

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/31/98

12:00 Noon

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

Supervisor declared the Town Board meeting open.

Detective Gary McDonald along with the Police Color Guard presented the colors in honor of Councilman John R. Maloney for twenty-five years of dedicated service to the Town of Clarkstown. Assemblage saluted the Flag.

Chief Kevin Kilduff spoke on behalf of the Police Department regarding the years of service of the senior Police Commissioner, John R. Maloney.

Supervisor Holbrook read a press release that came over the AP which stated that according to the Kansas based publishing and research company, Morgan Quitno, in its fifth annual survey, the company has ranked three hundred cities based on their crime rates including robberies, rapes and murders. The survey used 1997 figures from the FBI. Clarkstown, a New York City suburb in Rockland County, was rated second safest in the State and fifth in the Nation. Supervisor Holbrook stated that Mr. Maloney is the longest serving Councilman in the Town of Clarkstown. John Maloney's work on the Town Board over this generation speaks volumes as to the quality of life in this community. Anne Marie Smith, Councilwoman on behalf of the Town Board presented a plaque to John R. Maloney, Councilman/Commissioner.

Chief Kilduff stated that the report speaks volumes about John Maloney's efforts. The goodness of John shines through our personnel. When we have had the rare personnel problem and officers seriously injured, it was John's caring, his humanness and his humanity in bringing these matters to a just resolution. Chief Kilduff requested Commissioner Maloney to come forward. Chief Kilduff presented the Commissioner with a plaque in appreciation from all the men and women of the Clarkstown Police Department.

Detective Tom Sheehy, stated that Commissioner Maloney has given this Town an exemplary career. He does his job with a solid combination of confidence and humility. He has been a long supporter of the Police Department. Commissioner Maloney has been willing and able to move us forward over the years to where we are today. On behalf of the men and women of the PBA, we give our never ending gratitude to John for his achievements. On behalf of the Honor Guard and the PBA, Detective Sheehy presented Commissioner Maloney with an Honor Guard cap.

Commissioner John Danahy, Councilman Ralph Mandia, Democrat County Chairman Paul Adler, Clarkstown Democrat Chairman Steve Goldberg, County Legislators Kenneth Zebrowski and Chris St. Lawrence, Conservative Party Chairperson Mary Loeffler; State Senator Joseph Holland, Assemblyman Alex Gromack, Clarkstown Republican Chairperson Loretta Raimone, County Republican Chairman Vincent Reda, former Councilmen John Lodico, Edward Lettre and Nicholas Longo, President of Nanuet Fire Company Greg Tobin, Town Clerk Patricia Sheridan, Receiver of Taxes Marie Geronimo, and President of the IBEW Joseph Maraia, praised, congratulated Councilman/Commissioner Maloney for his twenty-five years of service. They presented plaques, citations, certificates of recognition, certificate of merit and a proclamation making December 31st John R. Maloney Day in Rockland County.

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Councilman/Commissioner John R. Maloney expressed his gratitude and appreciation to those who came out to recognize his years of service

The Town Clerk informed the assemblage of a call from Town Clerk Fran Mullin of Stony Point regarding an envelope containing a large amount of money found by Penny Leonard, Deputy Supervisor in Sterns Department store. Penny Leonard contacted more than fifty people trying to find the rightful owner. She was successful. The owner was delighted and offered an award which was graciously turned down.

Supervisor Holbrook opened the public portion.

Appearance: James Komer
Forest Civic Association

Spoke regarding housing.

Appearance: John Cuff
West Nyack

Spoke regarding the Town Boards final say to building the Palisades Center Mall.

Appearance: Joel Epstein
Bardonia

Congratulated John R. Maloney for his twenty-five years of service.

RESOLUTION NO. (1002-1998)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the meetings for the Town Board and the Town Board Workshop for the year 1999 shall be held in the Clarkstown Town Hall on the Following days:

TOWN BOARD MEETINGS
8:00 P.M. - Auditorium

January	4	(Organizational)
January	12 - 26	
February	9 - 23	
March	9 - 23	
April	13 - 27	
May	11 - 25	
June	8 - 22	
July	13	
August	10	
Sept.	14 - 28	
October	12 - 26	
November	9 - 23	
December	14 - 28	
December	30	(12:00 Noon)

WORKSHOP MEETINGS
8:30 P.M. - Room 311

January	-	None
February	1	
March	1 - 15	
April	5 - 19	
May	3 - 17	
June	14	
July	-	None
August	2	
Sept.	-	None
October	4 - 18	
November	1 - 15	
December	6 - 20	

RESOLUTION NO. (1002-1998) 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. (1003-1998)

Co. Maloney offered and Co. Smith seconded

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

BID #16-1999
CONGERS LAKE BALLFIELD IMPROVEMENTS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on: JANUARY 25, 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 Purchasing 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 Holbrook.....Yes

RESOLUTION NO. (1004-1998)

Co. Maloney offered and Co. Smith seconded

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

BID #17-1999
MOBILE DATA COMPUTERS

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.

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RESOLUTION NO. (1004-1998) 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. (1005-1998)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Clarkstown Coalition of Civic Associations has invited the Town's Planning Consultant, Robert Geneslaw, to speak at an informational meeting planned for February 11, 1999, concerning comprehensive plans, and

WHEREAS, Robert Geneslaw is willing to speak at said meeting as long as the Town Board of the Town of Clarkstown has no objection to his participation in that forum.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby goes on record as having no objection to Robert Geneslaw speaking at the comprehensive plan meeting sponsored by various civic associations and scheduled for February 11, 1999, and be it

FURTHER RESOLVED, that Robert Geneslaw's participation in said meeting will be at no cost to the Town.

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. (1006-1998)

Co. Maloney offered and Co. Smith seconded

WHEREAS, on June 9, 1998, the Town Board adopted Resolution No. 508-1998 defaulting escrow funds in the amount of \$2,000 furnished to the Town by Monsey Lumber in connection with Britali Estates Subdivision, and

WHEREAS, the Department of Environmental Control recommends that Resolution No. 508-1998 should be rescinded;

NOW, THEREFORE, be it

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RESOLUTION NO. (1006-1998) Continued

RESOLVED, that Resolution No. 508-1998 is hereby rescinded.

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. (1007-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, EklecCo has agreed to gratuitously convey a Sewer Easement to the Town of Clarkstown, and

WHEREAS, the Town Attorney recommends acceptance of said conveyance;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said Easement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said Sewer Easement is hereby ordered recorded in the Office of the Rockland County 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. (1008-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a lawsuit entitled "Fred Ernst and Diane Ernst v. F.B. Nanuet, L.L.C., et al" has been commenced in the Supreme Court, Rockland County, and

WHEREAS, F.B. Nanuet,L.L.C. has submitted a proposed Indemnity Agreement relative to the Ernst litigation;

THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an Indemnity Agreement with F.B. Nanuet, L.L.C., in a form approved by the Town Attorney, in the event that Ernst institutes litigation against the Town of Clarkstown or its Boards as a result of any site plan approval that has or will be granted to F.B. Nanuet,

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RESOLUTION NO. (1008-1998) Continued

L.L.C, and be it

FURTHER RESOLVED, that F.B. Nanuet, L.L.C. posts the sum of \$5,000 cash security with the Clarkstown Comptroller as and for cash security for the amounts that may be due as a result of the indemnification heretofore mentioned.

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. (1009-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement to continue workers' compensation insurance with the Public Employer Risk Management Association, Inc. (PERMA) for a period of one year, commencing on January 1, 1999, and expiring December 31, 1999 at a cost not to exceed \$241,415.00 and charged to Account CS 1910 421.

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. (1010-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to renew the property and liability insurance policies and the claims-administration agreement with Arthur J. Gallagher & Co. of New York, Inc. for a period of two years, commencing on January 1, 1999 and expiring December 31, 2000, and be it

FURTHER RESOLVED, that the total cost of said policies and agreement shall not exceed \$400,451.00 the first year and \$390,451.00 the second year and shall be charged to Account No. CS-1910-420.

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. (1011-1998)

Co. Smith offered and Co. Maloney seconded

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

FURTHER RESOLVED, that the fee for such services shall be according to the proposal dated December 28, 1998 attached, and shall be charged to Account No. A 9000-409.

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. (1012-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Robert Geneslaw Co. to continue to provide planning consultant services to the Town of Clarkstown, for the period from January 1, 1999 to December 31, 1999, in a form approved by the Town Attorney, and be it

FURTHER RESOLVED, that the compensation of Robert Geneslaw Co. for such services shall be \$8,750.00 per month, and that the total compensation shall be \$105,000.00 which shall be charged to Account No. B-8020-409.

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. (1013-1998)

Co. Maloney offered and Co. Smith seconded

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

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RESOLUTION NO. (1013-1998) Continued

BID #4 - 1999
ATHLETIC AND RECREATION SUPPLIES

Anaconda Sports, 1221 Ulster Avenue, Kingston, NY 12401, for items #3, 12, 13, 47, 149, 150, 168 and 177, as per specifications at a net bid price of \$8,083.84.

ARC Sports, Rte. 121, North Salem, NY 10560, for items #2, 5, 6, 21, 40, 69, 107, 108, 110, 111, 112, 118, 120 and 121, as per specifications at a net bid price of \$1,528.50.

Flaghouse, Inc. 601 Flaghouse Dr., Hasbrouck Heights, NJ 07604-3116, for items #9, 16, 22, 29, 31, 35, 53, 57, 59, 63, 77, 96, 102, 103, 104, 105, 106, 109, 119 and 123, as per specifications at a net bid price of \$3,306.54.

Gopher Sport, 220 24th Ave., N.W., Owatonna, MN 55060, for items #17, 20, 45, 46, 51, 56, 58, 60, 61, 75, 91, 92, 93, 116 and 128, as per specifications at a net bid price of \$960.02.

Kenmar Shirts, 1578 White Plains Road, Bronx, NY 10462, for items #147, 148, 151, 153, 154, 155, 158, 159, 163, 173, 174 and 176, per specifications at a net bid price of \$14,600.12.

Morley Athletic Supply, P.O. Box 557, Amsterdam, NY 12010, for items #10, 28, 30, 36, 41, 66, 76, 126, 127, 130, 136, 137, 141, 143, 144, 157, 164, 165 and 166, as per specifications at a net bid price of \$5,515.15.

Passon's Sports, P.O. Box 49, Jenkintown, PA 19046, for items #1, 4, 7, 8, 11, 14, 15, 19, 23, 24, 25, 26, 27, 33, 37, 38, 39, 42, 43, 48, 49, 50, 54, 55, 56, 58, 60, 61, 62, 64, 65, 68, 70, 71, 72, 74, 78, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 94, 95, 114, 152, 156, 160, 161, 162 and 175, as per specifications at a net bid price of \$10,064.67.

Recreonics, Inc., 4200 Schmitt Ave., Louisville, KY 40213, for item #122, as per specifications at a net bid price of \$748.00.

S & S Worldwide, P.O. Box 513, Colchester, CT 06415-0513, for items #18, 32, 34, 44, 52, 67, 73, 97, 98, 99, 100, 101, 117, 124, 125, 129, 145 and 146, as per specifications at a net bid price of \$669.78.

Sportmaster, P.O. Box 5000, Pittsburgh, PA 15206, for items #144A, as per specifications at a net bid price of \$1,619.00.

Unique Impressions, 58 Sherwood Dr., Nanuet, NY 10954, for items #167, 169, 170 and 171, as per specifications at a net bid price of \$4,731.00.

GROSS TOTAL FOR ALL ITEMS: \$51,049.02

FURTHER RESOLVED, that this amount \$51,049.02, be charged against accounts:

7310-329.....	\$ 7,199.10
7141-329.....	6,342.33
7620-329.....	666.12
7610-329.....	105.60
7180-329.....	1,273.28
7140-222.....	1,619.00
7310-307.....	19,527.60

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RESOLUTION NO. (1013-1998) Continued

7141-307.....	1,500.00
7180-307.....	6,893.62
7610-307.....	852.64
7140-307.....	1,266.65
7210-307.....	151.56
7620-307.....	600.00
7310-222.....	1,000.00
7141-222.....	<u>2,051.52</u>

TOTAL \$51,049.02

FURTHER RESOLVED, that no bid is awarded for items #113, 115, 131, 132, 133, 134, 135, 138, 139, 140, 142 and 172.

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. (1014-1998)

Co. Profenna offered and Co. Smith seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 296-48 of the Town Code of the Town of Clarkstown:

TRAVCON INC.
 375 Kings Highway
 Valley Cottage, New York 10989

RESOLVED, that the following Certificate of Registration be issued: No. 99-9 TRAVCON INC.

On roll call the vote was as follows:

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

RESOLUTION NO. (1015-1998)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Town Board Minutes of December 22, 1998 are hereby accepted as submitted by the Town Clerk.

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RESOLUTION NO. (1015-1998)

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. (1016-1998)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board adopted Resolution No. 486 on June 27, 1995 authorizing the Supervisor to enter into a lease agreement with the Board of Fire Commissioners, New City Fire District, for rental of the Detective Office and Records Room of the former Clarkstown Police Department for the period August 1, 1995 through July 31, 2000, and

WHEREAS, the Board of Fire Commissioners, New City Fire District, has requested termination of said agreement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the termination of the agreement between the Town and the Board of Fire Commissioners, New City Fire District, for rental of the detective Office and Records Room of the former Clarkstown Police Department, effective this date.

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. (1017-1998)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Albert Rossi has paid Town and School tax bills for the years 1997 and 1998 with regard to property known as Map 163, Block A, Lot 18, which property has been used by the Town as a commuter parking lot, and

WHEREAS, Mr. Rossi requests reimbursement for the taxes he paid for said property in the amount of \$9,886.92;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes reimbursement of taxes paid by Albert Rossi in the amount of \$9,886.92.

RESOLUTION NO. (1017-1998) 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. (1018-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation of James J. Hughes, 7 Scarlett Court, Apartment 17, New City, New York (temporary) Laborer, Solid Waste Facility is hereby accepted effective and retroactive to December 30, 1999.

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. (1019-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation of Christopher M. Gibbs, 19-73 Crescent Drive, Thiells, New York, cleaner, Maintenance Department is hereby accepted, effective December 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. (1020-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, during construction of the Church Street Drainage Improvements, an existing monolithic concrete curb and sidewalk was encountered, and

WHEREAS, the excavation of this unforeseen condition forced the removal of the

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RESOLUTION NO. (1020-1998) Continued

existing macadam sidewalk and necessitated its complete replacement, and

WHEREAS, the cost for the replacement of this affected section of sidewalk is \$4, 890.00.

NOW, THEREFORE be it

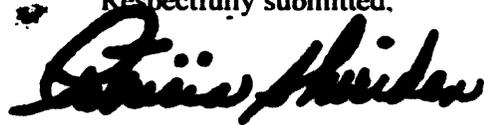
RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to have the sidewalk replacement performed by the contractor, Environmental Construction Inc., in accordance with Change Order No. 1, dated December 30, 1998, in an amount not to exceed \$4,890,00.

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 12:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk