aid Bureau, and

WHEREAS, the State and County have each recognized the need to assist local municipalities with such programs through the continuation of Division for Youth funding on a 50/50 matching funds basis;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's Juvenile Aid Bureau grant application for 50/50% Divison for Youth funding for 1998, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

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. (361-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 200-1997, adopted by the Town Board on February 25, 1997 dealing with advertisements in the Rockland Journal News, is hereby amended to read as follows:

RESOLVED, that the Supervisor is hereby authorized to place advertisements in the Commerce and Industry section of the Rockland Journal News on March 16, 1997 and March 23, 1997, and be it

FURTHER RESOLVED, that the fee for such advertising shall not exceed the sum of \$407.28, which shall be charged to Account No. A 6410-405, and be it

FURTHER RESOLVED, that this Resolution is retroactive to February 25, 1997.

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RESOLUTION NO. (361-1997)

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. (362-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby amends Resolution No. 229-1997 adopted on March 11, 1997 to read that the Supervisor is authorized to enter into an agreement with the Board of Fire Commissioners, New City Fire District, in a form approved by the Town Attorney, for use of the former Police Department Workout Room, located at 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that this Resolution be made retroactive to March 11, 1997.

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. (363-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 293-1997, dated March 25, 1997, is hereby amended to replace "Rodeo East, Inc." with "Bergen Builders of Rockland, Inc."

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. (364-1997)

Co. Smith offered and Co Profenna seconded

RESOLVED, the Superintendent of Highways is hereby authorized to install a "Stop" sign on Ridgefield Drive at its intersection with Cranford Drive, New City..

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. (365-1997)

Co. Smith offered and Co. Profenna 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 following signs:

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
EB E/O Phillips Hill Road	Winding Road (R)	W1-10C
EB 300 ft. W/O Alan Court	Reverse Turn (L) 15 MPH	W1-5C W9-1X
WB 180 ft. W/O Elaine Drive	Reverse Turn (L) 15 MPH	W1-5C W9-1X
WB W/O New Hempstead Road	Winding Road (R)	W1-10C

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

RESOLUTION NO. (366-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, Urarn Associates has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 44, Block A, Lot 3.8, 3.9, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.18 and 3.19 for the year(s) 1993/94, 1994/95, 1995/96 and 1996/97, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000.00 per appraisal.

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. (367-1997)

Co. Smith offered and Co. Profenna seconded

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RESOLUTION NO. (367-1997) continued

WHEREAS, BVS Enterprises has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 123, Block D, Lot 1 for the year(s) 1995/96 and 1996/97, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000.00 per appraisal.

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 (368-1997)

Co. Maloney offered and Co Mandia seconded

WHEREAS, surveying work is required to determine the center line of the proposed stream alignment along the length of the Demarest Kill from Old Route 304 to the rear of lots 80-A-16 through 60-A-16.12 at the end of Cranford Drive and Termakay Drive.

WHEREAS, the Director of the Department of Environmental Control has reviewed said proposal and found it to be acceptable;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control be authorized to retain the services of Atzl, Scatazza and Zigler, 234 North Main Street, New City, NY 10956 to perform said surveying work as per their proposal for an amount not to exceed \$1,400.00; and be

FURTHER RESOLVED, that this amount be a proper charge to account #H 1994-409-0-14-22.

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. (369-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes John F. Mauro, Superintendent of Highways, to hire a surveyor to survey and install monummentation on Duryea Lane (aka Renfrew Road, Nanuet, New York.

RESOLUTION NO. (369-1997)

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. (370-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown is desirous of having Town property located off of Spring Brook Road in Nanuet, New York, more particularly known as Map 8, Block A, Lot 25.19, cleared, cleaned and debris removed; and

WHEREAS, the Department of Environmental Control has obtained proposals for said clearing, cleaning and debris removal; and

WHEREAS, these proposals have been reviewed by the Department of Environmental Control.

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control be authorized to retain the services of Helmke Industries, Inc., Landscape Contractor, 513 Route 303, Orangeburg, New York 10962-1303, to perform said clearing, cleaning and cutting and debris removal as per their proposal for a sum not to exceed \$5,950.00; and be it

FURTHER RESOLVED, that the total amount of \$5,950.00 for this work be a proper charge to Account #H-1994-409-0-14-37.

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. (371-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the the Director of Environmental Control of the Town of Clarkstown is hereby authorized to retain the services of a private contractor to perform the following work:

Clean up and remove all debris from Prospect Commuter Parking Lots; edge and weed all garden beds; trim and prune all shrubs; remove all dead growth from plantings; apply weed control to all garden beds. This work will be done as a weekly maintenance from the middle of May 1997 until the middle of November 1997 for this area; and

WHEREAS, the Department of Environmental Control has received a proposal from Danny Clapp Lawn and Landscaping, 59 Schriever Lane, New City, New York 10956-3313 to perform said landscaping work;

RESOLUTION NO. (371-1997) continued

NOW THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Danny Clapp Lawn and Landscaping to perform the necessary work for an amount not to exceed \$7,000.00; and be it

FURTHER RESOLVED, that this amount shall be a proper charge to Account #H-8735-409-0-12-14.

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. (372-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town has received a proposal from the Frohling Sign Co. with regard to the fabrication and installation of two signs at the Clarkstown Police/Court Facility, and

WHEREAS, the Town Board wishes to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the hiring of the Frohling Sign Co. to provide fabrication and installation of two signs at the Clarkstown Police/Court Facility, and be it

FURTHER RESOLVED, that the total fee for such signs shall not exceed the sum of \$3,830.00 and shall be charged to Account No. H-3123-409-0-1-700.

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. (373-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town has received a proposal from Joseph F. Mutinsky General Contractors, Inc. with regard to alterations to the room adjacent to the Computer Room, and

WHEREAS, the Town Board wishes to accept said proposal;

NOW, THEREFORE, be it

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RESOLUTION NO. (373-1997) Continued

RESOLVED, that the Town Board hereby authorizes the hiring of Joseph F. Mutinsky General Contractors, Inc. to provide alterations to the room adjacent to the Computer Room, and be it

FURTHER RESOLVED, that the fee for such work shall not exceed the sum of \$3,150.00, and be it

FURTHER RESOLVED, that the sum of \$3,150.00 shall be transferred from Account No. A-1990-505 to Account No. A-1680-408 to pay for said work.

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. (374-1997)

Co Maloney offered and Co. Mandia seconded

WHEREAS, flooding conditions exist along stream NJ 1-12-3-5 north of New Hempstead Road and west of Henry Street in the vicinity of the Greco property, New City, New York, and

WHEREAS, the Department of Environmental Control investigated the site and found that remedial action is necessary to relieve the flooding conditions; and

WHEREAS, the Director of the Department of Environmental Control was authorized by Resolution #479-1996 to hire Kozma Associates to prepare design and construction contract documents to relieve these flooding conditions in accordance with the requirements of the Department of Environmental Control; and

WHEREAS, the Director of Purchasing advertised for and obtained a low bid from the Hudson Canyon Construction Company to perform the corrective work; and

WHEREAS, it was later determined that the survey and layout necessary for the performance of this work be provided by the contractor and that a reinforced concrete pipe end section be furnished and installed by the contractor in conjunction with the other site drainage construction;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire the Hudson Canyon Construction Company to perform the corrective drainage reconstruction, including the necessary survey and layout and providing the reinforced concrete pipe and section, in accordance with the requirements of the Department of Environmental Control, and be it

FURTHER RESOLVED, that the cost of said work shall not exceed \$33,519.00 for the original contract; \$8,050.00 for the survey and layout; and \$750.00 for the reinforced concrete pipe end section and all shall be a proper charge to Account #H 1994-409-0-14-33, and be it

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RESOLUTION NO. (374-1997) continued

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

- a) Signed Contract Document - four copies
- b) Performance Bond - 100%
- c) Labor and Material Payment Bond - 100%
- d) Certificate of Contractor's Liability, Automobile Liability, and Property damage insurance coverage
- e) Certificate of Worker's Compensation and Statutory worker's disability insurance coverage

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. (375-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Clarkstown Parks Board and Recreation Commission recommends hiring Robert G. Torgersen and Atzl, Scatassa & Zigler to furnish professional landscape architectural, site engineering, land planning and surveying services for the production of an environmental impact statement and site development plans, and

FURTHER RESOLVED, that the cost will be as stated in their proposal of March 25, 1997: Stage 1 (Environmental Impact Statement) at the estimated cost of \$65,000.00 and Stage 2 (Site Plan Development, Subdivision and Planning) at the estimated cost of \$75,000.00

FURTHER RESOLVED, that additional fees will be based on the hourly rate as presented in their proposal.

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. (376-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, NORMANDY VILLAGE COMPANY v. NICHOLAS LONGO, as Assessor of the TOWN OF CLARKSTOWN and THE BOARD OF ASSESSMENT REVIEW FOR THE TOWN OF CLARKSTOWN, Index No(s). 4182/94 and 5190/95, affecting parcel(s) designated as Map 13, Block A, Lots 3, 4, 21 and 20.1, Map 14, Block B, Lots 12.60 and 12.64 and Map 14, Block F, Lots 3, 4, 6-11, 13-26, 28-32, 34, 36-39, 40-44, 46-49, 51, 55, 56, 58-60, 63, 65, 66, 69, 71, 72, 74-78, 80, 81, 83-91 and 93-100, for the years 1994/95 and 1995/96, and

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RESOLUTION NO. (376-1997) continued

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 13, Block A, Lots 3, 4, 21 and 20.01 shall remain unchanged;

2. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 14, Block B, Lots 12.60 and 12.64 and Map 14, Block F, Lots 3, 4, 6-11, 13-26, 28-32, 34, 36-39, 40-44, 46-49, 51, 55, 56, 58-60, 63, 65, 66, 69, 71, 72, 74-78, 80, 81, 83-91 and 93-100 shall be reduced for the year(s) 1994/95 as shown on the annexed Schedule;

3. That the proceeding(s) commenced by the petitioner(s) respecting Map 13, Block A, Lots 3, 4, 21 and 20.1, Map 14, Block B, Lots 12.60 and 12.64 and Map 14, Block F, Lots 3, 4, 6-11, 13-26, 28-32, 34, 36-39, 40-44, 46-49, 51, 55, 56, 58-60, 63, 65, 66, 69, 71, 72, 74-78, 80, 81, 83-91 and 93-100 be discontinued for the year(s) 1995/95;

4. That reimbursement for the year(s) 1994/95 on the aforesaid parcels be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged; and

5. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid; and such settlement is recommended by the Assessor of the Town of Clarkstown.

NOW, THEREFORE, be it

RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

(Schedule "A" on file in Town Clerk's office)

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. (377-1997)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown by agreement dated November 6, 1978 entered into a contract with the Village of Upper Nyack for the use of the Upper Nyack sewer system, which connects to the Town of Orangetown sewers, to service various properties in the Town of Clarkstown known as 136-C-3.2, 136-C-3.3, 136-C-5, 136-C-8, 136-C-10.1, and

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RESOLUTION NO. (377- 1997)

WHEREAS, the Village of Upper Nyack seeks reimbursement from the Town of Clarkstown for sewer service provided to the affected properties during the year 1995-1996, and

WHEREAS, it is just and proper that the Village of Upper Nyack be compensated for the sewer service provided the Clarkstown properties during 1995-1996;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$18,764.91 shall be paid to the Village of Upper Nyack for reimbursement from the Town of Clarkstown for sewer service provided to the affected properties during the year 1995-1996.

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. (378-1997)

Co. Maloney offered and Co. Smith seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, EklecCo v. The Zoning Board of Appeals of the Town of Clarkstown, Julia Ashbey, Brian Scully, Pierre Lionel Bazile, Nancy Rout, David Whitten, Christine Renstrom, Martus Granirer, Frances Pulis, Seferin Pulis, Charles Schwep, George Maniere, West Branch Conservation Association, and Corporate Property Investors;

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

RESOLUTION NO. (379-1997)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that pursuant to the provisions of Local Law No. 9 of 1996, the Town Board of the Town of Clarkstown find that Police Chief William Collins, Police Officer Allen Armstrong, and Police Officer "John Doe" and any other police officer that is brought into this matter by subsequent order of the Court, were acting in the proper discharge of their duties and within the scope of their employment in the Federal Court

RESOLUTION NO. (379-1997) continued

matter entitled, Rutherford Best v. The Town of Clarkstown, The Town of Clarkstown Police Department, Chief of Police William Collins, Police Officer Allen Armstrong, Police Officer "John Doe," 95-6167 (AMW) and therefore, the Town will indemnify and hold such officers harmless from an award of damages, inclusive of punitive or exemplary damages, from any negligent act or other tort allegedly committed with respect to this case.

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. (380-1997)

Co. Profenna offered and Co. Smith seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, is hereby authorized to attend the 1997 Highway School, to be held at Ithaca College, Ithaca, New York on June 2 thru 4, 1997, 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. (381-1997)

Co. Profenna offered and Co. Smith seconded

RESOLVED, that Cathy Conklin & Robert Davies are hereby authorized to attend a seminar on May 14, 1997 sponsored by the American Institute of Real Estate Appraisers. The topics to be discussed are "Current Issues in Tax Certiorari" and "Recent Court Decisions in Tax Certiorari".

FURTHER RESOLVED, that all current charges be charged against line 1010-414.

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. (382-1997)

Co. Profenna offered and Co. Maloney seconded

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RESOLUTION NO. (382-1997)

WHEREAS, a hydrant investigation has been made by United Water New York for premises located in an approved site plan known as MOUNTAIN SHADOWS, designated on the Clarkstown Tax Map as Map 143, Block A, Lot 2, part of the MOUNTAIN SHADOWS Site Plan, and

WHEREAS, it has been recommended that one (1) fire hydrant be installed within the said approved site plan, for the protection of future residents, and

WHEREAS, said property is private property; and the hydrants shall be installed at the owner's expense, but the water charges shall be billed to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with LONG CLOVE, L.L.C., as owner, any any other interested party, in the form of a Declaration of Covenant, which shall run with the land, as approved by the Town Attorney, whereby the property owner, or its successor(s) in interest shall pay the water service charges of United Water New York, rendered yearly to the Town of Clarkstown on a per-hydrant basis in connection with the dwelling units to be located on such property presently owned by LONG CLOVE, L.L.C., located in the hamlet of Congers, for the condominium site plan known as MOUNTAIN SHADOWS, affecting the tax map parcels referred to above; and the Comptroller is hereby authorized and directed pursuant to such covenant to provide periodic statements to LONG CLOVE, L.L.C., or the future Board of Managers, Homeowners Association or respective owner(s) of the premises, for payment of the water service charges imposed, plus 10% as a handling fee, and be it

FURTHER RESOLVED, that the amounts to be billed, if not paid in the aggregate, shall be levied against the present or future benefited tax parcels in accordance with the applicable assessment values.

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. (383-1997)

Co. Profenna offered and Co. Maloney seconded

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

FURTHER RESOLVED, that the Town Board hereby allocates the following sum in economic assistance to:

JAWONIO FOUNDATION, INC. \$250.00, and be it

Continued on Next Page

RESOLUTION NO. (383-1997) Continued

FURTHER RESOLVED, that the funds shall be charged to Account No. A-8840-424.

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. (384-1997)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to provide services to the Building Department on an advisory and consultative basis, consistent with the terms of said contract, for the period from May 14, 1997 to November 13, 1997.

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. (385-1997)

Co. Profenna 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 each of 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:

Meals on Wheels of Rockland County, Inc. \$10,500.00
Veterans Memorial Association 525.00

FURTHER RESOLVED, that the total amount of \$11,025.00 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 # 8840 424.

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. (386-1997)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the New York State Governor's Traffic Safety Committee has approved a grant application by the Clarkstown Police Department for a Speed Enforcement Program (PT-4450041) in the Town of Clarkstown, for the period from January 1, 1997 through September 30, 1997, in the sum of \$8,333.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the grant from the New York State Governor's Traffic Safety Committee for a Speed Enforcement Program (PT-4450041) in the Town of Clarkstown, for the period from January 1, 1997 through September 30, 1997, in the sum of \$8,333.00, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the New York State Governor's Traffic Safety Committee concerning such grant.

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. (387-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, various Appropriation Accounts require additional funding and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 and increase A 1680 225 (Data Processing -Computer Hardware) by \$4,300.00 and reduce Dare Reserve A 0885 and increase Appropriation Account No. 3230 225 (DARE-Computer Hardware) by \$10,000.00

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. (388-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS various Appropriation Accounts require additonal funding, and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 by \$11,660.00 and increase the Appropriation Accounts listed below:

RESOLUTION NO. (388-1997) Continued

A 1110 201	(Justice Ct.-Furniture/Furnishings).....	\$1,750
A 1110 204	" " -Office Machines).....	3,225
A 1110 211	" " -Law Books & Supplements).....	1,400
A 1330 313	(Receiver of Taxes -Office Supplies/Prtg)...	1,485
A 1330 402	" " -Rental of Equipment).....	2,600
A 1330 462	" " -Water).....	600
A 7520 114	(Historical Review Board-Part-time).....	600

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. (389-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, to decrease Account #A-7141-201 (Furniture/Fixtures) by \$225.00 and to increase Account #A-7020-225 (Compt. Hardware) by \$225.00.

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. (390-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, to increase Appropriation Account A-7610-301 (Program for the Aging - Food) by \$751.00 and to increase Revenue Account 01-002001 (Park and Recreation Charges) by \$751.00

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. (391-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Comptroller is hereby authorized to transfer the sum of \$115,000.00 from Money in Lieu of Land to Parklands and Improvements account for various projects at Lake Nanuet Park.

Continued on Next Page

RESOLUTION NO. (391-1997) 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. (392-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, various Appropriation Accounts require additional funding, and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 by \$2,150.00 and increase the following Appropriation Accounts:

A 3020 230 (Central Communications-Equipment.....\$600.00
A 6510 401 (Veterans-Rent/Lease..... 750.00
A 7520 419 (Historical Review-Misc. Service)..... 800.00

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. (393-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Frederick J. Parent,

NOW THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Frederick J. Parent, 13 Foxcroft Drive, Nanuet, New York to the position of (Permanent) Police Officer at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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. (394-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which

Continued on Next Page

RESOLUTION NO. (394-1997) Continued

contains the name of Daniel M. Burke

NOW THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Daniel Burke, 2 Horsehoe Court, New City, New York to the position of (Permanent) Police Officer - at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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. (395-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Jacqueline M. Kelly,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Jacqueline M. Kelly, 9 Crownlyn Court, Bardonia, New York to the position of (Permanent) Police Officer - at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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. (396-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Christopher L. Maloney,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Christopher L. Maloney, 53 Amundsen Lane, New City, New York to the position of (Permanent) Police Officer - at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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. (397-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Daniel J. Chazan,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Daniel J. Chazan, 24 Whitewood Drive, New City, New York to the position of (Permanent) Police Officer - at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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. (398-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of James A. McCormick,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of James A. McCormick, 45 Old Middletown Road, New City, New York to the position of (Permanent) Police Officer - at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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. (399-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #92150 which contains the name of Thomas M. Doyle.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Thomas M. Doyle, 14 Reservoir Drive, New City, New York, to the position of (Permanent) Police Officer - at the current 1997 annual salary of \$37,916.00, effective and retroactive to April 11, 1997.

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RESOLUTION NO. (399-1997) 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. (400-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant (Prom.) #93124 which contains the name of Thomas J. Prendergast,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Thomas J. Prendergast, 17 Sutherland Drive, Highland Mills, New York to the position of (Permanent) Police Lieutenant - Police Department - at the current 1997 annual salary of \$92,957.00, effective and retroactive to March 24, 1997.

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. (401-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant (Prom.) #93124 which contains the name of Robert J. Donaldson,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Robert J. Donaldson, 47 North Grant Avenue, Congers, New York, to the position of (Contingent-Permanent) Police Lieutenant - Police Department - at the current 1997 annual salary of \$94,457.00, effective and retroactive to March 24, 1997.

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. (402-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant (PROM) #93086A which containst the name of Brian F. Marley,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Brian F. Marley, 38 Jefferson Drive, Monroe, New York, to the position of (Contingent Permanent) Police Sergeant - Police Department - at the current 1997 annual salary of \$84,126.00, effective and retroactive to March 24, 1997.

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. (403-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant (PROM) #93086A which containst the name of James P. Quinn,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of James P. Quinn, 2 Ashley Court, Salisbury Mills, New York, to the position of (Contingent Permanent) Police Sergeant - Police Department - at the current 1997 annual salary of \$81,126.00, effective and retroactive to March 24, 1997.

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. (404-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #97073 Senior Clerk Typist (RC-NCP) which contains the name of Tomasina Scala,

NOW, THEREFORE, be it

RESOLVED, that Tomasina Scala, 31 Amudsen Lane, New City, New York is hereby appointed to the (permanent) position of Senior Clerk Typist - Building Department - at the current 1997 annual salary of \$33,147.00, effective May 14, 1997.

RESOLUTION NO. (404-1997) 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. (405-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #97073 Senior Clerk Typist (RC-NCP) which contains the name of Lori Ann Zaccaro,

NOW, THEREFORE, be it

RESOLVED, that Lori Ann Zaccaro, 40 Ridge Road, Congers, New York is hereby appointed to the (Permanent) position of Senior Clerk Typist - Supervisor's Office - at the current 1997 annual salary of \$27,638.00, effective May 14, 1997.

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. (406-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on May 5, 1997 that the position of Clerk - Town Justice Department can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk - Town Justice Department is hereby created, effective and retroactive to May 12, 1997.

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. (407-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Anna Newhouse, 286 Hungry Hollow Road, Spring Valley, New York is hereby appointed to the position of (Provisional) Clerk - Town Justice Department at the

Continued on Next Page

RESOLUTION NO. (407-1997) Continued

current 1997 annual salary of \$20,079.00, effective and retroactive to May 12, 1997.

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. (408-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Philip J. Valenza, 35 Twin Elms Lane, New City, New York is hereby appointed to the position of Solid Waste Facility Attendant at the current 1997 annual salary of \$24,853.00, effective May 19, 1997.

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. (409-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that John M. Luther, 270 Old Haverstraw Road, Congers, New York is hereby appointed to the position of Solid Waste Facility Attendant at the current 1997 annual salary of \$24,853.00, effective May 19, 1997.

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. (410-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on May 5, 1997 that the position of Custodial Worker - Maintenance Department can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Custodial Worker - Maintenance Department is hereby created, effective May 14, 1997.

Continued on Next Page

RESOLUTION NO. (410-1997) 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. (411-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Anthony Loperfido, 6 New Lake Road, Valley Cottage, New York is hereby appointed to the position of Custodial Worker (Nights) - Maintenance Department at the current 1997 annual salary of \$24,039.40, effective May 19, 1997.

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. (412-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on May 1, 1997 that the position of Data Entry Operator I (Part-time) can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Data Entry Operator I (part-time) - Town Justice Department is hereby created, effective and retroactive to May 2, 1997.

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. (413-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Carol A. Collura, 16 Southward Avenue, Congers, New York is hereby appointed to the position of (part-time) Data Entry Operator I - Town Justice Department at the current 1997 hourly rate of \$12.00, effective and retroactive to May 2, 1997.

Continued on Next Page

RESOLUTION NO. (513-1997) 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. (414-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 7 of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Gerald F. Brickwood, 7 Frost Lane, Cornwall, New York - Environmental Control Supervisor (Operations) - Environmental Control Department is hereby granted an Extension of his Military Leave of Absence with pay, effective and retroactive to April 22, 1997 to May 5, 1997.

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. (415-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on April 21, 1997 that two (2) positions of Police Officer can be created.

NOW, THEREFORE, be it

RESOLVED, that the two (2) positions of Police Officer - Town of Clarkstown Police Department are hereby created, effective and retroactive to May 5, 1997.

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. (416-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #36-1997
COLLEGE AVE., NANUET IMPROVEMENTS

Continued on Next Page

RESOLUTION NO. (416-1997) Continued

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on June 16, 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, upon payment of prescribed non-refundable fee.

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. (417-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #37-1997
TRAFFIC SIGNAL UPGRADE - LITTLE TOR ROAD,
GERMONDS ROAD, BURDA LANE, MIDDLETOWN ROAD

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on June 9, 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.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (418-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #38-1997
MECHANICS COVERALL RENTAL SERVICE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on May 28, 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.

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RESOLUTION NO. (418-1997) 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. (419-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #39-1997
CORRUGATED ALUMINUM CULVERT PIPE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on May 29, 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.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (420-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #40-1997
CORRUGATED STEEL CULVERT PIPE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on May 30, 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.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (421-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #41-1997
LAW ENFORCEMENT VEHICLES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on June 13, 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.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (422-1997)

Co. Maloney offered and Co. Mandia seconded

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

BID #42-1997
POLICE UNIFORMS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on June 26, 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.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (423-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that solicitation of bids for drainage and roadway improvements in the vicinity of Dover Road, Congers has been authorized

BID #44-1997

WHEREAS, the Board is desirous of effecting certain repairs to the area of Dover Road and The Rise, and

Continued on Next Page

RESOLUTION NO. (423-1997) Continued

WHEREAS, The Department of Environmental Control has reviewed existing conditions and prepared design for such improvements, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board does authorize the Director of Purchasing to advertise and receive bids for said improvements.

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. (424-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #34-1997
WASHED SAND AND GRAVEL

is hereby awarded to:

ISLIP BUSINESS CORP.
45 S. 4th Street
Bay Shore, NY 11706
PRINCIPAL: GEORGE HEINLEIN

E. TETZ & SONS, INC.
RD 2, Box 65 Crystal Run Road
Middletown, NY 10940
PRINCIPALS: EDWARD TETZ, JR.
GARY TETZ
DENISE STITT
CORINNE TETZ

VAN ORDEN SAND & GRAVEL OF RINGWOOD
P.O. Box 8246
Haledon, NJ 07538
PRINCIPAL: JANET R. BRAEN

(price schedule on file in Town Clerk's Office)

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. (425-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #35-1997
CAST IRON CURB INLETS, CATCH BASINS, FRAMES AND GRATES, ETAL

Continued on Next Page

RESOLUTION NO. (425-1997) Continued

is hereby awarded to:

CAMPBELL FOUNDRY COMPANY
800 Bergen Street
Harrison, NJ 07029
PRINCIPALS: J. ROBERT CAMPBELL, JR.
JOHN CAMPBELL
LEIGH V. MAYNARD

(price schedule on file in Town Clerk's Office)

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. (426-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the
Supt. of Recreation & Parks and the Director of Purchasing that

BID #32-1997
SECURITY GUARD SERVICES TOWN PARK FACILITIES

is hereby awarded to:

EXPLORER INVESTIGATION AGENCY, INC.
601 West 51st Street
New York, N.Y. 10019
PRINCIPALS: ANTHONY G. NEGRI
ANTHONY G. NEGRI, JR.

as per their low bid proposal of \$8.90 per guard, per hour, and
be it

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

1. Certificate of General Liability Insurance, including
coverage for errors and omissions in the face amount of
one million dollars. The Town shall be named as a co-in-
sured on the policy.
2. Certificate of Workers Compensation Insurance
3. Certificate of Workers Disability Insurance coverage

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. (427-1997)

Co. Maloney offered and Co. Profenna 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 Proposed Road, approximately 240 feet north of Briar Road between Lot Nos. 11 and 12.
2. West side of Proposed Road, approximately 700 feet west of Hydrant No. 1 at Lot No 52.
3. North side of Proposed Road, approximately 480 feet north of Hydrant No. 2 at Lot No. 51.
4. Northwest corner of Charles Street and Proposed Road, approximately 580 feet north of Hydrant No.3 at Lot No.61.
5. Northwest corner of Proposed Roads, approximately 500 feet southeast of Hydrant No. 4 at Lot No. 42

Investigation No: 11345, 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.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (428-1997)

Co. Maloney offered and Co. Profenna seconded

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

North side of New Proposed Road, approximately 500 feet west of the center line of Strawtown Road opposite and between Lots Nos. 2 and 3.

Investigation No. 11342, 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.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (429-1997)

Co. Maloney offered and Co. Profenna seconded

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

X-10136H - North side of Pipetown Hill Road, approximately 390 feet west of the center line of Town Hill Road

Investigation No.: 11268, and be

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

RESOLUTION NO. (430-1997)

Co. Maloney offered and Co. Profenna seconded

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

X-9535H - North side of Route 59, approximately 530 feet west of the center line of Thruway entrance ramp.

Investigation No.: 11323, 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.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (431-1997)

Co. Mandia 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, 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

Continued on Next Page

RESOLUTION NO. (431-1997) Continued

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:

Gateway, Valley Cottage
(Install one (1) 5800 lumen sodium vapor street light -
existing utility pole number 60457/41281)

Branchville Road, Valley Cottage
(Install one (1) 5800 lumen sodium vapor street light -
existing utility pole number 60298/40720)

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. (432-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

PELHAM WEST, NANUET

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. (433-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

CLARKSVILLE CORNERS, WEST NYACK

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. (434-1997)

Co. Mandia offered and Co. Maloney seconded

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

Fulton Street, Nanuet
(Remove one (1) - 7900 lumen mercury vapor street light on existing utility pole number W1)
(Install one (1) - 5800 lumen sodium vapor street light on existing utility pole number W1)

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. (435-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond in the amount of \$6,000.00, furnished in connection with the dedication of the road(s) and improvements on February 27, 1996 in a subdivision known as Tralee Estates, is terminated; and the sum of \$6,000.00 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. (436-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes payment to Larry Lewis, 40 Lowell Drive, New City, New York, of half the cost of drainage work performed on his property as per the proposal dated September 12, 1996, and be it

FURTHER RESOLVED, that the amount to be paid to Mr. Lewis is \$1,279.75.

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. (431-1997) Continued

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:

Gateway, Valley Cottage
(Install one (1) 5800 lumen sodium vapor street light -
existing utility pole number 60457/41281)

Branchville Road, Valley Cottage
(Install one (1) 5800 lumen sodium vapor street light -
existing utility pole number 60298/40720)

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. (432-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

PELHAM WEST, NANUET

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. (433-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

CLARKSVILLE CORNERS, WEST NYACK

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. (439-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the properties along Hutton Avenue, known as Montipark Realty Inc./Hutton Retail Complex, are presently zoned RS, and

WHEREAS, application has been made by Montipark Realty Inc./Hutton Retail Complex for the parcel identified on the Clarkstown Tax Map as Map 163, Block A, Lot 11, for use of Hutton Avenue for a proposed retail complex, and

WHEREAS, the New York State Department of Transportation (NYSDOT) has completed the widening of New York State Route 59 and has provided for a traffic light at Hutton Avenue;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes Montipark Realty Inc./Hutton Retail Complex, doing business at Map 163, Block A, Lot 11, to use Hutton Avenue, Nanuet, New York, for access to the proposed retail complex, as provided for in Section 290-26D of the Town Code of the Town of Clarkstown.

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. (440-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby adds the concrete curb locations listed on the attached Schedule "A" to the list of concrete curb locations to be constructed under Bid #70-1996, and be it

FURTHER RESOLVED, that the necessary funds for the additional concrete curb, \$9,841.00, shall be taken from capital projects Account #H 7182 400 409 0 55 10.

(Schedule "A" on file in Town Clerk's Office)

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. (441-1997)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, ROCKLAND HOSPITALITY ASSOCIATES, LLC has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation pursuant to the

RESOLUTION NO. (441-1997) Continued

provisions of the Zoning Ordinance of the Town of Clarkstown, §290-11A, Table 12 of General Use Regulations for an RS District, Column 3, Item B(2), and §290-17L, for property located on the the South side of Route 59 and the West side of Rose Road, Nanuet, New York, which property is designated on the Clarkstown Tax Map as Map 31, Block A, Lot 27, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on April 14, 1997, at 8:00 P.M., to consider such application, and

WHEREAS, the Town Board of the Town of Clarkstown has received an Environmental Assessment Form pursuant to SEQRA, and a letter dated May 13, 1997 from K. Luke Kalarickal, Director of Environmental Control, which the Board has discussed and considered in making their decision herein, and

NOW, THEREFORE, the Town Board makes the following Special Findings pursuant to Section 290-15B of the Zoning Ordinance of the Town of Clarkstown:

That, the proposed use as described and represented by the applicant shall be:

1. Properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Will not adversely affect the character of/or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a landfill operation on the above described property is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 290-17(L) of the Zoning Ordinance of the Town of Clarkstown;
2. All fill material shall be clean, non-flammable and non-toxic fill as determined and approved by the Town of Clarkstown Department of Environmental Control. Petitioner shall keep a daily written log as to the contents and the source of each load of fill material, which log shall be open for inspection at all times to the Town of Clarkstown Department of Environmental Control and filed in the office of the Town Clerk upon termination of the fill operation:

Continued on Next Page

RESOLUTION NO. (441-1997) Continued

3. Petitioner shall provide a temporary filter barrier prior to placing any fill material on the site and take all necessary steps to provide erosion control measures approved by the Clarkstown Department of Environmental Control, including but not limited to the protection of storm drains with filter berms and site stabilization measures;

4. The method of placing and compaction of the fill material shall be subject to prior approval of the Department of Environmental Control;

5. Petitioner shall take all necessary steps to preserve and protect any public or private water supply source which may be affected as determined by the Clarkstown Department of Environmental Control;

6. All necessary engineering design and construction improvements that affect drainage in the area or other effects on adjoining properties will be first submitted to the Town of Clarkstown Department of Environmental Control for determination and approval;

7. Provide a landscaping plan to show that the slopes are stabilized with vegetative cover and revised site plan drawing to show that proposed swale is to be extended to the drainage ditch on Route 304;

8. Provide a drainage plan to the satisfaction of the Department of Environmental Control, mitigating any adverse effects from additional runoff going toward Lake Nanuet Drive and the Nauraushaun stream;

9. In the event that the Town Board requires retention of an outside consulting engineering firm at any time during the landfill operations, petitioner agrees to pay the cost of such consultant;

10. Prior to commencement of the landfill operation, the petitioner shall agree to save harmless the Town from any costs in the event that the Town Board or any of its agencies is named as party defendant in a lawsuit as a result of the landfill operation of the petitioner pursuant to the Special Permit, and any damages which may be incurred or result against the Town of Clarkstown;

11. Pursuant to the recommendation of K. Luke Kalarickal, Director of Environmental Control, the petitioner shall adhere to the following:

(a) The limit of the fill area should be staked out and certified by a licensed land surveyor that it is in accordance with the drawing approved by the Town Board.

(b) Should the Town Board decide that landscaping is necessary to screen the adjoining properties, a landscaping plan shall be submitted and approved by the Town;

(c) A Letter of Credit is to be submitted to the Town in an amount to be determined by the Department of Environmental Control, to guarantee the completion of the filling process in accordance with the approved permit, and be it

FURTHER RESOLVED, that based upon the report of K. Luke Kalarickal, Director of Environmental Control, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the special permit shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

Continued on Next Page

RESOLUTION NO. (441-1997) Continued

FURTHER RESOLVED, that the within Resolution and Special Findings setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with 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. (442-1997)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, Town Code Section 5-4D sets forth time limitations on the completion of respreading of topsoil and seeding of lawns and planting of trees, requiring completion of such work by the first day of May following the making of an escrow deposit, and

WHEREAS, the Department of Environmental Control by letter of April 18, 1997 reminded various builders and developers of this requirement, and

WHEREAS, the Town of Clarkstown is holding escrow deposit in the amount of \$4,600.00 from Berk Development for the installation of additional drainage piping and structures, the respreading of topsoil and seeding, and the planting of shade trees, and

WHEREAS, Berk Development has failed to complete the said work at Lot E-15 of the Long Meadow West Subdivision.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby declares the sum of \$4,600.00 to be in default.

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. (443-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a grade reallocation request has been made for the following title:

Telephone Operator/Typist - from Grade 15 to Grade 17, and

WHEREAS, the Town Board has reviewed this request.

NOW, THEREFORE, be it

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RESOLUTION NO. (443-1997) Continued

RESOLVED, that the Town Board of the Town of Clarkstown approves the above request pursuant to the Collective Bargaining Agreement of the Clarkstown Unit of the C.S.E.A.

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. (444-1997)

Co. Mandia offered and Co. Smith seconded

WHEREAS, District 18 Little League of Rockland County, New York, has been selected as the host of the 1997 Junior League Baseball Eastern Regional Championship Tournament, and

WHEREAS, it is necessary to raise funds for the tournament which shall be held at the Zukor Park Complex in New City, Town of Clarkstown, New York, and

WHEREAS, the Town of Clarkstown wishes to promote this endeavor by placing an advertisement in the 1997 Souvenir Journal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the appropriation of \$200.00 for an advertisement in the 1997 Souvenir Journal for District 18 Little League of Rockland County, and be it

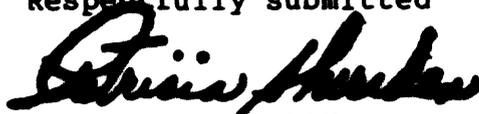
FURTHER RESOLVED, that the appropriation shall be charged to Account No. A-6410-405.

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 9:30 P.M.

Respectfully submitted



PATRICIA SHERIDAN,
Town clerk