

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/14/98

8:00 P.M.

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

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

A presentation was given and a film shown by the Clarkstown Community Task Force and the Clarkstown Police Department regarding teens abusing alcohol and the legal consequences thereof.

Supervisor opened the public portion of the meeting

Appearance: Bob Jackson
Nanuet

Regarding Item #2, Joy Builders, Inc. , Mr. Jackson asked where it was located. He praised the Clarkstown Police Department.

Appearance: Dwight Kerns
Congers

Regarding Item #3, he inquired as to why it was necessary to authorize outside legal counsel when we have our own Law Department. Regarding Item #7, authorizing settlement of a law suit, he asked if there was a resolution and requested that it be read. He also asked for Item #15 to be read.

Appearance; John Lodico
New City

He is the liaison to the Village of Upper Nyack regarding the Bicentennial Committee. Mr. Lodico thanked the Town Board for all their help. He spoke about Peterson Shipyards, getting an engineer for the former Police building and asked about the dental plan for the Police.

Appearance: Orin Goetz
New City

Spoke about the trashing of the Nanuet Train Station and Police protection. There is a broken traffic light in Nanuet and other signal problems. He wants Clarkstown to be on the world web.

Appearance: Dr. Martha MacGuffie
New City

Dr. MacGuffie requested that the Town use non-lethal methods with regards to controlling the geese population.

Appearance: Dr. Arlene Kahn
Chiropractor

Dr. Kahn read a list of names of prominent people who signed a letter regarding the control of the Canada geese. She asked the Town Board to try the methods outlined by the Rockland County Task Force.

Appearance: Gerald Pritz
Nanuet

Asked if there was authorization at the last Town Board meeting regarding sending out bids for the restoration of the Hopper barn.

RESOLUTION NO. (312-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of March 24, 1998 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. (313-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, JOY BUILDERS, INC. 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-15 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as 167-B-4+;

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 239-1 and 239-m of the General Municipal Law and other applicable provisions of law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (314-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, Adolph Milich, Jr., Building Inspector of the Town of Clarkstown, has requested outside legal representation with respect to Appeal No. 2801 - Joel J. Epstein pending before the Clarkstown Board of Appeals, and the pending lawsuit entitled, Town Board of the Town of Clarkstown, et al v. Adolph, Jr., et al, and

WHEREAS, it is the desire of the Town of Clarkstown to avoid any allegation of conflict of interest in connection with said appeal and litigation;

NOW, THEREFORE, be it

RESOLVED, that Adolph Milich, Jr., Building Inspector, be and hereby is authorized to retain outside counsel in connection with Appeal No. 2801 - Joel J. Epstein, and the pending lawsuit entitled, Town Board of the Town of Clarkstown, et al v. Adolph, Jr., et al, and be it

FURTHER RESOLVED, that the legal fee shall not exceed \$175.00 per hour, and the total legal fee shall not exceed \$7,500, which fee shall be paid by the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to April 6, 1998.

On roll call the vote was as follows:

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

RESOLUTION NO. (315-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes Peter Brega, Inc. to provide supplemental bus service to residents of the Monterey Gardens Senior Citizen Complex, Bardonia, New York, for the purpose of facilitating their grocery shopping at the Pathmark Supermarket in Nanuet, New York, at a cost to the Town not to exceed \$135.00 per week, and be it

FURTHER RESOLVED, that the cost of said transportation shall be charged to Account A 7610-404-0, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to November 1, 1997.

On roll call the vote was as follows:

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

RESOLUTION NO. (316-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, Town Board Resolution #699-1997 authorizes design services for Ridge Road, New City, and Mountainview Avenue and Christian Herald Road, Valley Cottage; and

WHEREAS, residents of Christian Herald Road petitioned the Town Board to extend sanitary sewer service east of Mountainview Avenue; and

WHEREAS, the Town Board ordered the extension of said design project.

NOW, THEREFORE, be it

RESOLVED, that the engineering fees of Roy F. Weston be increased from \$49,500.00 to a cost not to exceed \$56,100.00 and that such cost be a proper charge to Account #H8110-409-0-8-11.

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. (317-1998)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, the Mayor of Upper Nyack has asked the Town of Clarkstown for assistance during the Rockland County Memorial Day Bicentennial weekend celebration by providing two portable sanitary toilets to the Village of Upper Nyack;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Director Purchasing to rent two portable sanitary toilets for the Rockland County Memorial Day Bicentennial weekend celebration, and provide same to the Village of Upper Nyack, at no cost to the Village.

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. (318-1998)

Co. Mandia offered and Co. Smith seconded

WHEREAS, an action was commenced by RCC Consultants, Inc. (successor to RAM

RESOLUTION NO. (318-1998) Continued

Communications & Consultants, Inc.) regarding a contract with the Town of Clarkstown, and

WHEREAS, RCC Consultants, Inc. and the Town of Clarkstown have agreed to settle said action for the sum of \$1,297.50;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes settlement with RCC Consultants, Inc., and be it

FURTHER RESOLVED, that the settlement amount of \$1,297.50 shall be charged to Account No. A-1420-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (319-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves a contract of insurance with the United States Life Insurance Company dated April 1, 1998, for the provision of dental insurance pursuant to the collective bargaining agreement between the Town of Clarkstown and the Rockland County PBA, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign any documents related to said contract of insurance.

On roll call the vote was as follows:

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

RESOLUTION NO. (320-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Historical Society of Rockland County is holding its annual Historic Preservation Merit Awards Program on May 17, 1998. The awards will be presented in recognition of outstanding historic preservation efforts in Rockland County, and

WHEREAS, the Town Board of the Town of Clarkstown believes that the 1998 Historic Preservation Merit Awards Program is a worthy cause;

Continued on Next page

RESOLUTION NO. (320-1998) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the expenditure of \$1,600 to cover the partial sponsorship of the 1998 Historic Preservation Merit Awards Program by the Historical Society of Rockland County, and be it

FURTHER RESOLVED, that the fee for such program shall be charged to Account No. A 7520-419.

On roll call the vote was as follows:

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

RESOLUTION NO. (321-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown deems the proliferation of Adult Entertainment Uses to have an injurious effect on both commercial and residential areas of the Town, and

WHEREAS, the Town Board of the Town of Clarkstown, in order to prevent proliferation of said uses until a study can be completed to determine where such uses, in accordance with law, should be located within the Town, deems it desirable to declare a moratorium on said uses until such time as a study can be completed by the Planning Board of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a moratorium is hereby declared on the issuance of Building Permits or Certificates of Occupancy for any new Adult Entertainment Uses in the Town of Clarkstown for a period of one (1) year, and be it

FURTHER RESOLVED, that Adult Entertainment Uses herein are defined as:

- A. Adult Book Store - an establishment having a substantial or significant portion of its stock and trade, books, magazines and other periodicals which are distinguished or related to "specified sexual activities" or "specified anatomical areas" or an establishment with a segment or section devoted to the sale or display of such material.
- B. Adult Motion Picture Theaters - an enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" for observation by persons therein.
- C. Topless Bars or Private Adult clubs - which are characterized by the display and exhibition by entertainers in various stages of undress.
- D. Escort Agencies and Massage Parlors - providing various services to the public, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is directed not to issue a Building Permit or Certificate of Occupancy for any such use in the Town

RESOLUTION NO. (321-1998) Continued

for a period of one (1) year or pending an Amendment to the Zoning Ordinance based upon a study by the Planning Board of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this mater is hereby referred to the Planning Board for recommendation.

On roll call the vote was as follows:

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

RESOLUTION NO. (322-1998)

Co. Maloney offered and Co. Smith seconded

WHEREAS, a petition has been made to the Town Board of the Town of Clarkstown for development of the premises known and designated on the Clarkstown Tax Map as Map 141, Block B, Lot 1, to permit the construction of twenty-four (24) fee owned townhouses with common areas under the control of a homeowners' association of 6.48 acres of land;

NOW, THEREFORE, be it

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law, and pursuant to the recommendations of the Town of Clarkstown Planning Board, the Town Board hereby establishes an "Open Development Area" for property situate on the southwest corner of Route 9W and Lakewood Drive, Congers, New York, which is intended to be developed with townhouses, which property is more specifically designated on the Clarkstown Tax Map as Map 141, Block B, Lot 1, consisting of 6.48 acres, which property may be developed as a result of a petition of Theodore F. Atzl, P.L.S., engineer for the owner Cifuni, (Swans Landing Site) presently pending before the Clarkstown Planning Board, provided however, prior to the issuance of any building permit the following conditions shall be met by the owner:

1. "The Open Development Area" shall consist of the right-of-way and common areas as shown on a proposed subdivision map entitled, "Swans Landing, Town of Clarkstown, Rockland County, New York, Subdivision Plat" dated January 30, 1998, drawn by Atzl Scatassa & Zigler, P.C., New City, New York, for which Building Permit or Certificates of Occupancy may be issued for no more than twenty-four (24) townhouses subject to obtaining final subdivision and site plan approval of the Clarkstown Planning Board, for which access to said dwellings is given by the private right-of-way or easement as shown on said proposed subdivision and site plans.

2. Prior to final approval, applicant shall secure in writing a statement from the Congers-Valley Cottage Ambulance Corps and the Fire District servicing the area that the proposed right-of-way will provide sufficient emergency access.

3. Applicant shall obtain the review and approval of the proposed access, any required drainage improvements and the necessary sewer systems from the Department of Environmental Control, prior to final site plan approval.

4. Prior to final approval, applicant shall provide a Declaration of Restrictive Covenant which shall run with the land in a form acceptable to the Town Attorney and which shall be

RESOLUTION NO. (322-1998) Continued

recorded in the Rockland County Clerk's Office, which Declaration shall contain the following declaration and covenants:

A. That the property owners acknowledge that access to the nearest public road has been obtained by private easement or right-of-way and that the property owner shall not receive any municipal services consisting of road maintenance and resurfacing, snow removal or sanding, pothole repair, or other similar services which are provided to residents of the Town of Clarkstown whose properties front on a public road.

B. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants required herein.

C. That the fee ownership of the common areas and right-of-way be in a Homeowners' Association duly formed with responsibility for property maintenance and landscaping of which all dwelling unit owners shall be required to participate.

D. That the Declaration shall contain provisions for regular maintenance, repair, snow plowing and other necessary services on the right-of-way and other common element areas by the Homeowner' Association, with a sharing of the cost of same on an equitable basis.

E. That the Certificate of Occupancy issued for any fee units within the site plan or subdivision boundaries shall be conditioned upon observance and subject to the Declaration of Covenants herein required.

F. That in the event the property owner at any time in the future shall request establishment of a road improvement district or otherwise seek to dedicate the private right-of-way or easement as a public street, such owner or Board of Directors of the Homeowners' Association shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown any interest of the property owner in this easement or right-of-way and any property adjacent thereto, and said owner shall covenant in said Declaration of Covenants to participate in any such road improvement district at the request of the Town of Clarkstown by resolution duly adopted by the Town Board with the costs of such road improvement district being assessed against the Homeowners' Association interest of fee units in accordance with the provisions of Town Law.

G. That any site plan or subdivision map approved by the Planning Board shall contain a note referring to the resolution establishing the "Open Development Area" by date and number, which site plan or map note shall also state that the issuance of Building Permits and Certificates are subject to compliance with the Declaration of Covenants herein required.

On roll call the vote was as follows:

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

RESOLUTION NO. (323-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that Resolution No. 265, adopted by the Town Board on March 10, 1998, is hereby amended as follows:

WHEREAS, pursuant to the Clean Water/Clean Air Bond Act of 1996, being Chapter 413 of the Laws of New York of 1996, the New York State Environmental Facilities Corporation (the "Corporation") is authorized to provide state assistance to villages, towns, and cities with a population of less than one million, for small business environmental compliance assistance

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RESOLUTION NO. (323-1998) Continued

projects which enhance the quality of the air of the State through compliance with environmental laws and regulations, or to remedy or prevent environmental deficiencies (the "FAB Air Program"), and

WHEREAS, the Corporation has established the FAB Motor Vehicle Inspection and Maintenance ("I&M") Program pursuant to the FAB Air Program to assist in the purchase of enhanced automobile emissions testing equipment, and

WHEREAS, the Town Board of the TOWN OF CLARKSTOWN (hereinafter, the "Municipality"), after due consideration, has determined that participation in the FAB I&M Program is desirable and in the public interest;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Municipality, as follows:

1. The filing of an application, or applications, with the Corporation for financial assistance under the FAB I&M Program in the form required by the Corporation is hereby authorized, including all understandings and assurances contained in said application;

2. The individual holding the following office, Supervisor, Charles E. Holbrook, is directed and authorized as the official representative of the Municipality to identify entities which will participate in the FAB I&M Program, to execute and deliver said application(s), to execute and deliver any other documents necessary for participation in the FAB I&M Program, to provide such additional information as may be required, and to take all actions on behalf of the Municipality as may be required in order to effectuate the intent and purpose of this resolution.

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. (324-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town Board, Town of Clarkstown, was desirous to correct an adverse flooding condition within a drainage easement in the vicinity of #2, #4, and #6 Marcus Road, West Nyack, New York, and

WHEREAS, the Town Board, Town of Clarkstown, by resolution No. 128-1998, authorized Tucci Equipment Co., to perform the necessary improvements for a total cost of \$25,460.00, and

WHEREAS due to poor soil conditions at the project site, additional restoration work, totaling \$8,646.00, was necessary to complete the project.

NOW THEREFORE, be it

RESOLVED, that Town Board resolution No. 128-1998 is hereby amended to reflect the additional cost of \$8,646.00 and be it

RESOLUTION NO. (324-1998) Continued

FURTHER RESOLVED that the total cost of the project shall not exceed \$34,106.00 and shall be a proper charge to account H 7182 409 47 1

On roll call the vote was as follows:

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

RESOLUTION NO. (325-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS the Town Board, Town of Clarkstown, was desirous to correct an adverse flooding condition within a drainage easement in the vicinity of Brookhaven Court, Nanuet, New York, and

WHEREAS, the Town Board, Town of Clarkstown, by resolution No. 638-1997, authorized Ufheil Construction Co., Inc. to perform the necessary improvements for a total cost of \$134,900.00, and

WHEREAS, the existing pavement on Brookhaven Court is in a seriously deteriorated condition, and

WHEREAS, the additional cost necessary to repave Brookhaven Court is \$14,175.00.

NOW THEREFORE, be it

RESOLVED, that Town Board resolution No. 638-1997 is hereby amended to reflect the additional cost of \$14,175.00 and be it

FURTHER RESOLVED, that the total cost of the project shall not exceed \$149,075.00 and shall be a proper charge to account H 8735 409 12 2

On roll call the vote was as follows:

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

RESOLUTION NO. (326-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town Board, Town of Clarkstown, was desirous to repair a collapsed gabion wall within a drainage easement in the vicinity of lot 31A18.11, Elks Drive, Nanuet, New York, and

RESOLUTION NO. (326-1998) Continued

WHEREAS, the Town Board, Town of Clarkstown, by resolution No. 934-1997, authorized Environmental Construction Co., Inc. to perform the necessary improvements for a total cost of \$24,993.00, and

WHEREAS, Alternate A of the bid proposal provided for the installation of fence along the affected area, and

WHEREAS, the additional cost for the Alternate A fence is \$2,595.00.

NOW THEREFORE, be it

RESOLVED, that Town Board resolution No. 934-1997 is hereby amended to reflect the additional cost of \$2,595.00 and be it

FURTHER RESOLVED, that the total cost of the project shall not exceed \$27,588.00 and shall be a proper charge to account H 1994 409 0 14 15

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. (327-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that MARIE GERONIMO, Receiver of Taxes, DOLORES DAUBITZ, Deputy Tax Receiver and LORETTA RAIMONE, Data Entry Clerk, is hereby authorized to attend a Seminar for Tax Collection Officers co-sponsored by the Association of Towns of the State of New York and New York State Association of Tax Receivers and Collectors on June 14th thru June 17, 1998 at Holiday Inn, Waterloo/Seneca Falls, New York.

FURTHER RESOLVED, that all proper charges be charged against 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. (328-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that PATRICIA SHERIDAN, Town Clerk, is hereby authorized to attend the New York State Clerk Annual Conference 1998, to be held at the Sheraton Saratoga Springs

RESOLUTION NO. (328-1998) Continued

Hotel from April 19 - 22, 1998 and all proper charges and registration fees be charged to Appropriation Account #A-1410-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (329-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received \$2,085.00 from Rockland County Community Development, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01 10 4989 0 (General-Community Development Funds) and A 8989 222 2 Community Development) by \$2,085.00

On roll call the vote was as follows:

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

RESOLUTION NO. (330-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution #391-1997 adopted on May 8, 1997 is hereby amended to include:

Authorization for the Town Comptroller to transfer an additional \$258,000.00 from Money in Lieu of Land to Parklands and Improvements account for various projects.

On roll call the vote was as follows:

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

RESOLUTION NO. (331-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as chapter 278 Sec. 13, of the Code of the Town of Clarkstown, at

HIDDEN VALLEY AT CONGERS
Leif Blvd., Congers, NY 10920

by the installation of fire lane designations, and

WHEREAS, Michael Fazio, the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board 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 HolbrookYes

RESOLUTION NO. (332-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Resolution No. 288-1998 is hereby corrected to read:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the superintendent of Highways, is hereby authorized to install a "No Right Turn" sign on the driveway of Andrea Electric, exiting onto Old Nyack Turnpike, Nanuet, NY, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to the Superintendent of Highways for implementation and to the Chief of Police for enforcement purposes.

On roll call the vote was as follows:

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

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RESOLUTION NO. (333-1998)

Co. Mandia offered and Co. Maloney 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:

“DEAF CHILD AREA” signs (Sec. 237.5 of the NYS Department of Transportation’s Manual of Uniform Traffic Control Devices a W7-6 sign) 500 ft. before all approaches of the intersection of Phillips Hill Rd. and Little Tor Rd., New City, NY

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, 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. (334-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install “No Parking - Tow-Away Zone” signs along both sides of Maple Avenue, between New City-Congers Road and Demarest Avenue, New City; and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways, for implementation, to William J. Collins, Chief of Police, for enforcement purposes and to the Traffic and Traffic Fire Safety Advisory Board, for their information.

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. (335-1998)

Co. Mandia offered and Co. Maloney 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:

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RESOLUTION NO. (335-1998) Continued

An Intersection sign (Sec. 232.1 a W2-3 sign per the NYS DOT Manual of Uniform Traffic Control Devices) with a panel beneath to read, "Driveway". This sign to be erected at the proper distance from driveway at #508 Mountainview Avenue, Valley Cottage

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, 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. (336-1998)

Co. Mandia offered and Co. Maloney 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:

A Guide Rail in front of 92 South Mountain Rd., New City
Also erect a curve sign (Sec. 231.3 W1-9 per the NYSDOT Manual of Uniform Traffic Control Devices) on South Mountain Rd., westbound in front of #155 and an advisory panel beneath 20 MPH.

Erect an advisory speed panel 20 MPH beneath the existing winding curve on South Mountain Rd., eastbound, at #88.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, 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. (337-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Cynthia Shaw, has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section 2 of the Labor Agreement between the Town of

RESOLUTION NO. (337-1998) Continued

Clarkstown and the Clarkstown Unit of the C.S.E.A., provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, Cynthia Shaw, 62 Sixth Avenue, Nyack, New York, Counselor (Municipal Counseling Services), Clarkstown Counseling Center is hereby granted a leave of absence, without pay, effective April. 11, 1998 to August 3, 1998.

On roll call the vote was as follows:

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

RESOLUTION NO. (338-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Lisa M. Kloenne, 1 East Cavalry Drive, New City, New York is hereby appointed to the position of Counselor (Part-time), Clarkstown Counseling Center at the current 1998 hourly rate of \$20.41, effective and retroactive to March 30, 1998.

On roll call the vote was as follows:

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

RESOLUTION NO. (339-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Margaret Bernaschina, 10 Parliament Drive, New City, New York (Part-time) Bus Driver, Mini Trans Department, is hereby accepted effective and retroactive to April 7, 1998.

On roll call the vote was as follows:

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

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RESOLUTION NO. (340-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on March 26, 1998 that the position of Motor Equipment Operator I, Highway Department, can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Motor Equipment Operator I, Highway Department, is hereby created, effective April 15, 1998.

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. (341-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on March 24, 1998 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 April 15, 1998.

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. (342-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Tillie Schwartz, 1 Dogwood Lane, West Nyack, New York, Planning Assistant, Planning Department is hereby accepted with regret effective and retroactive to March 29, 1998.

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. (343-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the position of Planning Assistant, Planning Department is hereby abolished effective and retroactive to April 6, 1998.

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. (344-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that Town Board resolution #304-1998 is hereby corrected to read:

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks that

**BID #20-1998
ASPHALT RESURFACING AT CONGERS LAKE MEMORIAL PARK**

is hereby awarded to:

EMERSON PAVING CO., INC.
448 Demarest Avenue
Closter, NJ 07624
PRINCIPALS: John Gulino, Carmen Gulino, Joseph Gulino

as per their proposed project cost of \$24,900.00 and be it

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

- a) Standard Form of Agreement - two signed copies
- b) Performance Bond - 100%
- c) Labor and Materials Payment Bond - 100%
- d) Certificate of Contractor's Liability, and Property Damage Insurance Coverage with the Town named as co-insured
- e) Certificate of Worker's Compensation and Worker's Disability Coverages

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. (345-1998)

Co. Maloney offered and Co. Profenna seconded

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

BID #29-1998 - SWIMMING POOL CHEMICALS

is hereby awarded to:

JONES CHEMICALS, INC.
30 MATTHEWS STREET SUITE 303
GOSHEN, NY 10924
PRINCIPALS: JOHN WILEY JONES
ESTATE

JERSEY CHEMICALS, INC.
775 RIVER STREET
PATTERSON, NJ 078524
PRINCIPAL: ALAN TAUB

LESLIE'S POOL SUPPLIES
20630 PLUMMER STREET
CHATSWORTH, CA 91311
PRINCIPALS: BRIAN MCDERMOTT, PRES.
JOHN BALL, SR. V. PRES.
ROBERT OLSEN, E. V. PRES./CFO
CYNTHIA WATTS, SR. V. PRES., SEC.

BEL-AQUA POOL SUPPLY, INC.
750 MAIN STREET
NEW ROCHELLE, NY 10805
PRINCIPALS: MARTIN SILVER
SUSAN WISAN

(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. (346-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks and the Director of Purchasing that

BID #30-1998 - SECURITY GUARD SERVICES AT TOWN PARKS

is hereby awarded to:

ACCURATE SECURITY CO.
84 SOUTH LIBERTY DRIVE
STONY POINT, NY 10980
PRINCIPALS: JOHN A. SCHASSLER
JOHN KEELY
JOHN A. SCHASSLER, JR.

as per their proposed project cost of \$9.10 per guard, per hour and be it

RESOLUTION NO. (346-1998) Continued

FURTHER RESOLVED, that said award is subject to the receipt of the following by the Director of Purchasing prior to a start work authorization being granted:

- a) Certificate of General Liability Insurance, including coverage for errors and omissions in the face amount of at least \$1,000,000 (1 million dollars). The Town of Clarkstown shall be named as a coinsured on this policy.
- b) Certificate of Worker's Compensation coverage and Worker's Disability Coverage.

On roll call the vote was as follows:

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

RESOLUTION NO. (347-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown is desirous of implementing its annual Mosquito Control Program for 1998; and

WHEREAS, the Town Board has authorized and the Director of Purchasing has obtained competitive bids based on specifications prepared by the Department of Environmental Control for said program; and

WHEREAS, the Department of Environmental Control has reviewed said competitive bids for conformity to said specifications;

NOW, THEREFORE, Be It

RESOLVED, that, based upon the recommendation of the Director of the Department of Environmental Control, the Town Board hereby awards

Bid #16 - 1998 Mosquito Control Service

to:

TBC Spraying Services, Inc.
 51 Wayne Avenue
 Suffern, New York 10901
 PRINCIPAL: Barry H. Stangel

as per their low bid proposal of

Four (4) Larvicide Applications @ \$275.00 per Application and

Seven (7) Adulticide Applications @ \$6245.00 per Application for those lots found in Schedule A of the contract specifications and

Seven (7) Adulticide Applications @ \$19.64 per lot per Application for those additional lots not originally found in the contract specifications; and be it

RESOLUTION NO. (347-1998) Continued

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

- 1) Itemized List of Work Force
- 2) Certificate of General Liability Insurance (must include Save Harmless Clause)
- 3) Certificate of Workmen's Compensation Insurance
- 4) Certificate of Worker's Disability Insurance

as per the contract specifications.

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. (348-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks and the Director of Purchasing that

**BID #34-1998
 PRECAST CONCRETE STORAGE STRUCTURE FOR LAKE NANUET PARK**

is hereby awarded to:

WOODARD CONCRETE PRODUCTS, INC.
 P.O. Box 8
 Bullville, NY 10915
 PRINCIPAL: THE ZWART FAMILY

as per their low bid proposal of \$9,500.00.

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. (349-1998)

Co. Maloney offered and Co. Profenna seconded

**BID #17 - 1998
 ARTS & CRAFTS SUPPLIES**

Continued on Next Page

RESOLUTION NO. (349-1998) Continued

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

1. **S & S ARTS & CRAFTS**, 17 Mill Street, Colchester, Connecticut 06415 - 1800-243-9232 Principals: Stephen Schwartz

For items # 6, 7, 10, 18, 19, 20, 22, 31, 32, 33, 34, 35, 36, 38, 42, 45, 47, 53, 62, 65, 66, 67, 70, 74, 79, 90, 92, 97, 98, 99, 101, 103, 105, 107, 111, 112, 114, 115, 118, 119, 121, 122, 124, 126, 128, 130, 131, 133, 134, 135, 136, 137, 138, 142, 144, 145, 146, 147, 148, 149, 150, 151, 155, 160, 162, 165, 167, 169, 178, 181, 182, 184, 185, 186, 190, 191, 197, 200, 201, 202, 203, 205, 210, 216, 228, 230, 232, 234, 236, 240, 245, 247, 249, 250, 253, 255, 257, 258, 259, 265, 266, 267, 270, 272, 273, 275, 276, 277, 278, 279, 283, 287, 288, 289, 290, 294, 295, 298, 299, 300, 301, 302, 304, 311, 312, 315, 316, 318, 320, 322, 324, 325, 326, 327, 329, 330, 331, 332, 333, 334, 335, 340, 341, 343, 347, 351, 354, 357, 357A, 358, 359, 360, 361, 362, 365, 368, 386, 388, 392, 395, 396, 402, 403, 404, 405, 406, 407, 409, 410, 414, 417, 418, 419, 421, 422, 424, 426, 427, 428, 429, 431, 432, 436, 441, 442, 445, 446, 450, 451, 454, 455, 459, 461, 464, 465, 467, 468, 469, 476, 477, 478, 479, 480, 484, 487, 489, 491, 492, 496, 497, 498, 502, 504, 507, 508, 513, 520, 521, 526, 527, 528, 529, 530, 534, 535, as per specifications at a net bid price of \$13,142.20

2. **J A HANDY-CRAFTS, INC.** 165 Pennsylvania Ave., Lindenhurst, NY 11757 (516)226-2400. Principals: Paul Siegelman, Joanne Siegelman.

For item #s: 1, 4, 5, 8, 9, 11, 14, 17, 21, 24, 25, 26, 28, 30, 43, 44, 46, 50, 51, 58, 64, 73, 81, 82, 84, 93, 94, 95, 104, 106, 108, 113, 152, 157, 158, 159, 163, 183, 188, 189, 194, 195, 196, 199, 231, 239, 242, 243, 246, 256, 260, 261, 262, 264, 269, 271, 282, 284, 285, 296, 297, 305, 306, 307, 308, 309, 310, 321, 323, 328, 336, 337, 344, 345, 348, 349, 350, 352, 355, 370, 371, 372, 373, 374, 377, 380, 383, 389, 390, 393, 394, 412, 413, 415, 416, 420, 430, 432, 434, 435, 457, 458, 466, 471, 474, 475, 481, 482, 483, 485, 490, 499, 500, 501, 506, 511, 512, 514, 518, 533, as per specifications at a net bid price of \$6,847.05

3. **CREATIVE CRAFTS INTERNATIONAL**, 16 Plains Rd., Essex, Connecticut 06426 (203-767-2101. Principals: Brian Jermaine, Paul Siegel

For items #s: 2, 16, 54, 55, 57, 88, 91, 96, 127, 139, 140, 208, 213, 214, 215, 217, 219, 220, 221, 222, 235, 291, 338, 493, 515 as per specifications at a net price of \$888.47

4. **ECONOMY HANDICRAFTS**, 50-21 69th Avenue, Woodside, NY 11377.

(718) 4261600. Principals: Laurie Korobkin & David Korobkin.

For items #29, 37, 49, 59, 60, 87, 102, 123, 125, 154, 166, 174, 176, 179, 187, 198, 206, 218, 233, 313, 314, 317, 319, 339, 342, 346, 356, 364, 378, 379, 384, 385, 387, 423, 443, 444, 447, 452, 453, 456, 460, 462, 473, 503, 510, 531, 532 as per specifications at a net price of \$4,650.13.

5. **VANGUARD CRAFTS**, 1081 East 48 Street, Brooklyn, NY 11234 (718)377-5188.

Principals: Rhonda Mackolin, Estelle Schwedock & Eric Schwedock.

For items #3, 12, 23, 48, 56, 68, 69, 75, 76, 78, 80, 83, 85, 86, 89, 109, 110, 116, 117, 120, 129, 132, 143, 156, 192, 212, 224, 225, 226, 229, 238, 241, 244, 248, 251, 252, 263, 268, 286, 448, 516 as per specifications at a net price of \$2,162.73.

6. **B CRAFTS INC.** 175 Allen Blvd., Farmingdale, NY 11735, (516) 420-4220. Principal: Daniel Benson, Marsha Benson

For items #13, 15, 39, 40, 41, 52, 61, 71, 72, 77, 100, 161, 164, 168, 171, 173, 175, 177, 180, 227, 254, 274, 280, 281, 353, 363, 366, 367, 375, 381, 391, 397, 398, 399, 400, 401, 408, 411, 425, 437, 438, 439, 449, 463, 470, 472, 486, 488, 494, 495, 509, 517, 519, 522, 523, 524, as per specifications at a net price of \$3,150.90

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RESOLUTION NO. (349-1998) Continued

7. **CERAMICS SUPPLY OF NEW JERSEY**, 7 Route 46 West, Lodi, N.J. 07644. (201) 340-3005. Principals: Miriam Vogelmann, Irwin Vogelmann, Judy Noe.
For items #536, 538, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 578, 579, 580 as per specifications at a net bid price of \$771.40

GROSS TOTAL OF ALL ITEMS: \$31,586.98, and be it

FURTHER RESOLVED, that this amount be charged against accounts:

7310-329 - \$161,479.72
7141-329 - \$ 7,760.79
7610-329 - \$ 7,346.47

On roll call the vote was as follows:

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

RESOLUTION NO. (350-1998)

Co. Maloney offered and Co. Profenna seconded

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

BID #26-1998
FOOD PROVISIONS FOR TOWN SUMMER REFRESHMENT STANDS

is hereby awarded to:

MAX BRAUN & SONS, INC.
94 WOODWORTH AVENUE
YONKERS, NY 10701
PRINCIPAL: NORMAN BRAUN

MULLER DAIRIES
PO BOX 456
FLORIDA, NY 10921
PRINCIPALS: WILLIAM J. MULLER

J.H. HAAR & SONS INC.
53 HAMILTON DRIVE EAST
NORTH CALDWELL, NJ 07006
PRINCIPAL: GEOFFREY M. HAAR

DICARLO DISTRIBUTORS
PO BOX 2365
1630 N.OCEAN AVENUE
HOLTSVILLE, NY 11742-0911
PRINCIPALS: VINCENT, JOHN &
MICHAEL DICARLO

FINK BAKING CO.
5-35 54TH AVENUE
LONG ISLAND CITY, NY 11101
PRINCIPALS: JIMMY, JONATHAN
STEPHEN FINK

JAY BEE DISTRIBUTORS
10001 S. OYSTER BAY RD
BETHPAGE, NY 11714
PRINCIPAL: JEFFREY PRICE

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RESOLUTION NO. (350-1998) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (351-1998)

Co. Smith offered and Co. Maloney seconded

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

BID #35-1998
WIDENING OF MIDDLETOWN RD. AT SMITH RD., NANUET

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York 11:00 AM on: FRIDAY, MAY 8, 1998 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 HolbrookYes

RESOLUTION NO. (352-1998)

Co. Smith offered and Co. Maloney seconded

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

BID #36-1998
WASHED SAND & GRAVEL

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on: APRIL 30, 1998 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. (352-1998) 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. (353-1998)

Co. Smith offered and Co. Maloney seconded

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

BID #37-1998
CAST IRON CURB INLETS, CATCH BASIN FRAMES & GRATES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on: MAY 1, 1998 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. (354-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #38-1998
RENOVATIONS TO FORMER POLICE/COURTS BUILDING

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York on: DATE TO BE DETERMINED 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.

RESOLUTION NO. (354-1998) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (355-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Director of Environmental Control to hire appropriate consultants to investigate the former Police/Court Facility with regard to its structural integrity and compliance with the Building Code, and be it

FURTHER RESOLVED, that the fee for such consultants shall be charged to A 1630-409-0.

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. (356-1998)

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:

X10255H - e/s of Hutton Avenue approximately 400' s/o Hydrant #4-58

Investigation No: 11400, 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. (357-1998)

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:

X10258H - w/s of Ridge Road approximately 225' n/o Route 304
& opposite Long Clove Road

Investigation No: 11384, 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. (358-1998)

Co. Smith offered and Co. Maloney

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests permission from the New York State Thruway Authority to allow the Town to erect a chain link fence along the NYS Thruway ramp behind Arbor Lane, Bardonia, New York.

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. (359-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement 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 1998 to:

Association for the Visually Impaired	\$ 1,000.00
Clarkstown Baseball Association (American Legion Team)	2,000.00
Rockland Center for the Arts	10,000.00
RSVP (Retired and Senior Volunteer Program)	1,500.00

Continued on Next Page

RESOLUTION NO. (359-1998) Continued

FURTHER RESOLVED that the total amount \$14,500.00 be transferred from Account # A 1990-505 to Account # 8840 424.

FURTHER RESOLVED that these funds are to assist in providing such services for the calendar year 1998 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 HolbrookYes

RESOLUTION NO. (360-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the State of New York, through its Commissioner of Transportation, has submitted to the Supervisor of the Town of Clarkstown a proposed agreement relating to maintenance of Federally-Aided Off-System and Traffic Operational Improvements within the Town of Clarkstown, specifically traffic signal lights at the following locations:

New Clarkstown Road/Smith Road

Pascack Road/Lawrence Street

WHEREAS, the execution of such agreement is in the best interest of the Town of Clarkstown; now therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor, Honorable Charles E. Holbrook, to execute such agreement on behalf of the Town of Clarkstown; and be it further

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

On roll call the vote was as follows:

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

RESOLUTION NO. (361-1998)

Co. Smith offered and Co. Mandia seconded

WHEREAS, certain veterans' organizations have requested monetary assistance from the Town to defray rent costs, provide funds for parades, memorial services and other activities;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (361-1998) Continued

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 (\$500 for leasing or rental and maintenance of meeting facility and \$250 for patriotic observance) to the following veterans' organizations:

- | | |
|--|-----------|
| Clarkstown Memorial - V.F.W. | Post 851 |
| New City Memorial - V.F.W. | Post 8749 |
| Wm. E. DeBevoise, Jr.
American Legion Way | Post 1682 |
| Lt. Walter Lipman Jewish War Veterans
Korean War Veterans | Post 756 |

and be it

FURTHER RESOLVED, that claims for such sum shall be made annually by the organizations and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 1998 Account No. A-6510-401.

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. (362-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Melrose Construction of New York, Inc. has failed to perform in accordance with the provisions of its contract awarded pursuant to Bid No. 48-1997 (Hillcrest Road/Tupper Lane Road Improvements);

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby declares Melrose Construction of New York, Inc. to be in default of its contract, and be it

FURTHER RESOLVED, that the Town Attorney take all necessary steps to proceed against the Performance Bond, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 13, 1998.

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. (363-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the existing drainage pipes were recently removed and replaced along the side and rear of the said property and;

WHEREAS, the Department of Environmental Control has recommended a solution for the removal of unsuitable soil and weeds, installing topsoil, seed and mulch as necessary and possible replacement of damaged shrubs and;

WHEREAS, the Department of Environmental Control has solicited proposals to perform said landscape restoration work;

NOW THEREFORE, BE IT RESOLVED that the Director of Environmental Control is hereby authorized to hire **KJS HAULING AND HOME IMPROVEMENTS** to perform the necessary landscape restoration work; and

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed \$1,300.00 and shall be a proper charge to account # H 7182-409-0-55-11.

On roll call the vote was as follows:

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

RESOLUTION NO. (364-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby support Resolution No. 479-1997 to consider every non-lethal effort to alleviate the pressures from Canada geese.

RESOLVED, that the Town purchase vacuums for use by Recreation & Parks for all Clarkstown properties, especially the public park areas, and be it

FURTHER RESOLVED, that copies of this resolution be sent to the Supervisors of the four neighboring Towns, County Executive Scott VanDerhoef, Governor George Pataki and the Palisades Park Commission.

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....No
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookNo

RESOLUTION NO. (365-1998) (FAILED)

Supvr. Holbrook offered and Co. Mandia seconded

RESOLVED, that Resolution No. 364-1998 to employ non-lethal methods of geese control is hereby tabled.

On roll call the vote was as follows:

Councilman Maloney.....No
Councilman Mandia.....Yes
Councilman Profenna.....No
Councilwoman Smith.....No
Supervisor HolbrookYes

RESOLUTION NO. (366-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby supports legislation to have the Demarest Kill recreation area designated "parkland" which will limit all future building on the Greenburg property.

On roll call the vote was as follows:

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

Councilman Maloney, on behalf of the Town Board, adjourned the meeting in memory of Miriam Kurisko. She was a member of the Drug Abuse Prevention Council for the past twenty-four years.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 9:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk