

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

11/24/98

8:00 P.M.

Present: Supervisor Holbrook, Absent
Deputy Supervisor Penny Leonard
Council Members Maloney, Mandia Profenna and Smith
John Costa, Deputy Town Attorney
Patricia Sheridan, Town Clerk

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

Nyack Chamber of Commerce presented the Town Board with a plaque to thank them for the use of the Clarkstown Showmobile during the annual Nyack Halloween Parade.

Deputy Supervisor opened the meeting for public comments. No one appeared.

RESOLUTION NO. (897-1998)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Town Board Minutes of November 10, 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.....Absent

RESOLUTION NO. (898-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Mr. & Mrs. Fostvedt, Mr. & Mrs. John Miraglia, Mary Valenza, Dr. & Mrs. Joseph Scognamiglio, Mr. & Mrs. Dominick Palmieri and Mr. & Mrs. George Bouton have commenced tax certiorari proceedings against the Town of Clarkstown affecting various parcels designated as Map 59, Block A, Lots 12.2 through 12.33, for the year(s) 1993/94 and 1994/95, and

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

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000 per appraisal.

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RESOLUTION NO. (898-1998) CONTINUED

On roll call the vote was as follows:

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

RESOLUTION NO. (899-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Myrna Daos has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 4, Block A, Lot 3, for the year(s) 1995/96, 1996/97, 1997/98 and 1998/99, and

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

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000 per appraisal.

On roll call the vote was as follows:

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

RESOLUTION NO. (900-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept conveyance of sewer easements concerning Rte 9W West Sewer Construction project, and

WHEREAS, the Town Attorney recommends acceptance of said conveyances;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept the said permanent easements on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said permanent easements are hereby ordered recorded in the Office of the Rockland County Clerk for the following properties:

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RESOLUTION NO. (900-1998) CONTINUED

Map138, Block H, Lot 29.01

PALISADES INTERSTATE PARK COMMISSION
Route 9W
Valley Cottage, NY 10989

On roll call the vote was as follows:

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

RESOLUTION NO. (901-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, as a condition to the approval of the final map with regard to a site plan known as St. Augustine's Parish Center, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Third Street, New City and a Sidewalk and Traffic Light Easement;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated September 30, 1998 from Catholic Church of St. Augustine's to the Town of Clarkstown, gratuitously conveying a strip of land along Third Street, New City, New York and a Sidewalk and Traffic Light 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..... Absent

RESOLUTION NO. (902-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond secured by Letter of Credit No. 97-0813A in the amount of \$1,500.00, in connection with the dedication of the road(s) and improvements on September 9, 1997 in a subdivision known as Widmaier Estates, is hereby terminated; and the Letter of Credit may be released to the guarantor.

Continued on next page

RESOLUTION NO. (902-1998) CONTINUED

On roll call the vote was as follows:

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

RESOLUTION NO. (903-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond secured by Letter of Credit No. 1546 in the amount of \$5,350.00, in connection with the dedication of the road(s) and improvements on December 10, 1996, in a subdivision known as Joy Acres South, Section II is hereby terminated; and the Letter of Credit 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.....Absent

RESOLUTION NO. (904-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond secured by Letter of Credit No. 1553 in the amount of \$14,300.00, in connection with the dedication of the road(s) and improvements on December 31, 1996 in a subdivision known as Long Meadow West, Section IV A and B, is hereby terminated; and the Letter of Credit 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.....Absent

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RESOLUTION NO. (905-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond secured by Letter of Credit No. 1544 in the amount of \$13,600.00, in connection with the dedication of the road(s) and improvements on December 10, 1996, in a subdivision known as Clarkstown Ridge is hereby terminated; and the Letter of Credit 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.....Absent

RESOLUTION NO. (906-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, on June 10, 1997, the Town Board adopted Resolution No. 484-1997 authorizing the Supervisor to enter into an agreement with Prudential Securities, Inc., Kroner Investment Group, with respect to an Adopt-A-Road Program dealing with Squadron Boulevard, New City, New York, and

WHEREAS, Prudential Securities, Inc., Kroner Investment Group has failed to execute an agreement to adopt said road;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby rescinds Resolution No. 484-1997, with respect to entering into an agreement with Prudential Securities, Inc., Kroner Investment Group to adopt Squadron Boulevard, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (907-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, Ralph Widmaier furnished to the Town of Clarkstown a Performance Bond secured by Letter of Credit No. 97-0813 in the amount of \$25,000, to cover the improvements and other facilities as shown on the final plat of Hensey Subdivision, and

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RESOLUTION NO. (907-1998) CONTINUED

WHEREAS, pursuant to the settlement of the Article 78 Proceeding between the Town of Clarkstown and Ralph Widmaier under Index No. 6224/98, said Performance Bond may be released;

NOW, THEREFORE, be it

RESOLVED, that the aforementioned Performance Bond is hereby terminated and shall 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.....Absent

Item #8 on the agenda, amending resolution cancelling the public hearing for 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" was offered by Co. Mandia, no one seconded.

