

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

2/09/99

8:00 P.M.

Present: Supervisor Charles E. Holbrook  
Council Members Maloney, Mandia Profenna and Smith  
Richard Glickel, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

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

Captain William Sherwood opened the Promotion Ceremony. The following were promoted to the rank of:

Lt. Thomas Purtill	Det. Sgt. Christopher Goodyear
Det. Sgt. Timothy O'Neill	Adm./Plans Sgt. Stephen Morgan
Sgt. Joseph Reiter	Sgt. Daniel Weisberg
Sgt. Raymond Mullins	Det. Jeffrey Wanamaker
Det. Robert Galyon	Det. John Tobin
Det. Gary Doyle	Spec. Ops. Sgt. Robert Franchino.

Clarkstown Police Honor Guard, led by Det. Gary McDonald, presented the colors and Chief Kevin Kilduff led assemblage in the Pledge of Allegiance.

Invocation was given by Police Commissioner Hon. John R. Maloney. The Oath of Office was given by Police Commission, Hon. John R. Maloney, Hon. Ralph F. Mandia and Mr. John Danahy. Chief Kevin Kilduff and P.B.A. President, Det. Thomas Sheehy recognized and congratulated all the officers on their promotion. The Town Board congratulated the Officers and their families. Captain Sherwood dismissed the assemblage.

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Supervisor Holbrook opened the public portion of the meeting.

Appearance: Walter Zayas  
Latinos Unidos, Haverstraw

Mr. Zayas spoke regarding the Hyenga Lake. He would like to meet with the residents of Hyenga Lake and use their rent money to revitalize the housing.

Appearance: Dennis Rizzuto  
New City

Spoke regarding grant money for Boy Scout's summer program known as Campership.

Appearance: John Lodico  
New City

Spoke regarding Hyenga Lake and stated that the owner should be extradited from Israel and Social Service should give the rent money to Clarkstown.

Appearance: Wayne Ballard  
Superintendent of Highways

He requested that Deputy Attorney, Ronald Longo be assigned a specific block of time with the Highway Department or if Mr. Longo is too busy, he requested the Town

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Board assign an attorney who would be available to work on the severe problems he is having within his department.

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RESOLUTION NO. (105-1999)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary steps, including commencing litigation, on behalf of the Town of Clarkstown to enjoin and restrain the Defendants from continued illegal occupancy in violation of the Housing Standards; Fire Prevention, Building and Zoning Codes of the Town of Clarkstown and the New York State Fire Prevention Code, and why the Defendants should not be enjoined permanently from operating boarding houses or other illegal multiple dwellings at the premises commonly known and described as 115 East Route 59 (Hyenga Lake), Spring Valley, New York, more particularly described on the Clarkstown Tax Map as Map 6, Block B, Lot 4.1.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (106-1999)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 216 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector of the Town of Clarkstown on premises reputedly owned by B.G. Schefa Development Corp. in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 6, Block B, Lot 4, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23<sup>rd</sup> day of February, 1999, at 8:05 P.M., and be it

FURTHER RESOLVED, that this resolution shall be retroactive to February 4, 1999.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (107-1999)

Co. Maloney offered and Co. Mandia seconded

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

- Highway Maintenance Supervisor III
- Highway Maintenance Supervisor II
- Highway Maintenance Supervisor I
- Service Dispatcher
- Motor Equipment Operator II
- Motor Equipment Operator I
- Laborer
- Road Inspector
- Street Construction Inspector
- Maintenance Supervisor; Automotive
- Automotive Mechanic I; Body Repairer
- Automotive Mechanic
- Assistance Automotive Mechanic
- Maintenance Helper
- Storekeeper
- Senior Cleaner
- Cleaner

WHEREAS, the Town Board has reviewed this request;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that with the understanding that the grades of the titles should be reviewed in the context of other titles covered by the C.S.E.A. contract and with the further understanding that data related to comparable titles within the Town and the fiscal impact of the reallocation request shall be presented by the applicants to the Labor-Management Committee within 90 days with such Committee to review same and issue recommendations to the Town Board.

On roll call the vote was as follows:

- Co. Maloney ..... Yes
  - Co. Mandia ..... Yes
  - Co. Profenna ..... Yes
  - Co. Smith ..... Yes
  - Supervisor Holbrook ..... Yes
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RESOLUTION NO. (108-1999)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of January 26, 1999 are hereby accepted as submitted by the Town Clerk.

Continued on next page

RESOLUTION NO. (108-1999) CONTINUED

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes  
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RESOLUTION NO. (109-1999)

Co. Smith offered and Co. Profenna seconded

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

Montana Contracting Corp.  
(United Properties Subdivision)  
Green Road, West Nyack  
88-B-9.01

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes  
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RESOLUTION NO. (110-1999)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, Town Board Resolution 790-1997 authorized L.I.F.E to conduct in-lake monitoring and begin draw down of the lake, and,

WHEREAS, field conditions required the treatment of chemicals (copper sulfate) to control algae growth and conduct additional monitoring of the lake and upstream reaches and the removal of concrete debris from the old dam demolition and,

NOW THEREFORE, BE IT RESOLVED that the current allowance for this project be increased by an amount of \$6,583. to cover this additional work; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 5111 409 0 4 20.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes  
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RESOLUTION NO. (111-1999)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the County of Rockland has appropriated funds for the STOP-DWI Program to be shared by all Police Departments in the County of Rockland and the Sheriff's Patrol, and

WHEREAS, the Town of Clarkstown's share for said STOP-DWI program for the year 1999 is \$14,825.35;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor and the Chief of Police to enter into an agreement with the County of Rockland, in a form satisfactory to the Town Attorney, to accept the funds of \$14,825.35 for the STOP-DWI Program for the year 1999.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (112-1999)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with the County of Rockland for the Substance Abuse Services Program, through the Department of Mental Health, for the period January 1, 1999 through December 31, 1999, for a total consideration of \$112,265.00.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (113-1999)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Hudson Valley Council of the Boy Scouts of America, a non-profit organization, has requested economic assistance to aid in the sponsorship of needy boys that reside in the Town of Clarkstown to attend the summer Cub Scout Day Camp at Camp Bullowa in Stony Point, New York;

Continued on next page

RESOLUTION NO. (113-1999) CONTINUED

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Hudson Valley Council of the Boy Scouts of America, in a form satisfactory to the Town Attorney, to provide services and programs to needy boys that reside in the Town of Clarkstown that are deemed beneficial to those Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate \$2,500 in economic assistance to the Hudson Valley Council of the Boy Scouts of America for said services, for the year 1999.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
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RESOLUTION NO. (114-1999)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with PHOENIX SYSTEMS & ANALYSIS, INC., in a form satisfactory to the Town Attorney, for computer consulting and technical services, and be it

FURTHER RESOLVED, that said agreement shall commence on February 1, 1999 and shall expire January 31, 2000.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
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RESOLUTION NO. (115-1999)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with R. Todd Campbell to provide certain architectural and planning services for the New City Downtown Business District Revitalization Plan, as part of the 1999 Town Comprehensive Plan;

FURTHER RESOLVED, the fee for such services shall not exceed \$5,975.00, including all expenses, and shall be charged to Account No. B/8020/409-15, and this resolution shall be retroactive to February 1, 1999.

Continued on next page

RESOLUTION NO. (115-1999) CONTINUED

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (116-1999)

Co. Smith offered and Co. Profenna seconded

WHEREAS, a hydrant investigation has been made by United Water New York for premises located in an approved site plan known as Sussex at Nanuet, designated on the Clarkstown tax map as Map 14, Block B, Lots 10 and 10.01, part of the Sussex at Nanuet Site Plan, and

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

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

NOW, THEREFORE, be it

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

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

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (117-1999)

Co. Smith offered and Co. Maloney seconded

WHEREAS, it is necessary for the Town of Clarkstown to grant to the Town of Ramapo a shade tree easement in the vicinity of the proposed Clarkstown Golf Course, identified on the Town of Ramapo Tax Map as Tax Lot 3/13A2C1;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to execute a deed to the Town of Ramapo for a shade tree easement, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to January 26, 1999.

On roll call the vote was as follows:

Co. Maloney . . . . .	Yes
Co. Mandia . . . . .	Yes
Co. Profenna . . . . .	Yes
Co. Smith . . . . .	Yes
Supervisor Holbrook . . . . .	Yes

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RESOLUTION NO. (118-1999)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Ancient Order of Hibernians has requested use of the Town of Clarkstown showmobile on July 18, 1999 for the Feis to be held at Anthony Wayne Park, New York,

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Rockland County Ancient Order of Hibernians to use the Town of Clarkstown showmobile on July 18, 1999 for the above purpose and subject to the provision of the necessary insurance policies,

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of the Town of Clarkstown Showmobile.

On roll call the vote was as follows:

Co. Maloney . . . . .	Yes
Co. Mandia . . . . .	Yes
Co. Profenna . . . . .	Yes
Co. Smith . . . . .	Yes
Supervisor Holbrook . . . . .	Yes

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RESOLUTION NO. (119-1999)

Co. Smith offered and Co. Maloney seconded

Continued on next page

RESOLUTION NO. (119-1999) CONTINUED

WHEREAS, Sheila Schimko has requested a refund of the Building Permit fees she submitted to the Town due to cancellation of the addition to her home. and

WHEREAS, Adolph Milich, Jr., Building Inspector, has reviewed the file and recommends a partial refund in the amount of \$500.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes a refund of a portion of the Building Permit fees to Sheila Schimko in the amount of \$500.00.

On roll call the vote was as follows:

- Co. Maloney . . . . . Yes
- Co. Mandia . . . . . Yes
- Co. Profenna . . . . . Yes
- Co. Smith . . . . . Yes
- Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (120-1999)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

- |   |  |
|---|--|
| PARKER EXCAVATING & SEPTIC, INC.<br>18 Harth Drive<br>New Windsor, New York 12553 | J.D. BACKHOE D/B/A<br>JOE D'AURIA<br>P. O. Box 342<br>Sparkill, New York 10976 |
|---|--|

RESOLVED, that the following Certificates of Registration be issued:

- No. 99-17 PARKER EXCAVATING 7 SEPTIC, INC.
- No. 99-19 J.D. BACKHOE D/B/A JOE D'AURIA

On roll call the vote was as follows:

- Co. Maloney . . . . . Yes
- Co. Mandia . . . . . Yes
- Co. Profenna . . . . . Yes
- Co. Smith . . . . . Yes
- Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (121-1999)

Co. Smith 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:

Continued on next page

RESOLUTION NO. (121-1999) CONTINUED

H & R PLUMBING & HEATING, INC.  
53 Massachusetts Avenue  
Congers, New York 10920

RESOLVED, that the following Certificate of Registration be issued:

No. 99-10 H & R Plumbing & Heating, Inc.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (122-1999)

Co. Smith 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:

MARK BAKER  
50 Lime Kiln Road  
Suffern, New York 10901

RESOLVED, that the following Certificate of Registration be issued:

No. 99-20 Mark A. Baker

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (123-1999)

Co. Smith offered and Co. Profenna seconded

RESOLVED, Dorothy Poust, RN, CSW, Clarkstown Counseling Center attend conference on Saturday, March 13th, 1999 at the Tarrytown Hilton, Tarrytown, New York - Revolution in Psychoanalysis. Registration fee: \$90.

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RESOLUTION NO. (123-1999) CONTINUED

On roll call the vote was as follows:

Co. Maloney .....	Yes
Co. Mandia .....	Yes
Co. Profenna .....	Yes
Co. Smith .....	Yes
Supervisor Holbrook .....	Yes

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RESOLUTION NO. (124-1999)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Clarkstown Parks Board and Recreation Commission will hold a Memorial Day Program at the Street Community Center in New City, New York, on May 28, 1999, and

WHEREAS, the Clarkstown Parks Board and Recreation Commission is seeking permission of the Town Board to allow the Rifle Squad of the Korean War Veterans Association (K.W.V.A.) Eagle Chapter to fire blank bullets at the ceremony, and

WHEREAS, pursuant to Chapter 140 of the Town of Clarkstown entitled "Firearms," the Town Board has the authority to grant permission for the discharge of firearms in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants permission to the Rifle Squad of the K.W.V.A. Eagle Chapter to fire blank bullets at the Memorial Day Program at Street Community Center on May 28, 1999, and be it

FURTHER RESOLVED, that the Chief of Police shall be notified of the time and place of the ceremony.

On roll call the vote was as follows:

Co. Maloney .....	Yes
Co. Mandia .....	Yes
Co. Profenna .....	Yes
Co. Smith .....	Yes
Supervisor Holbrook .....	Yes

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RESOLUTION NO. (125-1999)

Co. Mandia offered and Co. Maloney seconded

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

BID #28-1999  
FOUR WHEEL DRIVE VEHICLE

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RESOLUTION NO. (125-1999) CONTINUED

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on: FEBRUARY 12, 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 .

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
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RESOLUTION NO. (126-1999)

Co. Mandia offered and Co. Maloney seconded

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

BID #27-1999  
CUL-D-SAC MAINTENANCE AND IMPROVEMENTS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on: MARCH 4, 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:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
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RESOLUTION NO. (127-1999)

Co. Mandia offered and Co. Maloney seconded

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

BID #29-1999  
FOOD PROVISIONS FOR TOWN  
OPERATED REFRESHMENT STANDS

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RESOLUTION NO. (127-1999) CONTINUED

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on: MARCH 8, 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.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (128-1999)

Co. Mandia offered and Co. Maloney seconded

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

BID #30-1999

SOFT DRINKS FOR TOWN  
OPERATED REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on: MARCH 3, 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.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (129-1999)

Co. Mandia offered and Co. Maloney seconded

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

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RESOLUTION NO. (129-1999) CONTINUED

BID #31-1999

ICE CREAM FOR TOWN  
OPERATED REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on: MARCH 5, 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.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (130-1999)

Co. Mandia offered and Co. Maloney seconded

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

BID #32-1999  
UNIFORM MAINTENANCE SERVICE FOR  
CLARKSTOWN POLICE DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on: MARCH 12, 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.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (131-1999)

Co. Mandia offered and Co. Maloney seconded

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

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RESOLUTION NO. (131-1999) CONTINUED

BID #33-1999  
SWIMMING POOL CHEMICALS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on: MARCH 18, 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:

- Co. Maloney . . . . . Yes
  - Co. Mandia . . . . . Yes
  - Co. Profenna . . . . . Yes
  - Co. Smith . . . . . Yes
  - Supervisor Holbrook . . . . . Yes
- \*\*\*\*\*

RESOLUTION NO. (132-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Dawn Massa, 14 Pavilion Road, Apt. 40, Suffern, New York - Data Entry Operator I - Assessor's Office - is hereby granted, as per her request, a leave without pay - pursuant to the Family and Medical Leave Act - effective and retroactive to January 26, 1999 to April 20, 1999.

On roll call the vote was as follows:

- Co. Maloney . . . . . Yes
  - Co. Mandia . . . . . Yes
  - Co. Profenna . . . . . Yes
  - Co. Smith . . . . . Yes
  - Supervisor Holbrook . . . . . Yes
- \*\*\*\*\*

RESOLUTION NO. (133-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Donna Boemio, 584 Babbling Brook Lane, Valley Cottage, New York, is hereby appointed to the position Clerk Typist (part-time) - Building Department - (Fire Inspector Office) - at the current 1999 hourly rate of \$12.50 - effective February 11, 1999.

On roll call the vote was as follows:

- Co. Maloney . . . . . Yes
  - Co. Mandia . . . . . Yes
  - Co. Profenna . . . . . Yes
  - Co. Smith . . . . . Yes
  - Supervisor Holbrook . . . . . Yes
- \*\*\*\*\*

RESOLUTION NO. (134-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 3-1999 adopted on January 4, 1999 is hereby amended to state that employees will be paid for or shall receive compensatory time off for their time spent attending the Association of Towns Conference, however the maximum amount of time shall be that of their regular work hours, either seven or eight hours per day.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (135-1999)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that pursuant to the Agreement by and between the Town of Clarkstown and the Civil Service Employees Association, Inc. (pertaining to CSEA Unit #8352), the Town Board hereby designates:

Ronald A. Longo, Esq.  
Edward J. Duer, CPA and  
Penny Leonard

as representatives for the purposes of addressing Article V and Article XXV of that Agreement.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
Co. Mandia . . . . . Yes  
Co. Profenna . . . . . Yes  
Co. Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (136-1999)

Co. Maloney offered and Co. Mandia seconded

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

BID #5-1999 - Lake Nanuet Park Improvements

is hereby awarded as follows:

CONTRACT 1A - SITE GENERAL, awarded to  
Continued on next page

RESOLUTION NO. (136-1999) CONTINUED

LET IT GROW INC  
50 ACKERSON AVE  
RIVER EDGE NJ 07661  
PRINCIPAL: PAUL T IMBARRATO

as per their proposed project cost of \$167,300, and,

CONTRACT IB - SITE ELECTRICAL, awarded to  
CGR ELECTRIC CORP  
d/b/a EAGLE ELECTRIC  
110 WEST CROOKED HILL ROAD  
PEARL RIVER NY 10965

as per their proposed project cost of \$79,487 and be it,

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the following items from each successful bidder:

- a) Signed Contract Documents - two sets
- b) Performance Bond - 100%
- c) Labor and Materials Payment Bond - 100%
- d) Certificate of Contractor's Liability, and Property Damage Coverage
- e) Certificate of Worker's Compensation and Worker's Disability Coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

On roll call the vote was as follows:

Co. Maloney .....	Yes
Co. Mandia .....	Yes
Co. Profenna .....	Yes
Co. Smith .....	Yes
Supervisor Holbrook .....	Yes

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RESOLUTION NO. (137-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Town Highway and Traffic Engineering Consultant and the utility Services Coordinator that

BID #12-1999  
MAINTENANCE AND REPAIR OF TOWN TRAFFIC SIGNALS AND  
PEDESTRIAL CONTROL DEVICES

is hereby awarded to:

VERDE ELECTRIC CORP  
271 WEST LINCOLN AVE  
MT VERNON NY 10550  
PRINCIPAL: GIULIO C MONACO

Continued on next page

RESOLUTION NO. (137-1999) CONTINUED

as per their proposed cost of \$123,690.50 (Parts I, II, III) and be it

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

- a) Performance Bond - 100%
- b) Labor and Materials Payment Bond - 100%
- c) Certificate of Contractor's Liability, and Property Damage Coverage
- d) Certificate of Worker's Compensation and Worker's Disability Coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

On roll call the vote was as follows:

Co. Maloney . . . . . Yes  
 Co. Mandia . . . . . Yes  
 Co. Profenna . . . . . Yes  
 Co. Smith . . . . . Yes  
 Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (138-1999)

Co. Maloney offered and Co. Mandia seconded

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

BID #18-1999  
FIRE WORKS DISPLAY

is hereby awarded as follows:

ZAMBELLI FIREWORKS MFG CO INC  
 20 S MERCER STREET  
 NEW CASTLE PA 16101  
 PRINCIPAL: GEORGE R. ZAMBELLI  
 CONSTANCE J. ZAMBELLI

as per their low bid proposal of \$3,950, and be it

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

- A) A Certificate of Commercial General, Automobile, and Fireworks Display Liability Insurance in the face amount of at least \$1,000,000.
- B) A Certificate of Excess Liability Insurance in the amount of at least \$2,000,000.

Both A and B shall

- 1 Contain no deductibility
- 2 Have a ten day cancellation notice filed with the Town
- 3 Hold the Town of Clarkstown and the Nanuet School District Harmless.

Continued on next page

RESOLUTION NO. (138-1999) CONTINUED

- 4 Name the Town of Clarkstown and the Clarkstown Central School District as additional insureds
- 5 Policy shall be an occurrence, not claims made policy

C) Certificate of Workers Compensation Insurance Coverage

D) Certificate of Workers Disability Insurance Coverage

On roll call the vote was as follows:

- Co. Maloney . . . . . Yes
- Co. Mandia . . . . . Yes
- Co. Profenna . . . . . Yes
- Co. Smith . . . . . Yes
- Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (139-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board has heard requests from landscapers seeking decreased tipping fees for brush and logs that have been reduced to chips; and

WHEREAS, the Town Board has deemed said requests to be reasonable; and

WHEREAS, the Town Board is solely responsible for establishing tipping fees;

NOW, THEREFORE, BE IT RESOLVED, that a new waste disposal commodity titled "chipped brush (1213)" be established at the per ton rate of \$25.00 to commence on February 15, 1999.

On roll call the vote was as follows:

- Co. Maloney . . . . . Yes
- Co. Mandia . . . . . Yes
- Co. Profenna . . . . . Yes
- Co. Smith . . . . . Yes
- Supervisor Holbrook . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (140-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, EklecCo 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 Letter of Credit No. SDCMBF980077 in the amount of \$500,000.00, and

WHEREAS, the Director of Environmental Control of the Town of Clarkstown has recommended that said Letter of Credit be reduced to \$50,000.00, or \$100,000.00 if a surety bond is provided, as much of the work has been completed to Town specifications;

Continued on next page

RESOLUTION NO. (140-1999) CONTINUED

NOW, THEREFORE, be it

RESOLVED, that Letter of Credit No. SDCMBF980077 in the amount of \$500,000.00 be reduced to \$50,000.00, or if a surety bond in the amount of \$100,000.00 is provided, Letter of Credit No. SDCMBF980077 may be released.

On roll call the vote was as follows:

Co. Maloney . . . . .	Yes
Co. Mandia . . . . .	Yes
Co. Profenna . . . . .	Yes
Co. Smith . . . . .	Yes
Supervisor Holbrook . . . . .	Yes

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RESOLUTION NO. (141-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized closure of the Town landfill, at the estimated maximum cost of \$30,000,000, which amount was appropriated therefor pursuant to the bond resolutions adopted by said Town Board on June 11, 1996 and August 11, 1998;

WHEREAS, the estimated cost of said project has now been determined to be \$32,000,000, and it is necessary and in the public interest to increase the appropriation therefor by \$2,000,000 and to amend said bond resolution to reflect such increase; and

WHEREAS, the additional appropriation for such increase in cost shall be paid from grant funds expected to be received from the State of New York and it is therefore not necessary to increase the amount of bonds authorized to finance such project;

NOW, THEREFORE, be it

RESOLVED BY THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section (A). The bond resolution of said Town adopted by the Town Board on February 9, 1999, entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted August 11, 1998, authorizing expenditure of additional funds in connection with the closure of the Town landfill; stating the revised estimated maximum cost thereof is \$30,000,000; appropriating \$5,000,000 therefor in addition to the \$25,000,000 heretofore appropriated for such purpose; authorizing the issuance of \$5,000,000 serial bonds of said Town to finance said additional appropriation; and authorizing any funds to be received from the State of New York to be expended towards the cost of said object of purpose or redemption of said bonds issued therefor or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.”

is hereby amended to read as follows:

Continued on next page

RESOLUTION NO. (141-1999) CONTINUED

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED ON AUGUST 11, 1998 AND AMENDED ON FEBRUARY 9, 1999, AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS IN CONNECTION WITH THE CLOSURE OF THE TOWN LANDFILL; STATING THE REVISED ESTIMATED MAXIMUM COST THEREOF IS \$32,000,000; APPROPRIATING \$7,000,000 THEREFOR IN ADDITION TO THE \$25,000,000 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AUTHORIZING THE ISSUANCE OF \$5,000,000 SERIAL BONDS OF SAID TOWN TO FINANCE A PART OF SAID ADDITIONAL APPROPRIATION, WITH THE \$2,000,000 BALANCE OF SAID APPROPRIATION TO BE PAID FROM GRANT FUNDS; AND AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to expend additional funds in connection with the closure of the Town landfill. The revised estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$32,000,000, and \$7,000,000 is hereby appropriated therefor in addition to the \$25,000,000 heretofore appropriated for such purpose pursuant to the Bond Resolution heretofore adopted on June 11, 1996. The plan of financing includes the issuance of not to exceed \$5,000,000 bonds to finance a part of said additional appropriation, in addition to the \$25,000,000 bonds heretofore authorized for such purpose, the expenditure of grant funds expected to be received from the State of New York to pay the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any funds to be received from the State of New York in connection with such project are authorized to be expended towards the cost thereof, or to be applied to the redemption of the bonds issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of an interest on any bonds or bond anticipation notes issued therefor.

Section 2. Serial bonds of the Town in the principal amount of \$5,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance a part of said additional appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 6-b of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is

Continued on next page

## RESOLUTION NO. (141-1999) CONTINUED

made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the a Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution, as amended, is subject to permissive referendum.

\* \* \*

Section (B). The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred,

Continued on next page

RESOLUTION NO. (141-1999) CONTINUED

obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). The Town Clerk of said Town of Clarkstown shall, within ten (10) days after the adoption of this resolution, cause to be published, in full, in 'THE JOURNAL-NEWS,' a newspaper published in Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, and posted in at least six (6) public places in the Town, a Notice in substantially the following form:

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. (142-1999)

Co. Maloney offered and Co. Mandia seconded

PLEASE TAKE NOTICE that on February 9, 1999, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted on August 11, 1998 and amended on February 9, 1999, authorizing expenditure of additional funds in connection with the closure of the Town landfill; stating the revised estimated maximum cost thereof is \$32,000,000; appropriating \$7,000,000 therefor in addition to the \$25,000,000 heretofore appropriated for such purpose; authorizing the issuance of \$5,000,000 serial bond of said Town to finance a part of said additional appropriation, with the \$2,000,000 balance of said appropriation to be paid from grant funds; and authorizing any funds to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to expend additional funds in connection with the closure of the Town landfill; STATING the revised estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$32,000,000; APPROPRIATING \$7,000,000 therefor in addition to the \$25,000,000 heretofore appropriated for such purpose; STATING the plan of financing includes the issuance of not to exceed \$5,000,000 bonds to finance a part of said additional appropriation, in addition to the \$25,000,000 heretofore authorized pursuant to the Bond Resolution heretofore adopted on June 11, 1996, the expenditure of grant funds expected to be received from the State of New York to pay the balance of said appropriation, and the levy of a tax upon all the taxable real property within the

RESOLUTION NO. (142-1999) CONTINUED

Town to pay the principal of said bonds and interest thereon; and STATING that any funds to be received from the State of New York in connection with such project are authorized to be expended towards the cost thereof, or to be applied to the redemption of the bonds issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on any bonds or bond anticipation notes issued therefor;

SECOND: AUTHORIZING the issuance of \$5,000,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance a part of said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section (D). Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted August 11, 1998 shall not be in any way affected and shall remain in full force and effect.

Section (E). After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby authorized to cause said bond resolution as herein amended, to be published, in summary, in the newspaper herein above referred to in Section (C) hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (F). This resolution shall take effect immediately.

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. (143-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a complaint from the administration of the Clarkstown North High School was received by the Supervisor regarding the new "No Left Turn" signs that were installed at the Clarkstown North High School Driveways, and

WHEREAS, the Supervisor directed Howard. L. Lampert, PE to conduct an investigation of said signs, and

WHEREAS, Howard L. Lampert, PE, Traffic and Highway Engineering Consultant for the Town of Clarkstown has made the following recommendations which the Clarkstown Central School District concurs with,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the implementation of these recommendations as follows:

- 1. Left turns shall be prohibited from the Easterly Clarkstown North High School Driveway into Congers Road and from Congers Road into the Middle Clarkstown North H. S. Driveway, and

BE IT FURTHER RESOLVED, that the Town Board hereby requests the Rockland County Highway Superintendent to:

- 1. Remove the "No Left Turn" signs at the Westerly Clarkstown North H. S. Driveway, both for traffic entering this driveway and for traffic leaving it
- 2. Install "No Left Turn" signs on the far left corners for traffic exiting the Easterly Clarkstown North H. S. Driveway and for southbound traffic at the Middle Clarkstown North H. S. Driveway. The signs installed can be the same ones removed from the above.

BE IT FURTHER RESOLVED, the that the Town Clerk is directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Clarkstown Superintendent of Highways, Norman Peachey, Chairman of the Traffic and Traffic Fire Safety Advisory Board, Chief Kevin Kilduff, CPD, Douglas Jobson, Rockland County Superintendent of Highways and William B. Heebink, Ph.D., Superintendent of the Clarkstown Central School District.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
 Co. Mandia ..... Yes  
 Co. Profenna ..... Yes  
 Co. Smith ..... Yes  
 Supervisor Holbrook ..... Yes

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RESOLUTION NO. (144-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Rudolph J. Yacyshyn, 48 Washington Circle, New City, New York, is hereby appointed to direct the preparation and development of the Town

Continued on next page

RESOLUTION NO. (144-1999) CONTINUED

Comprehensive Plan and any other activities assigned to him by the Supervisor and Town Board, for a term effective and retroactive to January 1, 1999, and to expire at 12:01 a.m. on January 1, 2000, at compensation not to exceed \$10,500.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (145-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Tectonic Engineering Consultants, P.C. have been authorized by Town Board Resolution No. 735-1998, dated September 15, 1998, to provide inspection and material testing services for the 1998 Roadway Resurfacing Program in the Town of Clarkstown for the cost of \$9,000.00, and

WHEREAS, due to increase in the number of roads and net increase in the contract, additional funds were approved on December 22, 1998 by Town Board Resolution No. 986-1998, in the amount of \$11,000.00, and

WHEREAS, there has been an additional increase in the contract,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes additional funds in the amount of \$11,149.08 for the cost of such additional services.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes

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RESOLUTION NO. (146-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, an existing fence in the rear yard of #3 Theresa Drive, and adjacent to the Adele Road Drainage Project, West Nyack, New York, was damaged as a result of the construction, and

WHEREAS, the Department of Environmental Control has obtained a proposal to repair the damaged section of fence.

Continued on next page

RESOLUTION NO. (146-1999) CONTINUED

NOW THEREFORE BE IT,

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire YaBoo Fence Company, Inc., 10 High Street, West Nyack 10994 to perform the repairs in accordance with their proposal dated 10-13-98, and

BE IT FURTHER RESOLVED that the cost for the repairs shall not exceed \$340.00 and shall be a proper charge to account H 7128 409 0 55 29.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes  
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RESOLUTION NO. (147-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS the Land and Water Conservation Fund (LWCF) was established in 1964 as a dedicated fund to provide grants for outdoor recreation facilities, and,

WHEREAS the Land and Water Conservation Fund was instrumental in providing over \$220,975.00 in funding for Town of Clarkstown parks, as well as over 8 million dollars for parks within Rockland County, and,

WHEREAS, funding for local projects has been reduced since the early 1980's and has not existed since 1995, and

WHEREAS Governor Pataki has appointed the Empire State Task Force for Land and Water Conservation Funding, whose goals are to educate the public regarding past benefits of LWCF funding and to work with the New York State Congressional delegation to support efforts to restore state side funding, now,

THEREFORE, be it resolved that the Town Board of the Town of Clarkstown supports the efforts of the Empire State Task Force for Land and Water Conservation Fund, and encourages our federal legislators to support this initiative.

On roll call the vote was as follows:

Co. Maloney ..... Yes  
Co. Mandia ..... Yes  
Co. Profenna ..... Yes  
Co. Smith ..... Yes  
Supervisor Holbrook ..... Yes  
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RESOLUTION NO. (148-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it is the intent of the Town Board, whether pursuant to Rockland

RESOLUTION NO. (148-1999) CONTINUED

County Police Act section 2B, Town Law section 54, or otherwise, to vest in the Police Commission the power to adopt and enforce rules, orders and regulations of the government, discipline, administration and disposition of the Police Department and the members thereof, and

WHEREAS, various rules and regulations of the Police Department were adopted on December 5, 1973 by the Town Board,

NOW, THEREFORE BE IT RESOLVED, that the rules and regulations adopted by the Town Board on December 5, 1973, and all those adopted prior and subsequent thereto by the Town Board, are hereby revoked and rescinded; and

FURTHER BE IT RESOLVED, that the Police Commission as appointed by the Town Board, is hereby granted the power to adopt and enforce rules, orders and regulations for the government, discipline, administration and disposition of the Police Department and the members thereof, to be issued and maintained as deemed appropriate by said Police Commission.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (149-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended from time to time, and

WHEREAS, the Town Board of the Town of Clarkstown is considering to further amend said Zoning Ordinance;

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:

AMEND from the Zoning Ordinance of the Town of Clarkstown, 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, and be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on February 24, 1998, at 8:05 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Continued on next page

RESOLUTION NO. (149-1999) CONTINUED

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown 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 same manner provided by law and file proof thereof in the Office of the Town Clerk.

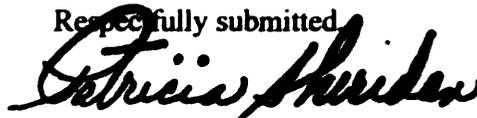
On roll call the vote was as follows:

- Co. Maloney ..... Yes
- Co. Mandia ..... Yes
- Co. Profenna ..... Yes
- Co. Smith ..... Yes
- Supervisor Holbrook ..... Yes

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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: 9:25 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk