

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

10/27/98

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

Clarkstown Police Honor Guard led by Detective Gary McDonald. presented the colors. Supervisor declared the Town Board meeting open. Assemblage saluted the Flag.

Sergeant Tim O'Neill was the Master of Ceremony for the special presentation to the Clarkstown Police Department. He introduced Dr. Dennis McCartney, Director of Law Enforcement Services Unit at the New York State Division of Criminal Justice. Dr. McCartney presented the Clarkstown Police Department with the State Accreditation for the Bureau of Municipal Police. Dr. McCartney represented the State Accreditation Committee. This accreditation attested to the fact that the Clarkstown Police met or exceeded the standards of professionalism. A plaque was presented by Dr. McCartney to Chief Kevin Kilduff and former Police Chief William Collins who had initiated this program. Chief Kilduff thanked Lieutenant Peter Noonan and Officer Lorraine McGrath for their effort in bring this to fruition. The colors were retired and Sergeant O'Neill closed the program.

Supervisor Holbrook opened the public portion.

Appearance: Legislature Marty Cohen
Clarkstown

Spoke regarding Item #15, Hyenga Lake in Nanuet. He is in favor of the chain link fence being installed.

Appearance: Hon. William Vines
West Nyack

Spoke regarding Item #2. He is opposed to the moratorium on Special Permits/Textual Changes. He said that people with special needs should not be shut out.

Appearance: Martus Granirer
New City

Spoke regarding Item #2 and #3. He spoke on behalf of Niles and Jan Davies of Davies Farm. They are in favor of the moratorium.

Appearance: Sister Kathleen Gilbride, Project Director
Sisters of Charity, Nanuet

Spoke regarding Item #2. She is concerned if adopted, would it impact on their senior citizen project and feels that it should not affect projects that are underway.

Appearance: Jessica Houser, Esq.
Attorney for South Little Tor Civic Association

The Civic Association is in favor of Item #2 supporting the moratorium and Item #3. They support the Ad Hoc Citizens Committee.

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Appearance: Bob Jackson, President
Nanuet Civic Association, Nanuet

Spoke on Item #19 regarding abandonment of Hutton and Kemmer Lanes. He asked if it was to be sold. He stated that the Civic Association is in favor of Item #3A, the Comprehensive Plan. On Item 3B, he inquired as to what the exemptions were. The Nanuet Civic Association supports the moratorium, Item #2.

Appearance: Russell Trojan
Nanuet

On Item #15C, He wants the fence to be set back so it does not impede on Pipetown Hill Road pedestrian traffic. He spoke on Item #9E and is concerned about the effect of "no parking" sign on Elks Drive and how it will affect the parents of the school children. He is in favor of Item #2, the moratorium, and he hopes the \$975,000.00 that the Town is going to receive from the sale of Hutton and Kemmer Lanes will be spent in Nanuet.

Appearance: Shirley Lasker, President
Rockland County Civic Association, West Nyack

The Civic Association is in favor of Items #2 and #3 (moratorium and Ad Hoc committee).

Appearance: Mr. Mele
Congers

Spoke regarding Item #2 and is in favor of the moratorium.

Appearance: Ira Emanuel, Esq.
Represents Dream Construction Corp. & DePaulis Enterprise

Spoke regarding the zone text amendments.

Appearance: Arlene Whittacker
Vice President of the Bardonia Citizens Association

Spoke regarding Item #2 and is in favor of the moratorium.

Appearance: Scott Milich
Davies Assisted Living Facility

Spoke regarding senior citizen housing and his opposition to the moratorium.

Appearance: Joseph Schlimer
New City

Regarding Item #2, he is in favor of the moratorium.

Appearance: Ed Day, President
Little Tor Neighborhood Association, New City

Regarding Item #2, he is in favor of the moratorium. Changes should only be made in emergency for the health and safety of the Town.

Appearance: Martin Bernstein
New City

Regarding Item #2, he is in favor of the moratorium.

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Appearance: Armond Miele
Nanuet

Spoke regarding Item #2 and is opposed to the moratorium.

Appearance: Cora Bobkin
Secretary of the So. Little Tor Association

The Executive Board of the So. Little Tor association supports the moratorium.

Appearance: Scott Turner
Congers Civic Association

Spoke regarding Item #2, and is in favor of the moratorium.

Appearance: James Hershberger
Valley Cottage (letter)

He is in favor of the moratorium and never authorized anyone to put his name on a petition.

Appearance: Mary Felegy
Congers

Spoke regarding Item #2, and is in favor of the moratorium. She objected to what she considered a bias polling effort.

Appearance: John Lodico
New City

Spoke regarding amending the September 15, 1998 resolution regarding veterans. He suggested that the meeting be closed in memory of Kathy Lukens.

RESOLUTION NO. (773-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of September 28 and October 5, 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 HolbrookYes

RESOLUTION NO. (774-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proposed local law entitled,

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RESOLUTION NO. (774-1998) Continued

**"A LOCAL LAW PROHIBITING ANY TEXTUAL CHANGES AND THE
ISSUANCE OF A SPECIAL PERMIT TO THE ZONING ORDINANCE FOR
A PERIOD OF TWELVE MONTHS TO GIVE THE PLANNING BOARD AMPLE
TIME TO REVIEW AND AMEND THE COMPREHENSIVE PLAN"**

was introduced by Councilman Maloney at a Town Board Meeting held on September 15, 1998, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on September 15, 1998, directed that a public hearing be held on September 28, 1998, at 8:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on September 18, 1998, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on September 14, 1998, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on September 28, 1998;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5, 1998 entitled:

**"A LOCAL LAW PROHIBITING ANY TEXTUAL CHANGES AND THE
ISSUANCE OF A SPECIAL PERMIT TO THE ZONING ORDINANCE FOR
A PERIOD OF TWELVE MONTHS TO GIVE THE PLANNING BOARD AMPLE
TIME TO REVIEW AND AMEND THE COMPREHENSIVE PLAN"**

is hereby **ADOPTED** and passed by an affirmative vote of the Town Board of the Town of Clarkstown:

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

Co. M. dia stated that he does not want the Civic Association or Mr. Milich to think that the moratorium is being passed to target any applicant. This moratorium is necessary because the Planning Board needs this to act in concert with the zoning moratorium to get the job done right. Secondly, the concern issued by many about certain items that must go on in all practicality within the community, will be handled separately in a separate resolution. He plans to introduce a second public hearing to handle the exceptions the Supervisor enunciated earlier. This will handle some of the issues raised by Sister and the issue of day care centers.

Co. Smith stated that the Town Board has unanimously supported the one year moratorium. Now we have the second part calling for textual changes. There is no provision in there for day care. This is a very important item today for elders as well as children. On item 3b, calling for a public hearing on certain exemptions should be added. In addition, Ralph has mentioned the "b" part of the next item. She would like that changed to say, calling for a public hearing on certain exemptions. She would also like to add a "c" and request a public hearing for the day care Local Law that was presented tonight. With all these conditions, she supports Item #2.

Supervisor Holbrook supports the resolutions for the Local Law. These measures

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RESOLUTION NO. (774-1998) Continued

are essential in terms of preparing a comprehensive plan that this Town Board intends to adopt. No other Town Board in Rockland County has ever adopted a comprehensive plan, the guiding principles behind the Zoning Ordinance which is the implementation of that plan. Hopefully, by early next September, there will be another public hearing in this auditorium telling the Town Board to adopt a comprehensive plan. One might ask why Town Boards in the past have not adopted comprehensive plans. The reason is very simple. Without a comprehensive plan, the Town Boards have great latitude in terms of making decisions relative to zone changes and changes of land use. If a comprehensive plan is adopted by a Town Board, decisions become much more structured. Many Town Boards have viewed that as an unnecessary restriction. This is a very important step. It won't have any meaning unless we are back here next September adopting a comprehensive plan. The Planning Board, in the past, has adopted comprehensive plans. There has to be a partnership between the Town Board and the citizens in terms of putting forward this very important measure. We are on the verge of the next millennium. This is something that should be on the books and adopted when we step into that next millennium.

On roll call the vote was as follows:

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

RESOLUTION NO. (775-1998)

Co. Smith offered and Co. Maloney seconded

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

“AMENDMENT TO CHAPTER 290 OF THE CODE OF THE TOWN OF CLARKSTOWN TO PERMIT THE USE, MAINTENANCE AND OPERATION OF CHILD DAY CARE CENTERS”

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their recommendation and report:

Section I. Legislative intent.

It has been brought to the attention of the Town Board that the Zoning Code, as currently enacted, does not permit the use, maintenance or operation of Child Day Care Centers, as that term is defined by the New York State Department of Family Affairs. This deficiency is not in the best interest of the Town of Clarkstown or its residents as it deprives the Town of the services of large format, professionally operated child day care facilities. Further, this situation deprives the Town of an appropriate mechanism to insure that such facilities are properly located and planned.

For the foregoing reasons, the Town Board finds that the Zoning Code should be

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RESOLUTION NO. (775-1998) Continued

amended to provide for such facilities in appropriate zoning districts.

Section 2. Establishment of use.

Chapter 290 of the Code of the Town of Clarkstown, hereinafter referred to as "the Zoning Code" is hereby amended as follows:

(a) Section 290-3.B. of the Zoning Code is hereby amended by adding the following definition in its proper alphabetical place:

CHILD DAY CARE CENTER: A program or facility licensed by the New York State Department of Family Assistance, in which child day care is provided on a regular basis to more than six children for more than three hours per day per child for compensation or otherwise, except those programs operating as a group family day care home, a family day care home, or a school-age child care program, as those terms are defined by the New York State Department of Family Assistance. The name, description or form of the entity which operates a child day care center does not affect its status as a child day care center. A child day care center may provide care for no more children at any given time than the authorized maximum capacity of children shown on the license. A child day care center may provide care for children six weeks though 12 years of age, for children under court supervision or for children who are 13 years of age or older where a physician, psychiatrist or psychologist states in writing that such children are incapable of caring for themselves. No child less than six weeks of age may be admitted.

b) Section 290-II.A. (Use Table) of the Zoning Code is hereby amended by adding the following in the indicated zoning districts and indicated columns:

1 District	2 Uses Permitted by Right	6 Minimum Required Off-Street Parking Spaces (Subject to Article VI) For: At least one parking space for each:		8 Additional Use Regulations (For Regulations Governing All Non-Conforming Uses, See Article VII)
R-40	9. Child Day Care Center	11. Child Day Care Center	13 seats	9. A Child Day Care Center shall be permitted only if the lot on which such use is to exist has frontage on and takes access from a major road or a secondary road.
R-22	9. Child Day Care Center	10. Child Day Care Center	13 seats	9. A Child Day Care Center shall be permitted only if the lot on which such use is to exist has frontage on and takes access from a major road or a secondary road.
R-15	9. Child Day Care Center	10. Child Day Care Center	13 seats	9. A Child Day Care Center shall be permitted only if the lot on which such use is to exist has frontage on and takes access from a major road or a secondary road.

R-10	9. Child Day Care Center	7. Child Day Care Center	13 seats	7. A Child Day Care Center shall be permitted only if the lot on which such use is to exist has frontage on and takes access from a major road or a secondary road.
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1 District	2 Uses Permitted by Right	6 Minimum Required Off-Street Parking Spaces (Subject to Article VI) For: At least one parking space for each:	
LO	10. Child Day Care Center	12. Child Day Care Center	13 seats
PO	8. Child Day Care Center	10. Child Day Care Center	13 seats
LS	9. Child Day Care Center	8. Child Day Care Center	13 seats
CS	14. Child Day Care Center	14. Child Day Care Center	13 seats
RS	18. Child Day Care Center	23. Child Day Care Center	13 seats

Section 3. Invalidity.

Should any section, paragraph, sentence, clause, word or provision of this local law be declared void, invalid or unenforceable for any reason, by any court or tribunal of competent jurisdiction, such decision or determination shall not affect the remaining provisions of this local law.

Section. 4 Inconsistency.

Pursuant to Section 22 of the New York Municipal Home Rule Law, the provisions of this local law are intended to supersede any inconsistent provision of law.

Section 5. Effective Date.

This local law shall be effective immediately upon filing with the Secretary of State, and be it

**FURTHER RESOLVED, that for the purposes of the New York State
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RESOLUTION NO. (775-1998) Continued

Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 8, 1998 at 8:15 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of the time, place and purpose of such hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted as aforesaid and file proof thereof in the Office of 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. (776-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board has passed a 12-month moratorium on zone changes to provide time for revisions to the Town's Comprehensive Plan, and

WHEREAS, there are a number of established civic organizations and persons deeply interested in the revision of the Comprehensive Plan, and

WHEREAS, it is in the best interest of the Town to assure that the planning opinions representing those organizations and persons are formally documented for consideration in any revisions made to the Comprehensive Plan.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby establishes a 5-person Ad Hoc Citizens Committee and appoints the following members of that committee:

- Martin Bernstein, 20 Woodglen Drive, New City
- Edwin Day, 2 Capral Lane, New City
- Robert Jackson, 76 Briar Road, Nanuet
- Gerard O'Rourke, 52 Trevor Lake Drive, Congers
- Joseph Centra, 17 Adele Road, West Nyack, and be it

FURTHER RESOLVED, that the Ad Hoc committee is empowered to act with respect to adding their recommendations, collectively or individually, as necessary, to interim and final reports of the Planning Board, and be it

FURTHER RESOLVED, that the Ad Hoc Citizens Committee should utilize

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RESOLUTION NO. (776-1998) Continued

input from open meetings at civic associations and other appropriate public meetings to be held to develop a Comprehensive Plan and that it is expected that input should be sought from parties on the subject of general zoning, environmental matters, building issues, senior citizen housing needs and education areas to address school board concerns.

Co. Maloney stated that all the citizens will have ample opportunity to have input at all the meetings that are going to take place during the year.

Co. Profenna feels that the Town Board is the governing body of the Town and they should be appointing these people. The authority should not be put in the hands of a layman. These hearings will be brought up at every civic association in each hamlet.

Supvr. Holbrook supports this resolution while he still believes there should be a broader expansion of that committee to include more people. The essential element is to work with the Planning Board. It is important that we have citizen input.

On roll call the vote was as follows:

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

RESOLUTION NO. (777 -1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown passed Local Law No. 5 on October 27, 1998, prohibiting textual changes and the issuance of a Special Permit to the Zoning Ordinance for a period of twelve (12) months, and

WHEREAS, the Town Board recognizes that such a broad moratorium would cause certain hardships, the Town Board will send to the Planning Boards of the Town and County certain categories of Special Permits to be excepted from the total moratorium;

NOW, THEREFORE, be it

RESOLVED, that the following categories of Special Permit shall be excepted from the total moratorium:

- (a) Conversion of a single family detached residence into not more than two dwelling units;
- (b) Public utility substations or pumping stations and telephone exchanges;
- (c) Public utility rights of way, towers and lines;
- (d) Home occupations;
- (e) Agency boarding homes, group homes, community residences, and special care homes;
- (f) Restaurants with access to a major road;
- (g) Recycling facility;
- (h) Restaurants associated with indoor tennis club or health club; and
- (i) Family recreation, and be it

FURTHER RESOLVED, that an Amendment to the Zoning Ordinance to permit

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RESOLUTION NO. (777 -1998) Continued

Child Day Care Centers as uses by right shall also be excepted from the total zoning moratorium, and be it

FURTHER RESOLVED, that such Special Permits shall be sent to the Town and County Planning Boards for review, and be it

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on December 8, 1998, at 8:10, relative to the proposed amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law an file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (778-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Chamber of Commerce of the Nyacks, Inc. has requested the use of the Clarkstown Showmobile, at no charge, for its annual Halloween Parade being held on October 24, 1998 in Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the use of the Clarkstown Showmobile, at no charge, to the Chamber of Commerce of the Nyacks, Inc. for its annual Halloween Parade being held on October 24, 1998 in Nyack, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (779-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision/site known as Orange and Rockland Utilities, Inc., the Planning Board of the

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RESOLUTION NO. (779-1998)

Town of Clarkstown requested a deed for road widening purposes along Gilchrest Road, Congers, New York:

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated September 10, 1998 from Orange and Rockland Utilities, Inc. to the Town of Clarkstown, gratuitously conveying a strip of land along Gilchrest Road, Congers, New York, is hereby accepted and ordered recorded in the Rockland County 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. (780-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, as a condition to the approval of the variance with regard to a subdivision/site known as Robert Mayo, the Zoning Board of Appeals of the Town of Clarkstown requested a deed for road widening purposes along the east side of Harrison Avenue, and the west side of Rockland Avenue, Congers, New York, along with an additional five foot wide sanitary sewer easement;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated July 3, 1998 from Robert Mayo to the Town of Clarkstown, gratuitously conveying strips of land along the east side of Harrison Avenue and the west side of Rockland Avenue, Congers, New York, along with an additional five foot wide sanitary sewer easement is hereby accepted and ordered recorded in the Rockland County 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. (781-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, MARK WILLIAMS & AUDREY WILLIAMS v. GARY McDONALD, CLARKSTOWN P.D., DONALD SLICKER & E. STEMPINSKI, ENGLEWOOD P.D.,

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RESOLUTION NO. (781-1998) Continued

AND FRANK CALLAHAN, AMER BANKERS INC., CO.;

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 HolbrookYes

RESOLUTION NO. (782-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Robert Stritmater, Director of Automated Systems, has advised that it is necessary to upgrade the Town computer system for the purpose of increasing the disk capacity to accommodate usage by the Town, and

WHEREAS, IBM has offered the Town of Clarkstown a \$28,000 discount if installation is completed during 1998, and

WHEREAS, IBM is currently under State bid;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Robert Stritmater, Director of Automated Systems, to contact IBM to provide for the upgrading of the Town computer system by increasing the disk capacity, and be it

FURTHER RESOLVED, that the fee for such services shall cost \$116,000 and shall be charged to Account No. H 1682-409-0-26-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (783-1998)

Co. Smith offered and Co. Mandia 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. (783-1998) Continued

a sign to read, "Stop Sign Ahead". This sign should be erected the appropriate distance before the Stop sign on Ridge Rd., Congers, 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. (784-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Highway and Traffic Engineering Consultant for the Town of Clarkstown, the Superintendent of Highways is hereby authorized to install:

A "Town Speed Limit 30 MPH" sign for northbound traffic on the south end of Medway Avenue, Congers, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to Wayne Ballard, PE, CSP, Superintendent of Highways for implementation and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police 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. (785-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Highway and Traffic Engineering Consultant for the Town of Clarkstown, the Superintendent of Highways is hereby authorized to install:

"State Law/Do Not Block Side Road" (R9-4C) signs at the following two intersections

Continued on Next Page:

RESOLUTION NO. (785-1998) Continued

- 1. Northbound Middletown Road at James Drive, Nanuet
- 2. Southbound Middletown Road at Norge Avenue, Nanuet, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (786-1998)

Co. Smith offered and Co. Mandia 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:

- “Deer Crossing” signs (see §235.7 of the MUTCD, a W5-13B sign). The first to be erected on the northside of Saw Mill Rd. at the crest of the hill.
- The second, on the eastside of Buena Vista Rd. at Red Hill Rd., New City

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 HolbrookYes

RESOLUTION NO. (787-1998)

Co. Smith offered and Co. Mandia 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:

- “No Parking” signs with directional arrows on the eastside of Elks Drive, Nanuet, from the South end to the North end., 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.

RESOLUTION NO. (787-1998) 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. (788-1998)

Co. Smith offered and Co. Mandia 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 "Limited Sight Distance" sign (W1-18C) with an advisory speed sign (W(-1) to read, "20 MPH", 200 ft. East and West of the crest on James Drive, Nanuet, 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. (789-1998)

Co. Smith offered and Co. Mandia 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 on South Maountian Rd, West of Little Tor Rd, New City
EB W/O House #88 Driveway, 20 MPH, W9-1X, Add under "Winding Road" sign
EB W/O House #94 Mailbox, Driveway, W5-16C, Add under "Intersection" sign
EB W/O House #116 Driveway, 20 MPH, W9-1X (Add under "Left Turn" sign
WB Vicinity of House#160 Driveway, 20 MPH, W9-1X (Add under "Winding Road" sign
EB Vicinity of House #160 Driveway, Left Reverse Turn, W1-5C, Add
WB Vicinity of House #188 Driveway, Left Reverse Turn, W1-5C, Add

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

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RESOLUTION NO. (790-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, ALAN YASSKY v. THE ASSESSOR, THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN, Index No(s). 3911/93, 3578/94, 3649/95, 3805/96, 4030/97 and 4120/98, affecting parcel(s) designated as Map 6, Block A, Lot 8, for the year(s) 1993/94, 1994/95, 1995/96, 1996/97, 1997/98 and 1998/99, and

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 6, Block A, Lot 8 be reduced for the year(s) 1993/94 from \$423,200 to \$386,400 at a cost to the Town of \$212.02;

2. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 6, Block A, Lot 8 be reduced for the year(s) 1994/95 from \$423,200 to \$384,780 at a cost to the Town of \$258.17;

3. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 6, Block A, Lot 8 be reduced for the year(s) 1995/96 from \$423,200 to \$378,600 at a cost to the Town of \$302.48;

4. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 6, Block A, Lot 8 be reduced for the year(s) 1996/97 from \$423,200 to \$378,180 at a cost to the Town of \$304.29;

5. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 6, Block A, Lot 8 be reduced for the year(s) 1997/98 from \$423,200 to \$369,120 at a cost to the Town of \$368.94;

6. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 6, Block A, Lot 8 be reduced for the year(s) 1998/99 from \$423,200 to \$369,120;

7. That reimbursement for the year(s) 1993/94, 1994/95, 1995/96, 1996/97 and 1997/98 on the parcel described as Map 6, Block A, Lot 8 be made within (90) days through the Office of the Commissioner of Finance. If payment is made within (90) days, no interest will be charged; and

8. 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; and the attorney for the East Ramapo Central School District has consented to such settlement.

NOW, THEREFORE, be it

RESOLVED, that the settlement of the aforesaid action is authorized upon the

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RESOLUTION NO. (790-1998) Continued

terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

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. (791-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Diamond Z Tub Grinder has performed five years of heavy duty service to the Town; and

WHEREAS, repairs to critical mechanical assemblies are required, specifically, replacement of the tube and rollers, replacement of the drive shaft assembly and replacement of the hydraulic pump; and

WHEREAS, all such parts required for these repairs are proprietary in nature;

WHEREAS, competitive proposals have been advertised for and only proposal has been received

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control, and the Director of Purchasing are authorized to affect such repairs without competitive bidding with Construction and Industrial Equipment, Lodi, New Jersey, and be it

FURTHER RESOLVED, that the \$48,835.00 estimated cost of repairs shall be a proper charge to Account #SR 8160 447.

On roll call the vote was as follows:

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

RESOLUTION NO. (792-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, Ann Daino was transferred from the Assessor's Office to Receiver of Taxes on June 24, 1998, and be it

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RESOLUTION NO. (792-1998) Continued

THEREFORE RESOLVED, to transfer \$13,435 from A 1355 110 (Assessor's Salary) to A 1310 110 (Receiver of Taxes-Salary) and

WHEREAS, \$1,500 is needed for Office Furniture in the Police Dept., and be it

THEREFORE RESOLVED, to transfer \$1,500.00 from the Reserve for Seized and Forfeited Property to A 3120 201 (Police-Furniture & Furnishings).

On roll call the vote was as follows:

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

RESOLUTION NO. (793-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received \$2,200.00 from Briarwood Farms, Inc., \$2,387.50 from the Dept. of Criminal Justice Services, \$376.16 from Palisades/EklecCo, \$4,560 from Corporate Property Investors and \$9,216.00 from Palisades/EklecCo, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. DB 041 9 2705 (Highway-Gifts & Donations) and DB 5110 307 (Uniforms) by \$2,200.00; increase Estimated Revenue Account No. A 01 10 3828 (Dept. Criminal Justice) and A3120 209 (Police-Other Equipment) by \$2,387.50; increase Estimated Revenue Account No. DB 041 9 2705 (Highway-Gifts and Donations) and DB 5110 110 (Highway-Salaries) by \$376.16; increase A 01 3 2705 3 and A 3120 111 (Police-Overtime) by \$4,560.00 and increase A 01 3 2705 2 (Gifts Donations) and A 3120 113 (Police-Overtime) by \$9,216.00, and

WHEREAS, various funds require additional funding, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account A 01 14 2999 (Unexpended Balance) by \$88,390.00 and the following Appropriation Accounts:

A 1640 406 (Town Garage-Repairs to Vehicles).....	\$ 500
A 1420 409 21 (Town Attorney-Fees Pyramid/Albert.....)	15,000
A 1670 313 (Mail & Copy-Office Supplies).....	600
A 1680 110 (Data Processing-Salaries).....	10,000
A 1930 505 (Judgment & Claims).....	790
A 1950 503 (Taxes & Assessments).....	36,100
A 8090 409 (Control Aquatic pests)	12,000
A 9710 409 (Debt Service - fees for Services).....	13,400

On roll call the vote was as follows:

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

RESOLUTION NO. (794-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, various appropriation accounts require additional funding, and be it

THEREFORE, RESOLVED, to decrease A 3020 438 (Central Communications-Maintenance Agreements) and increase A 3020 230 (Communications Equipment) by \$900; decrease A 7520 419 (Historical Review-Misc. Services) and increase A 7520 114 (Part-time) by \$450; decrease A 1420 409 (Town Attorney-Fees for Services) and increase A 1420 211 (Law Books & supplements) by \$4,000; decrease A 1640 312 (Town Garage-Auto Maintenance Supplies) and increase A 1640 409 (Fees for Services) by \$3,000 and decrease A 4210 110 (Counseling-Salaries) by \$370 and increase A 4210 209 (Other Equipment) by \$200 and A 4210 408 (Building Repairs) by \$170.

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. (795-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received \$26,347.80 from Rockland County Community Development; \$6,144 from Palisades/EklecCo and \$2,387.50 from State of New York, Div. of Criminal Justice, and be it

THEREFORE RESOLVED, to increase A 01 10 4989 0 (General-Community Development Funds) and A 8989 222 2 (Community Development-Playgrounds) by \$26,347.80; increase A 01 3 2705 2 (Gifts & Donations) and A 3120 113 (Police-Overtime) by \$6,144 and increase A 01 10 3828 0 (Div. of Criminal Justice) and A 3120 209 (Police-Other Equipment) by \$2,387.50 AND

WHEREAS, various funds require additional funding, and be it

THEREFORE, RESOLVED, to transfer \$3,000 from reserve for DWI (A0877 0) to A 3120 209 (Police-Other Equipment) and \$3,440 from Reserve for Seized & Forfeited Property (A0890 0) to the following accounts:

- A 3120 201 (Police-Furniture & Furnishings) \$1,500
- A 3120 419 (Misc. Services). 1,940

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. (796-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received a donation of \$200 from CSC TKR, Inc., \$100 from A.P.A. Flowers & Gifts, Inc. - Bassett Flowers, \$100 from J. E. Vanderbilt & Co., and \$100.00 from Clarkstown Sunrise Rotary Club, Inc., and be it

THEREFORE, RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A 7310 329 (Parks & Recreation - Supplies) by \$500.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (797-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received a donation of \$100.00 from the Union State Bank, Orangeburg, NY, and be it

THEREFORE, RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A 7310 329 (Parks & Recreation - Supplies) by \$100.00.

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. (798-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received a donation of \$250.00 from United Water New York and \$150.00 from the Bank of New York, and be it

THEREFORE, RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A 7310 329 (Parks & Recreation - Supplies) by \$400.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (799-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received a donation of \$100.00 from Paikin Inc., Realtors and \$100.00 from Vanguard Crafts, Inc., and be it

THEREFORE, RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A 7310 329 (Parks & Recreation - Supplies) by \$200.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (800-1998)

Co. Smith offered and Co. Profenna seconded

RESOLVED, to decrease Account #7180-114 (Salaries) by \$5,936.00 and to increase Accounts #7180-409 (Fee/Serv.) by \$4,435.00; and #7180-424 (Cont. Exp.) by \$1,501.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (801-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, various funds require additional funding, and be it

THEREFORE, RESOLVED, to increase Estimated Revenue Account No. A 01 9 2705 (General-Gifts & Donations) and A 3230 319 (DARE - Misc. Supplies) by \$5,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (802-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, Dorothy Poust, RN, CSW of the Clarkstown Counseling Center attend conference on Thursday, October 29, 1998 on "The Addicted Brain", at Marymount College, Tarrytown, New York. Registration fee: \$80.00 per person.

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. (803-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes Al DiZenzo and Mike Fitton to attend the Atlantic Business Products Fair at the Tarrytown Hilton, Tarrytown, New York, on November 5, 1998, and be it

FURTHER RESOLVED, that all fees shall be charged against Account No. A-1680-414.

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. (804-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the following nonprofit organization 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 sum in economic assistance for 1998 to:

Rockland Family Shelter	\$1,000.00
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FURTHER RESOLVED, that the total amount of \$1,000.00 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.

RESOLUTION NO. (804-1998) 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. (805-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the New York State Division of Criminal Justice Services (DCJS #LG97978216) has appropriated funds for the purpose of financing the purchase of supplies for the D.A.R.E. program by the Town of Clarkstown Police Department, and

WHEREAS, the State shall provide \$6,000 to the Town of Clarkstown Police Department for said supplies, for the period covering April 1, 1997 through March 31, 1999;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York Division of Criminal Justice Services to accept a grant award of \$6,000 to cover the purchase of supplies for the Dare Program by the Clarkstown Police Department, for the period to April 1, 1997 through March 31, 1999, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to September 9, 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. (806-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Robert Stritmater, Director of Automated Systems, recommends the upgrading of the IBM AS/400 computer system to accommodate the "Year 2000" compliance and to enhance the overall performance of the Town's computer system, and

WHEREAS, New World Systems has submitted a proposal dated October 5, 1998 to modify the 1990 software license agreement with the Town, to provide upgrading of the IBM AS/400 model 35 processor to the model 620 processor;

Continued on Next Page

RESOLUTION NO. (806-1998) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign an agreement modifying the software license agreement with New World Systems, in a form approved by the Town Attorney, to provide upgrading of the IBM AS/400 model 35 processor to the model 620 processor, and be it

FURTHER RESOLVED, that the fee for such services shall cost \$9,000 and shall be charged to Account No. A 1680-438.

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. (807-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board wishes to participate in the Rockland County Department of Public Transportation "Super Saver" Discount Ticket Program for the Clarkstown Mini Trans, and

WHEREAS, in consideration for such services Rockland County shall provide promotional advertising for the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to participate in the Rockland County "Super Saver" Discount Ticket Program, and be it

FURTHER RESOLVED, that in consideration for such services Rockland County shall provide promotional advertising for 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. (808-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, on March 14, 1995, the Town Board adopted Resolution No. 192-1995 authorizing the Supervisor to enter into an agreement with L.C.H.

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RESOLUTION NO. (808-1998) Continued

Enterprises, Inc., D/B/A Lock, Stock and Barrel, with respect to an Adopt A Road Program dealing with Bardonia Road, Bardonia/West Nyack, New York, and

WHEREAS, L.C.H. Enterprises, Inc., D/B/A Lock, Stock and Barrel has since been sold to a new owner and is no longer doing business under that name;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby rescinds Resolution No. 192-1995, with respect to an Adopt A Road Program entered into by L.C.H. Enterprises, Inc., D/B/A Lock, Stock and Barrel dealing with Bardonia Road, Bardonia/West Nyack, 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. (809-1998)

Co. Mandia offered and Co. Maloney seconded

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

WHEREAS, Hudson Valley Grille, Inc. wishes to adopt Bardonia Road, from Route 304 to Germonds Road, Bardonia/West Nyack, New York and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Hudson Valley Grille, Inc. will perform a public service in removing trash from said roadway which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, to adopt Bardonia Road, from Route 304 to Germonds Road, Bardonia/West Nyack, New York, and to provide and coordinate services by Hudson Valley Grille, Inc., to remove trash from the roadway and install two (2) signs identifying the volunteer adopting Bardonia Road.

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. (10-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED that proposals received for BID #50-1998 are hereby rescinded, and be it

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

BID #50A-1998
INSTALLATION OF IN-GROUND FUEL STORAGE TANKS
AT THE CLARKSTOWN HIGHWAY DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on: DECEMBER 2, 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. (811-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #61-1998
TWO (2) UNMARKED POLICE VEHICLES (LEASE/PURCHASE)

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on NOVEMBER 18, 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. (612-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #62-1998
CHAIN LINK FENCING ALONG PIPETOWN HILL ROAD
IN THE VICINITY OF HYENGA LAKE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on NOVEMBER 20, 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. (813-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #1A-1999
OFFICE SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on NOVEMBER 17, 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. (814-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #4-1999
ATHLETIC & RECREATION SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on November 23, 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. (815-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #5-1999
LAKE NANUET PARK IMPROVEMENTS

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

On roll call the vote was as follows:

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

RESOLUTION NO. (816-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #6-1999
PAPER & PLASTIC SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on November 16, 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. (817-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #7-1999
JANITORIAL/MAINTENANCE SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on November 19, 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. (818-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #8-1999
ALPINE COURT PUMP STATION RECONSTRUCTION

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on January 19, 1999 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 Environmental Control upon payment of a non-refundable fee of twenty five dollars.

On roll call the vote was as follows:

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

RESOLUTION NO. (819-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #9-1999
PUMP STATION REHABILITATION - PHASE 3 - FOXWOOD ROAD, KLEIN AVENUE, LITTLE BROOK AVENUE, MAYFIELD STREET

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on JANUARY 26, 1999 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 Environmental Control upon payment of the prescribed non-refundable fee per set.

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. (20-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #57-1998
UTILITY MAINTENANCE VEHICLE

is hereby awarded to:

Storr Tractor Company
3191 Highway 22
Somerville, NJ 08876
Principal: Mary Lou DesChamps

For one Toro Workman 3200 with Rahn Infield Conditioner @	\$14,990
Less: Trade-in on one 1987 Toro Groundmaster Model 327	- <u>300</u>
Proposed net cost	\$14,690

On roll call the vote was as follows:

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

RESOLUTION NO. (821-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #2-1999
PHOTOCOPIER AND FAX MACHINE SUPPLIES

is hereby awarded to:

MCS BUSINESS SOLUTIONS
5 DAKOTA DRIVE
LAKE SUCCESS NY
PRINCIPAL: PUBLIC CORPORATION

DEC COPIERS INC
6A ROUTE 9W
HAVERSTRAW NY 10993
PRINCIPALS: GILBERT LIDERMAN
CHUCK WURF

DANKA OFFICE IMAGING
1266 EAST MAIN ST
STAMFORD CT 06902
PRINCIPAL: PUBLIC CORPORATION

VISTA BUSINESS PRODUCTS INC
565 TAXTER ROAD
ELMSFORD NY 10523
PRINCIPAL: GEORGE FORSTBAUER

BOUTONS BUSINESS MACHINES
95 ROUTE 304
NANUET NY 10954

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

Continued on Next Page

RESOLUTION NO. (821-1998) 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. (822-1998)

Co. Mandia offered and Co. Maloney seconded

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

BID #3-1999
PRINTING OF TOWN ENVELOPES & STATIONERY

is hereby awarded to:

VICTORIA ENVELOPE & PRINTING	LONG ISLAND ENVELOPE CO., INC.
26 WEST DEXTER PLAZA	240 ANDERSON AVENUE
PEARL RIVER, NY 10965	MOONACHIE, NJ 07074
PRINCIPAL: RON STEINBERG	PRINCIPAL: CALVIN GOOD

(as per the item/price schedule on file in the Purchasing Department)

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. (823-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Karen M. McCombs, 30 Sierra Vista Lane, Valley Cottage, New York, is hereby reappointed to the position of Member, Assessment and Review Board, term effective and retroactive to October 1, 1998 and to expire on September 30, 2003 at the per diem rate of \$100.00 per meeting when the Board is in session.

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. (824-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Daniel V. Coyne, 6 Brookside Avenue, New City, New York, Court Attendant, Town Justice Department, is hereby accepted effective and retroactive to October 1, 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. (825-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Katherine Pritchard, 520 Brixham Park Drive, Franklin, Tennessee 37069 is hereby accepted with regret, effective and retroactive to October 31, 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. (826-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #98058 Payroll Clerk & Data Entry Operator (Interdepartment Promotion) which contains the name of Patricia McGrogan.

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Patricia McGrogan, 15 Lyncrest Avenue, New City, New York to the (Permanent) position of Payroll Clerk & Data Entry Operator, Police Department at the current salary of \$32,609.00, effective and retroactive to October 9, 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. (827-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Lucy DiDomenico-Gelman, 59 Green Road, West Nyack, New York is hereby appointed to the position of Account Clerk (Part-time), Building Department, at the current hourly rate of \$12.50, effective November 12, 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. (828-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on July 30, 1998 that the position of Clerk #0257, encumbered by Donna Butson can be reclassified to the position of Senior Clerk, Highway Department.

NOW, THEREFORE, be it

RESOLVED, that the position of clerk #0257 is hereby reclassified to the position of Senior Clerk, Highway Department, effective and retroactive to September 14, 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. (829-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Donna A. Butson, 57 Burda Avenue, New City, New York is hereby appointed to the position of (Provisional) Senior Clerk, Town Highway Department, at the current salary of \$34,643.00 effective and retroactive to September 14, 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. (830-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on October 16, 1998 that the position of Clerk Typist (Part-Time), Building Department, (Fire Inspector's Office) can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk Typist (Part-Time), Building Department (Fire Inspector's Office) is hereby created, effective October 28, 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. (831-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on September 25, 1998 that the position of Motor Equipment Operator II, Solid Waste Facility, can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Motor Equipment Operator II, Solid Waste Facility, is hereby created, effective October 28, 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. (832-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on October 16, 1998 that the position of Clerk, Police Department, can be created

NOW, THEREFORE, be it

RESOLVED, that the position of clerk, Police Department, is hereby created, effective October 28, 1998.

Continued on Next Page

RESOLUTION NO. (832-1998) 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. (833-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Councilman Mandia, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO CHAPTER 262 (TAXATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on November 10, 1998 at 8:05 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of 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. (834-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, an application has been made by FB Nanuet, LLC and Others, that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 207 of the Highway Law to declare that certain portions of rights-of-way known as Hutton Avenue and Kemmer Avenue, Nanuet, New York, as described in the metes and bounds description attached as Schedules "A" and "B" upon the ground that same have been found to be unnecessary for highway purposes, and therefore may be deemed abandoned and discontinued, and

WHEREAS, said roads appear on the Official Map of the Town of Clarkstown, and

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RESOLUTION NO. (834-1998)Continued

WHEREAS, the Town Board of the Town of Clarkstown wishes to consider the abandonment and discontinuance pursuant to Section 207 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law, of portions of the roads known as HUTTON AVENUE and KEMMER AVENUE, Nanuet, New York, as described in Schedule "A" attached;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on December 8, 1998, at 8:05 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation.

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. (835-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, EklecCo furnished to the Town of Clarkstown a Surety Bond in the amount of \$10,000,000, to cover road, highway and drainage improvements as set forth in Resolution No. 1151-1988, all as set forth and as specifically called for in the Resolution of the Planning Board approving a final Site Plan of SL 89-A-4+, dated June 23, 1993, and

WHEREAS, Robert J. Congel, Riesling Associates, James A. Tuozzolo and Thomas J. Valenti furnished to the Town of Clarkstown a Letter Agreement with the Department of Environmental Control itemizing cost estimates for incomplete work items, dated January 14, 1998, secured by a Letter of Credit in the amount of \$2,500,000, and

WHEREAS, the Director of Environmental Control of the Town of Clarkstown has recommended that the Surety Bond be released, upon the recommendations of the New York State Department of Transportation and the New York State Thruway Authority, and that the Letter of Credit be reduced to \$500,000, as the amount of work remaining is significantly less than that for which the esrows were taken;

NOW, THEREFORE, be it

RESOLVED, that Surety Bond No. 7800120-01725967, dated September 29, 1995 in the amount of \$10,000,000 be released, and be it

FURTHER RESOLVED, that Letter of Credit No. SDCMBF980077, dated January 15, 1998, in the amount of \$2,500,000 be reduced to \$500,000.

Continued on Next Page

RESOLUTION NO. (835-1998) 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. (836-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Town Board resolution 601-1998 authorized improvements to the Hub Shopping Center / Route 59 intersection, Central Nyack, New York, and

WHEREAS, a significant removal of existing vegetation was required in order to construct the new roadway and improvements, and

WHEREAS, the removal of the vegetation has exposed the surrounding residences to increased noise from Route 59, and

WHEREAS, the implementation of additional plantings will assist in ameliorating the increased noise level to the existing residences.

NOW THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Danny Clapp Landscaping, 59 Schriever Lane, New City, New York to install the required plantings as per his proposal dated October 22, 1998, and

BE IT FURTHER RESOLVED, that the cost for the plantings shall not exceed \$4,268.00 and shall be a proper charge to account H 7182 409 0 55 26

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. (837-1998)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, Town Board resolution 803-1997 authorized the reconstruction of a portion of Brewery Road from Hereford Lane to Laurel Road, including the entrance to the French Farms Compost Facility, Brewery Road, New City, New York, and

WHEREAS, the reconstructed entrance to the facility is a means for illegal dumping of yard waste and debris, and

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RESOLUTION NO. (837-1998) Continued

WHEREAS, the Department of Environmental Control has evaluated the problem and recommend the construction of two (2) stone walls to prevent illegal dumping and to beautify the entrance.

NOW THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Danny Clapp Landscaping, 59 Schriever Lane, New City, New York to perform the beautification measures, and be it

FURTHER RESOLVED, that the cost for the beautification measures shall not exceed \$5,324.00 and shall be a proper charge to account H 1989 409 3 28

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. (838-1998)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, an adverse drainage condition existed within a Town Right-of-Way in the vicinity of 29 Windgate Drive, New City, New York, and

WHEREAS, during the course of construction, additional work was necessary to complete the project.

NOW THEREFORE, be it

RESOLVED, that Town Board resolution 653-1998 is hereby amended to reflect the additional cost of \$600.00 and be it

FURTHER RESOLVED, that the total cost for the corrective work shall not exceed \$20,500.00 and shall be a proper charge to account H 8730 409 55 57

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. (839-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town Board authorized stream maintenance and clean up along the Demarest Kill, and

RESOLUTION NO. (839-1998) Continued

WHEREAS, during the course of the work, additional restoration was necessary to complete the project

NOW THEREFORE, be it

RESOLVED, that Town Board resolution 640-1997 is hereby amended to reflect the additional cost of \$1,822.00 and be it

FURTHER RESOLVED, that the total cost for the corrective work shall not exceed \$16,822.00 and shall be a proper charge to account H 7182 409 0 55 35

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. (840-1998)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that upon the recommendations of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed(s) from: Torsoe Bros. Construction Corp. and Golden Meadows Developers, Inc., dated December 24, 1997, conveying the following road(s):

Cragmere Oval	1,560 L.F.
Lowell Drive	1,380 L.F.
Fieldcrest Drive	845 L.F.

and other public improvements to the Town of Clarkstown in a subdivision as shown on the Final Plats of Long Meadow West Section III and Long Meadow West Section V are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that upon receipt of a Maintenance Guaranty for Section III in the amount of \$14,328 in the form of a bond or \$7,163 in the form of cash or a Letter of Credit, along with a Maintenance Guaranty for Section V in the amount of \$42,773 in the form of a bond or \$21,386 in the form of cash or a Letter of Credit, Performance Bond dated August 21, 1997, secured by Letter of Credit No. 97-0921 in the amount of \$60,000 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

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RESOLUTION NO. (841-1998)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the resignation of Paul Bambara, 521 Milburn Court, Valley Cottage, New York, Member, Zoning Board of Appeals is hereby accepted, effective October 27, 1998, and be it

FURTHER RESOLVED, that Marybeth Baisley, 90 South Conger Avenue, Congers, New York is hereby appointed to the position of Member, Zoning Board of Appeals to fill the unexpired term of Paul Bambara, at the current salary of \$2,750.00. Term effective October 27, 1998 and to expire on June 9, 2000.

On roll call the vote was as follows:

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

RESOLUTION NO. (842-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Nanuet Fire Engine Company No. 1 wishes to dispose of demolition debris at the Clarkstown Transfer Station and is requesting the Town Board waive the usual fee.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the disposal fee at the Clarkstown Transfer Station for the Nanuet Fire Engine Company No. 1.

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. (843-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Resolution No. 688-1998 adopted on September 15, 1998 is hereby amended by adding the following wording at the end of the resolution at the request of John Lodico, and

WHEREAS, the name of this park shall be "Clarkstown Veterans Memorial Park".

Continued on Next Page

RESOLUTION NO. (843-1998)

WHEREAS, the Eagle Chapter of Rockland County has petitioned our government officials to support and create a monument to memorialize our veterans of World War I, World War II, "The Forgotten War" of Korea, and Vietnam.

NOW, THEREFORE, be it

RESOLVED, that the members of the Clarkstown Town Board, State Senator Joseph Holland, State Assemblyman Alexander Gromack and Congressman Benjamin Gilman all approve of this concept.

On roll call the vote was as follows:

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

RESOLUTION NO. (844-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 730-1998, dated September 15, 1998, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 110, Block A, Lot 19.4, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 27th day of October, 1998, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises, as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated October 8, 1998, have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such conditions continue to be uncorrected on or after the 6th day of November, 1998, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measure, including the removal of debris and the costs of this proceeding and all other necessary action, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

RESOLUTION NO. (844-1998) 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. (845-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, by Resolution No. 731-1998, dated September 15, 1998, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 98, Block A, Lot 9.68, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 27th day of October, 1998, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises, as provided by law:

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated October 8, 1998, have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such conditions continue to be uncorrected on or after the 6th day of November, 1998, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measure, including the removal of debris and the costs of this proceeding and all other necessary action, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

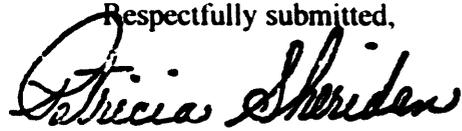
On roll call the vote was as follows:

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

The meeting was adjourned in memory of Kathleen Lukens.

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: 9:45 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patricia Sheridan". The signature is written in black ink and is positioned above the printed name.

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

10/27/98

9:40 P.M.

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

Re: Chapter 216 Proceeding: Riordan, 400 Kings Highway, Valley Cottage (110-A-19.4)

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearings was declared open.

Supervisor asked if there was a representative from the Building Department to report on 400 Kings Highway.

Adolph Milich read the following report: Code Enforcement Officer II, George Burton, inspected this lot today and found the following conditions: A large accumulation of tree trunk sections, a knocked down newspaper box and post, tall grass and weeds as previously seen. Reinspection today also revealed a large rotting, dead tree approximately 50 - 60 feet tall which could be dangerous and an uprooted tree cut at a 10 foot height with its roots coming up out o the earth.

Supervisor asked if there was anyone here representing the property owner. No one appeared. Councilwoman Smith asked if anyone was living there. Supervisor responded, no.

Supervisor Holbrook asked for a motion that if this continues after November 6, 1998, the Building Department has the authorization to go in and clean up.

There being no one wishing to speak, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. 844-1998 ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

10/27/98

9:40 P.M.

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

Re: Chapter 216 Proceeding: Bernaschina, 10 Parliament Drive, New City (98-A-9.68)

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearings was declared open.

Supervisor asked if there was a representative from the Building Department to report on 10 Parliament Drive.

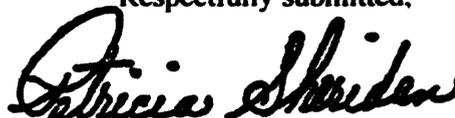
Adolph Milich read the following report: Code Enforcement Officer II, George Burton, inspected this property today and found tall grass and weeds up to 7 feet tall throughout this lot and at the curbside. The front gutter is still hanging off the house. Some minor debris was found in the front yard and at the curbside including a cup, a can, a newspaper, a plastic bag, a branch and an accumulation of leaves and yard waste.

Supervisor asked if there was anyone present representing the property owner. No one appeared.

Supervisor Holbrook asked for a motion that if this continues after November 6, 1998, the Building Department has the authorization to go in and clean up.

There being no one wishing to speak, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. 845-1998 ADOPTED)