RESOLUTION NO. (908-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes Frank Fee, Mini Trans Department, to attend the 1998 Lancer Insurance Company Seminar at Purchase, New York, on November 19, 1998, at no charge to the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution is made retroactive to November 19, 1998.

On roll call the vote was as follows:

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

RESOLUTION NO. (909-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, Cynthia Shaw, MA and Dorothy Poust, RN, CSW, Clarkstown Counseling Center attend conference on Saturday, December 12, 1998 - "The Relational Model of the Stone Center. Comparisons with Self Psychology. Registration fee: \$40.00 per person.

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RESOLUTION NO. (909-1998) CONTINUED

On roll call the vote was as follows:

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

RESOLUTION NO. (910-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, FRED ERNST and DIANE ERNST v. F.B. NANUET, L.L.C., R.D. MANAGEMENT CORP., JOSTAN REALTY CORP., LEADER CARPET, INC., GENERAL MILLS RESTAURANT CORP., RED LOBSTER DIVISION, and THE CLARKSTOWN PLANNING BOARD;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said proceeding.

On roll call the vote was as follows:

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

RESOLUTION NO. (911-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, POLICE OFFICER JOSEPH CLARK and THE ROCKLAND COUNTY PATROLMEN'S BENEVOLENT ASSOCIATION, INC. v. NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM, ET AL;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said proceeding.

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RESOLUTION NO. (911-1998) CONTINUED

On roll call the vote was as follows:

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

RESOLUTION NO. (912-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install a "DEAD END" sign at the entrance to Fair Acres Road, Central Nyack.

On roll call the vote was as follows:

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

RESOLUTION NO. (913-1998)

Co. Maloney 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 "Town Speed 30 MPH" sign on the northside of Third Street, New City, 75 ft. from the intersection of Third St. and Brewery Road, 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.....Absent

RESOLUTION NO. (914-1998)

Co. Maloney 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. (914-1998) CONTINUED

A sign to read, "School Bus Stop Ahead" on the northside of Third Street, New City the appropriate distance from the "School Bus" stop on Third Street at Briarwood Drive, 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.....Absent

RESOLUTION NO. (915-1998)

Co. Maloney 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 (NYS Sign #R2-6C) on the new southbound spur road of Old Nyack Turnpike just south of Route 59, Central Nyack, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to Wayne T. 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.....Absent

RESOLUTION NO. (916-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received a donation of \$100.00 from Global Golf, 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.

Continued on next page

RESOLUTION NO. (916-1998) CONTINUED

On roll call the vote was as follows:

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

RESOLUTION NO. (917-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, pursuant to Section 115 of the Town Law, the Comptroller of the Town of Clarkstown is hereby authorized to amend the 1998 budget for transferring unexpended balances of appropriations among various accounts and by increasing and decreasing revenue accounts for the purpose of balancing all funds,

NOW, THEREFORE, be it

RESOLVED, that the 1998 budget is hereby amended.

On roll call the vote was as follows:

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

RESOLUTION NO. (918-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$15,360 from Palisades/EklecCo BE IT THEREFORE

RESOLVED, to increase Estimated Revenue A 01 3 2705 2 (General-Gifts & Donations) and Appropriation Account No. A 3120 113 (Police-Overtime) by \$15,360 AND

WHEREAS, various appropriation accounts require additional funding, BE IT THEREFORE

RESOLVED, to transfer \$23,800 from Reserved for Seized and Forfeited Property (A 890) to A 3120 203 (Police-Cars) AND BE IT FURTHER

RESOLVED, to decrease A 3120 459 (Police-EBT/Hearings) by \$10,000 and increase the following appropriation accounts

Continued on next page

RESOLUTION NO. (918-1998) CONTINUED

A 3120 313 (Office Supplies)..	\$2,500
A 3120 301 (Food)	2,000
A 3120 319 (Misc. Supplies)	1,000
A 3120 225 (Computer Hardware)	4,500

and decrease A 1450 319 (Elections-Misc. Supplies) and increase A 1450 219 (Misc. Equipment) by \$500.

On roll call the vote was as follows:

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

RESOLUTION NO. (919-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Michael J. August, 86 Old Phillips Hill Road, New City, New York is hereby appointed to the position of (temporary) Laborer, Solid Waste Facility at the current hourly rate of \$12.00, effective and retroactive to November 9, 1998, for a period not to exceed 90 days.

On roll call the vote was as follows:

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

RESOLUTION NO. (920-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Timothy Conway, 6 Tempo Road, New City, New York is hereby appointed to the position of (temporary) Laborer, Solid Waste Facility at the current hourly rate of \$12.00 effective and retroactive to November 9, 1998 for a period not to exceed 90 days.

On roll call the vote was as follows:

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

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RESOLUTION NO. (921-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that James J. Hughes, 7 Scarlett Court, New City, (Apartment 17) is hereby appointed to the position of (temporary) Laborer, Solid Waste Facility at the current hourly rate of \$12.00, effective and retroactive to November 10, 1998 for a period not to exceed 90 days.

On roll call the vote was as follows:

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

RESOLUTION NO. (922-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Christopher Stefanovich, 12 Birch Drive, Nanuet, New York is hereby appointed to the position of (temporary) Laborer, Solid Waste Facility, at the current hourly rate of \$12.00, effective and retroactive to November 23, 1998 for a period not to exceed 90 days.

On roll call the vote was as follows:

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

RESOLUTION NO. (923-1998)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on October 30, 1998 that the position of Senior Account Clerk Typist #0207, Comptroller's Office, can be reclassified to the position of Senior Account Clerk.

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Account Clerk Typist #0207 is hereby reclassified to the position of Senior Account Clerk, Comptroller's Office, effective and retroactive to November 19, 1998.

On roll call the vote was as follows:

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

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RESOLUTION NO. (924-1998)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on November 24, 1998 that the position of Clerk - Town of Clarkstown Highway Department - can be created,

Now, therefore, be it

RESOLVED, that the position of Clerk - Highway Department - is hereby created - effective November 24, 1998.

On roll call the vote was as follows:

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

RESOLUTION NO. (925-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Marialaine Notaro, 800-A Brookridge Dr., Valley Cottage, New York, is hereby appointed to the position of (Provisional) Clerk - Town of Clarkstown Highway Department - at the current salary of \$20,788., effective November 25, 1998.

On roll call the vote was as follows:

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

RESOLUTION NO. (926-1998)

Co. Maloney offered and Co. Mandia seconded

IN THE MATTER OF PETITION, for the Extension of the Clarkstown Consolidated Water Supply District No. 1 to include ROCKHILL BUILDING CORPORATION (CLARKSVILLE CORNERS SUBDIVISION) in the Town of Clarkstown, Rockland County, New York

WHEREAS, a written Petition dated December 3, 1997, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

Continued on next page

RESOLUTION NO. (926-1998) CONTINUED

(DESCRIPTION ON FILE IN TOWN CLERK'S OFFICE)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York in said Town of Clarkstown, on the 22nd day of December, 1998 at 8:00 P.M. EST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other actions as may be required by law or proper in the premises.

On roll call the vote was as follows:

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

RESOLUTION NO. (927-1998)

Co. Maloney offered and Co. Mandia seconded

IN THE MATTER OF PETITION, for the Extension of the Clarkstown Consolidated Water Supply District No. 1 to include LONG CLOVE, LLC in the Town of Clarkstown, Rockland County, New York

WHEREAS, a written Petition dated September 12, 1997, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(DESCRIPTION ON FILE IN TOWN CLERK'S OFFICE)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York in said Town of Clarkstown, on the 22nd day of December, 1998 at 8:05 P.M. EST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other actions as may be required by law or proper in the premises.

On roll call the vote was as follows:

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

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RESOLUTION NO. (928-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, an application has been made by JOSEPH and ROSE MUGGEO, 186 South Conger Avenue, Congers, New York, property known as Map III, Block A, Lot 18.02, and HAROLD and PRACILLA EVANS, 179 Kings Highway, Congers, New York, property known as Map III, Block A, Lot 18.09, that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of a right-of-way as described in the metes and bounds description attached as Schedule "A," for the unimproved portion of Grant Avenue, Congers, New York, upon the grounds that same has never been used by the public and therefore may be deemed abandoned, and

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

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

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 22, 1998, at 8:15 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 and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

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

FURTHER RESOLVED, that a copy of this Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their report and recommendation, and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (929-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Deputy Supervisor and the Director of Purchasing that

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

is hereby awarded to:

YABOO FENCE CO., INC.
10 HIGH STREET
WEST NYACK, NY 10994
PRINCIPALS: E. GEDEIKO, M. GEDEIKO

as per their low bid proposal of \$4,750 and be it

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

- 1) Certificate of Contractor's Liability Insurance and naming the Town as a co-insured party
- 2) Certificate of Worker's Compensation Insurance coverage
- 3) Certificate of Worker's Disability Insurance coverage

On roll call the vote was as follows:

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

RESOLUTION NO. (930-1998)

Co. Smith offered and Co. Mandia seconded

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

BID #1A-1999
OFFICE SUPPLIES

is hereby awarded to:

O.P.G. INDUSTRIES INC
140 58TH ST
PO BOX 140
BROOKLYN NY 11232
PRINCIPALS: DON THOMPSON
DAN SCHWEEBE

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RESOLUTION NO. (930-1998) CONTINUED

BT OFFICE PRODUCTS
66 BROCKWAY PLACE
WHITE PLAINS NY 10601
PRINCIPAL: PUBLIC CORPORATION

as per item/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.....Absent

RESOLUTION NO. (931-1998)

Co. Smith offered and Co. Mandia seconded

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

BID #6-1999-PAPER AND PLASTIC SUPPLIES

is hereby awarded to:

1) CENTRAL POLY CORP.
19 WEST 21 STREET
LINDEN, NJ 07036
PRINCIPALS: ANDREW HOFFER
AGNES SERHOFER

2) INTERBORO PACKAGING
114 BRACKEN ROAD
MONTGOMERY, NY 12549
PRINCIPAL: EDITH JEREMIAS
ABRAHAM JEREMIAS

3) MT. ELLIS PAPER
P.O. BOX 4083
NEW WINDSOR, NY 12553
PRINCIPALS: CLIFFORD KAPLAN
SEYMOUR KAPLOWITZ

4) SOFCO, INC.
702 PONTENTIAL PKWY.
SCOTIA, NY 12302
PRINCIPAL: JAMES V. GARGUILO, PRESIDENT

5) STRAUSS PAPER CO., INC.
10 SLATER STREET
PORT CHESTER, NY 10573
PRINCIPALS: STEWART STRAUSS
ROBERT JONAP
JOYCE STRAUSS JONAP

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RESOLUTION NO. (931-1998) CONTINUED

as per the item/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..... Absent

RESOLUTION NO. (932-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Captain of the Police Department that

BID #61-1998
For: TWO (2) FOUR DOOR UNMARKED POLICE VEHICLES
(LEASE/PURCHASE)

is hereby awarded to:

Schultz Ford
80 Route 304
Nanuet, NY 10954
Principal: Ted Schultz

as per their low bid proposal of \$7,057.10 per annum per vehicle for two 1999 Ford Crown Victoria sedans.

On roll call the vote was as follows:

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

RESOLUTION NO. (933-1998)

Co. Maloney offered and Co. Profenna seconded

Whereas a contract currently exists between the Town of Clarkstown and County Asphalt, Incorporated for road and drainage improvements in the Waters Edge area of Congers; and

Whereas the limits of work have already been extended beyond those found in the original contract documents; and

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RESOLUTION NO. (933-1998) CONTINUED

Whereas this work will be compensated for based on the unit prices for additional work submitted by County Asphalt, Inc. as part of their original bid; and

Whereas the Town Board of the Town of Clarkstown is desirous of further extending the limits of work beyond those found in the original contract documents to areas including, but not limited to, Garnet Lane, a portion of The Rise, Maiden Lane, Park Oval and the portions of Bluebird Drive and Park Terrace not included in the original contract; and

Whereas County Asphalt, Inc. has indicated that they are willing to perform this work in accordance with the unit prices for additional work submitted with their original bid; and

Whereas this additional work will necessitate an extension of time beyond that allotted in the original contract;

Now, Therefore, Be It Resolved that the original contract for Bid No. 42-1998: "Roadway and Drainage Improvements - Park Terrace/Bluebird Drive" be extended with a tentative completion date of July 1, 1999; and

Be It Further Resolved that the administration of this project continue under the auspices of the Department of Environmental Control; and

Be It Further Resolved that the current allotment for this project be increased by an amount of \$70,000.00 to cover the additional work completed to date; and

Be It Further Resolved that this shall be a proper charge to account # H 8730 409 0 673.

On roll call the vote was as follows:

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

RESOLUTION NO. (934-1998)

Co. Mandia offered and Co. Maloney seconded

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

PAUL BITTS CO., INC.
9 Germonds Road
New City, New York 10956

RESOLVED, that the following Certificate of Registration be issued:

No. 99-2 PAUL BITTS CO., INC.

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RESOLUTION NO. (934-1998) CONTINUED

On roll call the vote was as follows:

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

RESOLUTION NO. (935-1998)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Town Board adopted Resolution No. 609 on August 3, 1998, which stated in the Findings in Fact that the Nanuet Fire Engine Company No. 1 shall install a traffic signal on Bardonia Road at its own expense in accordance with the recommendations of the Town's Traffic Engineer Howard Lampert;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Howard Lampert to ensure that tunnel shields are erected on the said traffic light to be installed on Bardonia Road and Renee Lane, for the Nanuet Fire Substation.

On roll call the vote was as follows:

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

RESOLUTION NO. (936-1998)

Co. Maloney offered and Co. Mandia seconded

Whereas an adverse drainage condition exists at the rear of 19 Grand Street, 21 Grand Street, 27 Short Hill Road and 29 Short Hill Road in New City; and

Whereas the Department of Environmental Control has, in response to the resident's complaint, investigated this problem and developed a plan to ameliorate said condition; and

Whereas the Department of Environmental Control has solicited and received three (3) proposals from qualified contractors to implement said plan; and

Whereas the Department of Environmental Control has reviewed these proposals and found them to be acceptable;

Now, Therefore, Be It Resolved that the Director of the Department of Environmental Control be authorized to retain the services of

Continued on next page

RESOLUTION NO. (936-1998) CONTINUED

Environmental Construction, Inc.
P.O. Box 563
Stony Point, New York 10980

to perform said corrective drainage work in accordance with their proposal; and

Be It Further Resolved that the cost of said corrective drainage work not exceed \$15,500.00; and

Be It Further Resolved that this shall be a proper charge to account # H 8736 409 0 67 13.

On roll call the vote was as follows:

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

RESOLUTION NO. (937-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Town Board Resolution 727-1998 authorized Danny Clapp Landscaping to install wood mulch along NYS Route 304, and;

WHEREAS, field conditions required the installation of additional wood mulch for Tax lots 57-A-12, 4.0101, 4.6, & 4, 57-N-11 and 56-A-29. 29.01 & 27, and;

WHEREAS, this work was approved by the Department of Environmental Control;

NOW THEREFORE, BE IT RESOLVED that the current allowance for this project be increased by an amount of \$1,200.00 to cover this additional work; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8742 409 0 24 5.

On roll call the vote was as follows:

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

RESOLUTION NO. (938-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, MICHAEL A. and DONNA K. CEFOLA have requested that the Town Board of the Town of Clarkstown amend the Special Permit which the Town Board granted by Resolution No. 987-1997 on December 31, 1997, to allow for the construction of an auto laundry pursuant to the provisions of Section 290-IIA, Table of General Use Regulations, LIO District, Column 3, Section B, Paragraph 4 of the Zoning Ordinance of the Town of Clarkstown for property located on the West side of Route 303, Valley Cottage, New York, and designated on the Clarkstown Tax Map as: Map 123, Block D, Lot 3.01, so as to define Condition No. 4 of that Resolution which reads "the auto laundry shall be limited to hand washing of vehicles," and to amend the buffer regulations pursuant to the authority contained in Section 290-IIA in the LIO District, Column 8, Item 4 from 75 ft. to 25 ft.;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on January 12, 1999, at 8:00 P.M. to consider amending the special permit issued to MICHAEL A. and DONNA K. CEFOLA, relative to said Special Permit, and be it

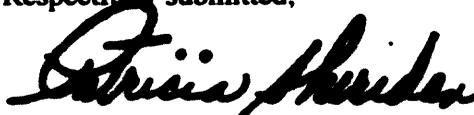
FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:10 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk