

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

3/09/99

8:00 P.M.

Present: Supervisor Charles E. Holbrook  
Council Members Maloney, Mandia and Profenna  
Council Member Smith Absent  
Philip Fogel, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

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

Supervisor opened the Public Portion. No one appeared.

RESOLUTION NO. (191-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of February 23, 1999 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.....Absent  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (192-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into agreements, in a form approved by the Town Attorney, with the following non-profit organizations to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 1999 to the following non-profit organizations in the following amounts:

CANDLE	\$39,000
Clarkstown Community Task Force	\$10,000
Nyack High School PTSA (Project Graduation)	\$ 1,500
Nanuet High School (Project Graduation)	\$ 2,500

and be it

FURTHER RESOLVED, that the total amount of \$53,000 be transferred from Account No. A 1990-505 to Account No. A 8840-424, and be it

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RESOLUTION NO. (192-1999) Continued

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1999, and are to be charged against Account No. A 8840-424.

On roll call the vote was as follows:

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

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RESOLUTION NO. (193-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Shoreline Medical Billing Systems, Inc. acts as the service organization for the Towns of Clarkstown and Ramapo to process insurance claims for basic and advanced life support services provided by volunteer ambulance corps and Rockland Paramedic Service, Inc., and

WHEREAS, it is necessary that the Town of Clarkstown have a limited scope audit to obtain reasonable assurance that Shoreline has the necessary controls and procedures in place to provide reliance that the billing is proper, and

WHEREAS, the Town of Ramapo will share the costs;

NOW, THEREFORE, be it

RESOLVED, that Supervisor Holbrook is hereby authorized to enter into an agreement in a form satisfactory to the Town Attorney, with Korn, Rosenbaum, Phillips & Jauntig, Certified Public Accountants, with offices at Palisades Office Park, 26 Firemen's Memorial Drive, Pomona, New York, for a cost not to exceed \$3,000 to the Town of Clarkstown.

On roll call the vote was as follows:

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

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RESOLUTION NO. (194-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it is necessary for the Town of Clarkstown to obtain actuarial services for compliance with GASB 10 (Governmental Accounting Standards Board) for fiscal year ending December 31, 1998 and,

WHEREAS, Financial Risk Analysts, 27 Hartford Turnpike, Vernon, CT, is a nationally known actuarial consulting firm providing services to public entities

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RESOLUTION NO. (194-1999) Continued

nationwide related to self-insurance and GASB 10;

NOW, THEREFORE, be it

RESOLVED, that Supervisor Charles E. Holbrook is hereby authorized to enter into an agreement for one year with Financial Risk Analysts. in a form acceptable to the Town Attorney, at a cost not to exceed \$5,500, plus reasonable out-of-pocket expenses.

On roll call the vote was as follows:

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

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RESOLUTION NO. (195-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Rockland Board of Cooperative Education (BOCES), having offices at 131 Midland Avenue North, Nyack, New York, in a form approved by the Town Attorney. BOCES shall provide computer training classes for Town of Clarkstown employees for the period April 12, 1999 through April 20, 1999, and be it

FURTHER RESOLVED, that the fee for said classes shall not exceed the cost of \$5,040.00 and shall be charged to Account No. A-1680-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (196-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a modification agreement with Roy F. Weston of New York, Inc., engineers, regarding the Hackensack River Flood Management Natural Area Improvement Project, by increasing the compensation from \$225,000 to \$278,000 for engineering services.

On roll call the vote was as follows:

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

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RESOLUTION NO. (197-1999)

Co. Maloney offered and Co. Mandia seconded

Authorizing construction of a trail-style sidewalk along side State Route 303 from Lake Road to Gilcrest Lane in the Town of Clarkstown, the performance and funding in this first instance 100% of the costs of construction or reconstruction thereof, to be reimbursed by the State and appropriating funds thereof.

WHEREAS, the State of New York has requested the Town of Clarkstown to construct a trail-style sidewalk along State route 303 from Lake Road to Gilcrest Lane in the Town Of Clarkstown;

NOW, THEREFORE, the Clarkstown Town Council, duly convened does hereby:

RESOLVE, that the Town Council hereby approves the project; and it is hereby further

RESOLVED, that the Town Council hereby authorizes the Town of Clarkstown to pay in the first instance 100% of the costs of the project or portions thereof; and it is further

RESOLVED, that the sum of \$95,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the project; and it is further

RESOLVED, that the Supervisor of the Town of Clarkstown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf of the Town with NYSDOT in connection with the implementation of the Project, and reimbursement of the approved costs thereof by the State, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project, and it is further

RESOLVED, that 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.....Absent
- Supervisor Holbrook.....Yes

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RESOLUTION NO. (198-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$1,024.00 from Palisades/Eklec Co. , and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01 3 2705 2 (General-Donations) and Appropriation Account No. A 3120 113 (Police-Overtime) by \$1,024.00 and

RESOLUTION NO. (198-1999) Continued

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

THEREFORE RESOLVED, to increase Estimated Revenue Account No. DA 041 14 2999 (Highway-Unexpended Balance) by \$3,750.00 and the following Appropriation Accounts:

DA 9000 803 (Highway-social Security) . . . . .	\$2,950
DA 9000 803 ( " -Medicare) . . . . .	800

increase Estimated Revenue Account No. A 01 5 2412 (Rental Police Building) and A 1630 409 (Rental Police Building-Fees for Services) by \$1,200.00; decrease Appropriation Account No. A 4210 110 (Counseling-Salaries) and increase A 4210 408 (building Repairs) by \$90.00 and decrease Contingency Account No. A 1990 505 by \$35,371.00 and increase the following Appropriation Accounts:

A 1315 409 (Comptroller-Fees for Services) . . . . .	\$ 3,835
A 1620 203 (Maintenance-Motor Vehicles) . . . . .	17,029
A 1930 505 (Judgment & Claims) . . . . .	440
A 3989 366 (Police Emergency Operations) . . . . .	13,857
A 7520 319 (Historical Review Board-Misc. Supplies) . . . . .	110

On roll call the vote was as follows:

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

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RESOLUTION NO. (199-1999)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Assessor, Nicholas Longo; supervising Real Property Appraiser, Cathy Conklin; Real Property Appraisers, Robert Davies & Philip Platz; Data collector II, Margaret Whelan & Data Collectors, Dawn Mauro & Joan Derella are hereby authorized to attend the following courses sponsored by the New York State Assessor's Association & the New York State Office Real Property Services for continuing education credits.

July 18 - 23, 1999	Seminar on Appraising Cornell University Ithaca, New York
September 21 - 24, 1999	Annual Meeting & Fall Seminar on Assessment Administration Lake Placid, N.Y.

FURTHER RESOLVED, that all proper charges to be charged against line 1010-414.

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RESOLUTION NO. (199-1999) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (200-1999)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks that the proposal and costs for work to be done on Congers Lake is hereby awarded to:

Aquatic Analysts Inc.  
 Lake & Watershed Management  
 P.O. Box 660  
 Hawthorne, New Jersey 07507

as per their proposed cost of approximately \$20,000.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt of :

1. Standard Form of Agreement - two signed copies.
2. Certificate of Contractors (Liability and Property Damage Insurance coverage with the Town -named as co-insured.
3. Certificate of Workers Compensation Workers Disability coverage. and be it

FURTHER RESOLVED, that all charges to be applied to capital Account H-5111-409-0-4-21.

On roll call the vote was as follows:

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

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RESOLUTION NO. (201-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 148, with respect to the rules and regulations of the Police Department, adopted by the Town Board on February 9, 1999. is hereby rescinded due to an error in the Section mentioned, and is hereby substituted by the following Resolution:

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

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RESOLUTION NO. (201-1999) Continued

County Police Act Section 2B, Town Law Section 150, or otherwise, to vest in the Police Commission 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, 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 be it

FURTHER 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:

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

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RESOLUTION NO. (202-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Beth A. Malone, 15 Pine Avenue, Nanuet, New York, is hereby appointed to the position of (Temporary) Data Entry Operator I, Assessor's Office, to cover the leave of absence of Dawn Massa at the current hourly rate of \$12.75, effective and retroactive to March 1, 1999.

On roll call the vote was as follows:

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

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RESOLUTION NO. (203-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Maureen T. O'Connor, 4 Elyse Drive, New City, New York, Paralegal Specialist I (Municipal Law), Town Attorney's Office is hereby accepted with regret, effective and retroactive to February 27, 1999.

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RESOLUTION NO. (203-1999) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (204-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Patricia R. McDonald, 49 Lindbergh Lane, New City, New York is hereby appointed to the position of (Provisional) Para Legal Specialist I (Municipal Law), Town Attorney's Office at the current salary of \$34,376.00, effective and retroactive to March 3, 1999.

On roll call the vote was as follows:

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

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RESOLUTION NO. (205-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Pamela A. Peck, 88 Branchwood Lane, Nanuet, New York is hereby appointed to the position of Counselor (Part-time) Municipal Counseling Service, Clarkstown Counseling Center to cover the leave of absence of Shefalika Gandhi at the current hourly rate of \$20.62, effective and retroactive to February 25, 1999.

On roll call the vote was as follows:

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

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RESOLUTION NO. (206-1999)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that based on the recommendation of the Town's Traffic Engineering consultant, the Utility Services Coordinator is hereby authorized to install flashing beacons at the "Stop Ahead" sign which is located on northbound Ridge Road

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RESOLUTION NO. (206-1999) Continued

approximately 320 feet south of Highway Avenue, Congers, N.Y., and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Utility Services Coordinator, Patricia Betz for implementation.

On roll call the vote was as follows:

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

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RESOLUTION NO. (207-1999)

Co. Mandia offered and Co. Profenna 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:

“Town Speed 30 MPH” signs on the North and South entrances of Irion Drive and Little Tor Road and on South Main Street at Twin Elms Lane, New City, N.Y.

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..... Absent
- Supervisor Holbrook..... Yes

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RESOLUTION NO. (208-1999)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

“No Thru Trucking Over 4 Tons Except for Local Delivery” signs on the North and south entrances of Irion Drive and Little Tor Road and on South Main Street at Twin Elms Lane, New City

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

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RESOLUTION NO. (208-1999) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (209-1999)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, several residents of West Nyack have requested that the existing street lighting on West Nyack Road and the access road from West Nyack Road to Route 59 westbound be upgraded to improve the safety and welfare of the community, and

WHEREAS, the Town of Clarkstown is entitled to upgrade, at no charge, a total of 104 existing street light fixtures for the 1999 calendar year,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. dated November 21, 1998 for the upgrade of a total of thirty one (31) existing street light fixtures on West Nyack Road.

On roll call the vote was as follows:

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

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RESOLUTION NO. (210-1999)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a draft proposal from Orange and Rockland Utilities, Inc. dated March 8, 1999, for placement of utility poles and the installation of flood lighting around the perimeter of the Route 303 Commuter Parking Lot, West Nyack as follows:

- (Install) - Four Wooden utility poles
- (Install) - Eleven (11) 400 watt - 46,000 lumen sodium vapor flood lights

On roll call the vote was as follows:

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

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RESOLUTION NO. (211-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 116-1999 adopted by the Town Board on February 9, 1999 authorizing the Supervisor to enter into an Agreement with Price Construction, LLC regarding water service charges for Sussex at Nanuet is hereby RESCINDED.

On roll call the vote was as follows:

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

RESOLUTION NO. (212-1999)

Co. Maloney offered and Co. Mandia 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 Gramercy Park, designed on the Clarkstown tax map as Map 14, Block E, Lot 1, part of the Sussex at Gramercy Park Site Plan, and

WHEREAS, it has been recommended that two (2) 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 Gramercy Park, 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:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Absent
- Supervisor Holbrook.....Yes
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RESOLUTION NO. (213-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, in accordance with Town Board Resolution #659-1996, the Town Board authorized Kozma Associates to perform engineering services on the Demarest Mill Creek Flood Reduction and Dam Rehabilitation Project, West Nyack; and,

WHEREAS, New York State Department of Environmental Conservation (NYSDEC) requires the establishment of a Lead Agency for New York State Environmental Quality Review Act (SEQRA);

NOW, THEREFORE BE IT RESOLVED, for the purposes SEQRA, the Town Board determines that it shall act as Lead Agency and the Director of the Department Environmental Control is hereby authorized and directed to act as agent for the Town Board, with respect to SEQRA review, for the Demarest Mill Creek Flood Reduction and Dam Restoration Project.

On roll call the vote was as follows:

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

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RESOLUTION NO. (214-1999)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to obtain the services of Atzl, Scatassa and Zigler to perform the individual boundary surveys in connection with the Downtown New City Revitalization Study in accordance with their proposal dated February 10, 1999, and be it

FURTHER RESOLVED, that the cost shall not exceed \$14,250.00 and shall be a proper charge to account H 1994 409 014 27

On roll call the vote was as follows:

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

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RESOLUTION NO. (215-1999)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control that

RESOLUTION NO. (215-1999) Continued

BID #22-1999  
1999 MOSQUITO CONTROL PROGRAM

is hereby awarded to:

TBC SPRAYING SERVICE, INC.  
229 GRANITE AVE.  
HALEDON, NJ 07508  
PRINCIPALS: THOMAS H. WINKLER  
DEAN WINKLER

as per their low bid proposal of :

\$250.00 per application - Larvicide Applications and  
\$5,760.00 per application - Adulticide Applications, and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the items specified in item IX of the bid specifications.

On roll call the vote was as follows:

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

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RESOLUTION NO. (216-1999)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received and opened bid proposals for Bid No. 26-1999 "Muller Court Drainage Project"; and

WHEREAS, said proposals have been reviewed by the Department of Environmental Control; and

WHEREAS, based on said review, the Department of Environmental Control recommends that the contract for this project be awarded to the lowest responsible bidder. Hudson Canyon Construction, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown does hereby award the contract for

Bid No. 26-1999  
"Muller Court Drainage Project"

to:

Hudson Canyon Construction, Inc.  
16 Schuman Road  
Millwood, New York 10546

in accordance with their proposal in the amount of \$51,372.00; and be it

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RESOLUTION NO. (216-1999) Continued

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

- a) Signed Contract Documents (2 Copies)
- b) Performance Bond in an amount equal to 100% of the proposed project cost
- c) Labor and Materials Bond in an amount equal to 100% of the proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Insurance including the specified Save Harmless Clause
- e) Certificate of Worker's Compensation Insurance
- f) Certificate of Worker's Disability Insurance

with the Town of Clarkstown being named as co-insured on all liability insurance policies.

On roll call the vote was as follows:

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

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RESOLUTION NO. (217-1999)

Co. Profenna offered and Co. Maloney seconded

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

**BID #30 - 1999  
 CARBONATED SOFT DRINKS FOR THE  
 TOWN SUMMER REFRESHMENT STANDS**

is hereby awarded to:

**PEPSI COLA OF THE HUNDSON VALLEY**  
 One Pepsi Way  
 Newburgh, NY 12550  
 A PUBLIC CORPORATION

as per the following item/price schedule

ITEM	ESTIMATED QUANTITY PER 5 GAL CONTAINER	PER 5 GAL CONTAINER
Cola	50	\$ 37.00
Diet Cola	18	37.00
Lemon	20	37.00
Orange	14	37.00
If applicable: Cost of CO2 Gas per cylinder		\$ 12.00 plus
		50.00 deposit
	State size of CO2 cylinder	20 lb
	Cost of CO2 hook up (if any)	<hr/>

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RESOLUTION NO. (217-1999) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (218-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Patricia Sheridan, Town Clerk, is hereby authorized to attend the New York State Town Clerk's Annual Conference 1999, to be held in Syracuse, NY from April 25 - 29, 1999 and all proper charges and registration fees to be charged to Appropriation Account #A-1410-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (219-1999)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Highland Medical Associates, through BestCare Business Health Services, in a form approved by the Town Attorney, to provide employee health services to the Clarkstown Police Department for a period of two years, and be it

FURTHER RESOLVED, that the fee shall be \$250.00 per employee evaluation for services provided under this agreement, which shall be charged to Account No. A 3120-409.

On roll call the vote was as follows:

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

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RESOLUTION NO. (220-1999)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Supreme Court of the County of Rockland rendered a decision in the matter of Augusta Cervini, Executrix of the Estate of Mary E. Hanley and Bowman Builders, Inc. v. the Zoning Board of the Town of Clarkstown, and

WHEREAS, on February 23, 1999, the Town Board passed Resolution No. 189-1999 resolving to appeal said decision, and

WHEREAS, a further review of the file and consultation with the Town Attorney's office, had indicated that an appeal is not warranted;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 189-1999 is hereby rescinded and the Town Attorney is directed to withdraw the Appeal.

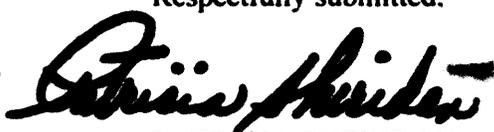
On roll call the vote was as follows:

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

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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 Councilman Profenna, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:06 P.M.

Respectfully submitted,

  
 PATRICIA SHERIDAN,  
 Town Clerk