

RESOLUTION NO. (175-2000) continued

WHEREAS, the Comprehensive Plan was the product of a collaboration between the Planning Board, the Citizens Ad Hoc Advisory Committee, the Town Board, the Department of Planning and the Department of Environmental Control, their staffs and their consultants and, not least, the people of the Town of Clarkstown, and

WHEREAS, the Town Board contemplates a Town planning process dedicated to a continuing implementation of the policies embodied in the Comprehensive Plan, and

WHEREAS, the Comprehensive Plan has declared that it is a Town policy to favor open space protection and land conservation, and

WHEREAS, at both the fact finding Hamlet Center meetings and the public hearing connected with the enactment of the Comprehensive Plan, there was strong popular support for increased Town sponsored land conservation and open space protection in Clarkstown, and

WHEREAS, the Town Board has determined that open space protection and land conservation is essential to the health, safety and well-being of the residents of Clarkstown, and

WHEREAS, the Town of Clarkstown is presently, and has for some years, been one of the fastest developing municipalities in New York State, and

WHEREAS, the Town Board wishes to take prompt action that may result in open space protection and land conservation sufficient for the Town's present and future generations, and

WHEREAS, the Town Board contemplates such affirmative steps that may include acquisition of interests in land or otherwise provide open space, or conservation benefits, in land with such potential, and

WHEREAS, such acquisition may be by purchase or gift of fee or less than fee interests with consideration provided by the Town from various sources including but not limited to tax revenue, tax abatement, bond proceeds or with funds provided by grants or gifts of cash or securities or other appreciable property;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby directs the commencement of an Open Space Protection and Land Conservation Initiative by the Planning Board and Ad Hoc Committee, supported by the same agencies that provided the technical assistance for the development of the Comprehensive Plan; that an Open Space Inventory be developed by the Planning Board and Ad Hoc Committee acting jointly; and that from this inventory, the Town Board intends to establish priorities for the implementation of a Town wide Open Space Protection and Land Conservation Plan ("the plan") to be considered, revised and adopted upon future notice and hearing by the Town Board, and be it

FURTHER RESOLVED, that this resolution is hereby referred to the Clarkstown Planning Board and Ad Hoc Advisory Committee for investigation and report with recommendations to the Town Board on or before April 18, 2000, which report shall identify and establish those priorities for properties which should be acquired in fee or by less than fee interests, and be it

FURTHER RESOLVED, that the Town Board hereby schedules a public fact finding hearing to be held on March 28, 2000 at 8:00 P.M., or soon thereafter as possible, in the Town Hall Auditorium, 10 Maple Avenue, New City, New York, to solicit public comment with respect to the adoption of a Town-wide Open Space Protection and Land Conservation Plan, and to identify those properties which should be considered for the plan and alternatives for funding same, including a bonding program, after referendum approval by the voters of the Town, 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

RESOLUTION NO. (175-2000) continued

Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review with respect to the Open Space Protection and Land Conservation Initiative.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (176-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Dorothy Poust, RN, CSW, Clarkstown Counseling Center, is hereby authorized to attend a conference entitled "Recent Advances in Couple Therapy: A Self Psychological View" on February 5, 2000 in New York City, and be it

FURTHER RESOLVED, that the registration fee of \$45 and all reasonable expenses including travel, tolls, and meals shall be charged to Appropriation Account A 4210-414, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to February 5, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (177-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Edward J. Duer, Comptroller, is hereby authorized to attend the New York State Government Finance Officers Association conference from March 22, 2000 through March 24, 2000 at Albany, New York and be it

FURTHER RESOLVED, that the registration fee of \$220.00 and all reasonable expenses including travel, tolls, meals, and hotel shall be charged to Appropriation Account A 1010-414 (Schools and Conferences).

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (178-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes attendance at training classes at Camp Smith, New York State Department of State, on April 10, 2000, for a fee of \$25.00 per person for the following:

- Vincent Narciso, Fire Inspector
- Stephen Underleider, Assistant Fire Inspector
- Kenneth Dillon, Assistant Fire Inspector, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes attendance at training classes at Camp Smith, New York State Department of State, on June 9-11, 2000, for a fee of \$25.00 per person for the following:

- Mark Papenmeyer, Chief Fire Safety Inspector
- Vincent Narciso, Fire Inspector
- Stephen Underleider, Assistant Fire Inspector
- Kenneth Dillon, Assistant Fire Inspector, and be it

FURTHER RESOLVED, that the fees for said classes shall be charged to Account No. B 3620-414.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (179-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes John A. Costa, Town Attorney, and Penny Leonard, Director of Finance, to attend a seminar with respect to the New York Insurance Law, which is being held on April 19, 2000 at the Crowne Plaza at the United Nations, New York, and be it

FURTHER RESOLVED, that the that the cost for such course shall not exceed \$209.00 per person and shall be charged to Account No. A 1420-414, and other reasonable expenses for tolls, travel and meals will be charged to Account No. A 1420-404.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (180-2000)

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

RESOLUTION NO. (180-2000) continued

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 2000 to the following non-profit organizations in the following amounts:

Clarkstown Community Task Force	\$10,000
Clarkstown South PTSA (Grad Nite 2000)	\$2,500

and be it

FURTHER RESOLVED, that the total amount of \$12,500.00 be transferred from Account No. A 1990-505 to Account No. A 8840-424, and be it

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 2000, and are to be charged against Account No. A 8840-424.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (181-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Robert Geneslaw Co. has submitted a proposal dated December 10, 1999, to provide the Town with professional services concerning affordable housing issues being raised with respect to the lawsuit entitled "Board of Trustees of the Village of Spring Valley v. The Town of Clarkstown, et al";

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Robert Geneslaw Company, in a form approved by the Town Attorney, to provide professional services to the Town concerning affordable housing issues being raised by the referenced lawsuit against the Town, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed the amount of \$2,000.00 without further authorization of the Town Board, and shall be charged to Account No. A 1420-409, and be it

FURTHER RESOLVE, that this Resolution is hereby made retroactive to January 1, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (182-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, nutrient loading and sedimentation has resulted in aquatic plant growth engulfing Swartwout Lake and Congers Lake in Congers; and

WHEREAS, Swartwout Lake flows into Congers Lake thereby affecting the water quality of Congers Lake; and

WHEREAS, the Town of Clarkstown is desirous of having said aquatic vegetation removed from both of these lakes to improve water quality; and

WHEREAS, the Department of Environmental Control has obtained proposals for the removal of the weed growth by means of chemical treatment (copper sulfate) to control algae growth and (sonar) to control aquatic weeds and conduct additional monitoring of the lakes, and;

WHEREAS, the Department of Environmental Control has reviewed said proposals;

NOW, THEREFORE, BE IT RESOLVED that, based on said review, the Supervisor is hereby authorized to enter into an agreement, in a form satisfactory to the Town Attorney, with AQUATIC ANALYSTS, P.O. Box 66, Middleville, New Jersey 07855, Phone: (973) 383-6264, FAX: (973) 948-4926 to apply chemicals to control aquatic vegetation within Swartwout Lake and Congers Lake under the direction of the Department of Environmental Control as per their proposals; and

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed \$9,890.00 for the Swartwout Lake treatment and shall be a proper charge to account H511 4090 40 20, and \$18,820.00 for the Congers Lake treatment and shall be a proper charge to account H511 400 4090 4 21.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (183-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, an application has been made by WALTER KENNELLY, as president of Sosken, Inc., that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of a mapped but allegedly unopened right-of-way, as described in the metes and bounds description attached as Schedule "A," for a portion of Terrace Avenue, Congers, New York, may be deemed abandoned upon the grounds that same has never been used by the public, and

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

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

NOW, THEREFORE, be it

RESOLUTION NO. (183-2000) continued

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on March 28, 2000, at 8:00 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, on the petition of Walter Kennelly as president of Sosken, Inc., to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map of a portion of Terrace Avenue, Congers, New York, as described in said petition, and be it

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

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

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (184-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"A LOCAL LAW TO END THE MORATORIUM AFFECTING
CERTAIN SPECIAL PERMIT APPLICATIONS SUBJECT TO
SECTIONS 290-II(A) AND 290-I7(L) OF THE ZONING ORDINANCE"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on March 14, 2000 at 8:00 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the newspaper of general circulation and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (185-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

“AMENDMENT TO CHAPTER 278 (VEHICLES AND TRAFFIC) OF THE CODE OF THE TOWN OF CLARKSTOWN”

NOW, THEREFORE, be it

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on March 14, 2000 at 8:00 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (186-2000)

Co. Maloney offered and Co. Lasker 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;

NOW, THEREFORE, 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 March 28, 2000, at 8:00 P.M., or as soon thereafter as possible, to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Purpose: Remove definition of “Special Care Home” from the Zoning Ordinance because same is now obsolete as new definitions of “Senior Citizen Congregate Housing” and “Assisted Care Living Quarters” have been adopted.

Amend Section 290-3. Definitions, by repealing the definition of “Special Care Home.”

and be it

FURTHER RESOLVED, that the 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, and be it

FURTHER RESOLVED, for the purposes of the New York

FURTHER RESOLVED, for the purposes of the New York

RESOLUTION NO. (186-2000) continued

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

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:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (187-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Zoning Board of Appeals of the Town of Clarkstown, by decision dated November 1, 1999 (Appeal No. 2891), has authorized the removal of a Restrictive Covenant affecting 7 Stokum Lane, New City, New York, identified on the Tax Roll of the Town of Clarkstown as Map 57, Block G, Lot 8;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown, Charles E. Holbrook, is hereby authorized and directed to enter into an agreement in a form approved by the Town Attorney, which shall implement the decision of the Zoning Board of Appeals.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (188-2000)

Co. Maloney offered and Co. Smith seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Dr. Martha MacGuffie, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along South Mountain Road, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated January 5, 2000 from Martha M. MacGuffie to the Town of Clarkstown, gratuitously conveying a strip of land along South Mountain Road, New City, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

RESOLUTION NO. (188-2000) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (189-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that upon the recommendations of the Director of the Department of Environmental Control and the Highway Superintendent of the Town of Clarkstown, Maintenance Bond in the amount of \$8,500.00, in connection with the dedication of the road(s) and improvements on August 11, 1998, in a subdivision known as South of the Mountain, Section II is hereby terminated; and the sum of \$8,500.00 may be released to the guarantor.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (190-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DORTON CONSTRUCTION CORP. v. THE ASSESSOR(S) OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN, Index No(s). 4000/95, 4251/96, 4276/97, 4331/98 and 4164/99, affecting parcel(s) designated as Map 137, Block A, Lot 13, for the year(s) 1995/96, 1996/97, 1997/98, 1998/99 and 1999/00, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the following terms and conditions:

1. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 137, Block A, Lot 13 be reduced for the year(s) 1995/96, 1996/97, 1997/98, 1998/99 and 1999/00 from \$366,900 to \$300,000 at a cost to the Town of \$3,357.54;
2. That reimbursement for the year(s) 1995/96, 1996/97, 1997/98, 1998/99 and 1999/00 on the parcel described as Map 137, Block A, Lot 13 be made within (60) days through the Office of the Commissioner of Finance. If payment is made within (60) days, no interest will be charged;
3. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid, and such settlement is recommended by the Assessor of the Town of Clarkstown.

NOW, THEREFORE, be it

RESOLUTION NO. (190-2000) continued

RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (191-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board, as lead agency, hereby determines, based on the Short Environmental Assessment Form dated by February 8, 2000, prepared by Robert Geneslaw, acting as agent for the Town of Clarkstown, that the proposed acquisition of 1.04 acres of property which is described on the Clarkstown Tax Map as MAP 57, BLOCK M, LOT 13.1, New City, New York, is an Unlisted Action pursuant to SEQRA and shall not have any significant impact on the environment, and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to February 8, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (192-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to section 22-2A and 2B of the Town Code at:

Annual Senior Citizen Show Cast Party
 May 6, 2000
 Congers Community Center
 Gilcrest Road
 Congers, New York

Annual Senior Citizen Picnic
 June 13, 2000 (Raindate: June 14th)
 Congers Lake Memorial Park
 Gilcrest Road
 Congers, New York

RESOLUTION NO. (192-2000) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (193-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, to decrease Appropriation Account A-7141-222 (Park/Rec.E.) by \$227.00 and to increase Appropriation Account A-7310-222 (Park/Rec.E) by \$227.00.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (194-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received \$1,024 from Palisades/EklecCo, be it therefore

RESOLVED to increase Estimated Revenue A 01 3 2705 2 (Gifts and Donations) by \$1,024 and Appropriation Account A 3120-113 (Police Overtime) by \$1,024, and

WHEREAS, the Town of Clarkstown has received \$910 from Yankee Candle Co. , be it therefore

FURTHER RESOLVED to increase Estimated Revenue Account A 01 9 2705 (Gifts and donations), and Appropriation Account A 3120-113 Police Overtime) by \$910.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (195-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Clarkstown Justice Court purchased a filing cabinet in December, 1997, in the amount of \$114.69, to hold Drug Court files, and

WHEREAS, the Clarkstown Justice Court purchased a filing cabinet in December, 1997, in the amount of \$114.69, to hold Drug Court files, and

RESOLUTION NO. (195-2000) continued

WHEREAS, the Rockland County Drug Court has now relocated from the Town of Clarkstown to the Town of Haverstraw, and the Justice Court wishes to donate said cabinet to Haverstraw;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby donates to the Town of Haverstraw the filing cabinet purchased by Clarkstown for the Rockland County Drug Court files.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (196-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby amends Resolution No. 145-2000 adopted by the Town Board on February 8, 2000 to amend the maximum amount to be paid for services as follows:

“FURTHER RESOLVED, that the fee for said services shall not exceed \$75.00 per hour, and shall not exceed \$60,000.00 without further authorization of the Town Board, and such hours shall be designated by the Director of Automated Systems.”

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (197-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #91-2000 dated January 11, 2000 authorized the Department of Environmental Control to retain the services of Helmke Industries, Inc., 513 Route 303, Orangeburg, New York to have all debris and litter picked up on a scheduled basis within the right-of-way limits for New York State Route 59 in Nanuet from Grandview Avenue to New York State Route 304; and

WHEREAS, debris and litter were found at an additional location along the Nauraushaun Brook adjacent to a Town Park on Route 59; and

WHEREAS, The Town is desirous of having this litter removed from this area not included in the original limits of work; and

RESOLUTION NO. (197-2000) continued

WHEREAS, the Department of Environmental Control has obtained a proposal from Helmke Industries, Inc. to perform this additional work; and

WHEREAS, the Department of Environmental Control has reviewed said proposal and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED that Resolution #91-2000 is hereby amended to include this work in the 2000 Litter Control Contract; and

BE IT FURTHER RESOLVED that the amount for this project be increased to \$5,500.00 to cover the cost of said additional work and that this shall be a proper charge to account # H 8742 409 0 24 5.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (198-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Resolution No. 29-2000 adopted by the Town Board on January 3, 2000 is hereby amended as follows:

“RESOLVED, that the compensation to the Election Inspectors for the year 2000 is established as follows:

Election Day - Certified Inspectors	\$130.00
Non-Certified Inspectors	\$120.00
 Primary Day - Certified Inspectors	 \$130.00
Non-Certified Inspectors	\$120.00
 Instructional Meetings -	 \$10.00

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (199-2000)

Co. Maloney offered and Co. Lasker seconded

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

RESOLUTION NO. (199-2000) continued

MONSEY EXCAVATING, INC.
18 Laura Drive
Monsey, NY 10952

ROCKLAND COUNTY
EXCAVATING, INC.
61 Thiells Mount Ivy Road
Pomona, NY 10970

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

J. D. BACKHOE, JOE D'AURIA D/B/A
P. O. Box 342
Sparkill, NY 10976

J. RAGGIS & SON, INC.
276 Maple Road
Valley Cottage, NY 10989

RESOLVED, that the following Certificates of Registration be issued:

- No. 2000-18 MONSEY EXCAVATING, INC.
- No. 2000-3 ROCKLAND COUNTY EXCAVATING, INC.
- No. 2000-6 H & R PLUMBING & HEATING, INC.
- No. 2000-17 J. D. BACKHOE, JOE D'AURIA D/B/A
- No. 2000-20 J. RAGGIS & SON, INC.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (200-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, dated February 15, 2000, the Superintendent of Highways is hereby authorized to install the following sign:

A (W2-18C) Double Arrow sign on Snake Hill Road
opposite Crusher Road, West Nyack

and be it

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

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (201-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, dated February 14, 2000, which the Clarkstown Central School District concurs with, the Superintendent of Highways is hereby authorized to install the following signs in the vicinity of Felix Festa Middle School, West Nyack:

<u>Location</u>	<u>Legend</u>	<u>Sign#</u>
<u>On Parrott Road</u>		
EB 100FT. w/o School/ Speed Limit 15 sign	School	W6-1C
WB W/O McCarthy Way	School Panel Speed Limit 15	W6-3C R2-1C
NB N/O McCarthy Way	School Panel Speed Limit 15	W6-3C R2-1C
SB 100 Ft. N/O School/ Speed Limit 15 sign	School	W6-1C
SB 75 Ft N/O Felix Festa C Wing Entrance Drwy	No Standing/8AM to 4PM School Days(w/ double arrow)	P1-8C
SB 150 Ft. N/O Felix Festa C Wing Entrance Drwy.	No Standing/8AM to 4PM School Days(w left arrow)	P1-8C
<u>On Cardinal Court</u>		
WB on north side 100 feet E/O Parrott Road	Same as above (W/left arrow)	P1-8C
EB on north side 100 feet E/O Parrott Road	Same as above (w/right arrow)	P1-8C
<u>On Parrot Road after installation of crosswalk</u>		
NB S/O Cardinal Court	School Crosswalk	W6-2C
SB N/O Cardinal Court	School Crosswalk	W6-2C

and be it

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

On roll call the vote was as follows:

Councilwoman LaskerYes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor HolbrookYes

RESOLUTION NO. (202-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, dated February 22,2000, and upon the request of the Clarkstown Police Department, the superintendent of Highways is hereby authorized to install

RESOLUTION NO. (202-2000)

"Weight Limit 4 Tons (R5-1C) and "Except Local Delivery" (R7-3W) signs at the following locations:

- 1. On NB Strawtown Road north of West Nyack Road
- 2. On EB Bardonia Road, Germonds Road, Laurel Road and Third Street, east of Rt. 304
- 3. On SB Strawtown road, Cairnsmuir Lane and Brewery Road, south of Congers Road, and be it

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

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (203-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the undersigned TOWN OF CLARKSTOWN from time to time receives permits from the Department of Transportation of the State of New York (hereinafter referred to as the "Department") allowing the TOWN OF CLARKSTOWN to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way pursuant to Sections 52, 103, 203, 249 and/or 250 of the Highway Law, and

WHEREAS, the Department requires that the TOWN OF CLARKSTOWN file an undertaking to secure the TOWN OF CLARKSTOWN'S faithful performance within the terms of any such permit and also to indemnify the State of New York (hereinafter referred to as the "State") and others with respect to all operations under such permits by the TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

RESOLVED, that the TOWN OF CLARKSTOWN hereby undertakes, to and with the State and the Department, that:

- 1. The TOWN OF CLARKSTOWN will well, truly and faithfully comply with and perform all the terms and conditions of each such permit on its part to be kept and performed, and abide by and comply with all such conditions, rules and regulations as may be, from time to time, promulgated by the Commissioner of Transportation of the State of New York (hereinafter referred to as the "Commissioner") according to the true intent and meaning of such permits, rules and regulations.
- 2. The TOWN OF CLARKSTOWN will, at its own expense, promptly complete the work allowed under each permit and within a reasonable time restore State property damaged by its work to substantially the same or equivalent condition as existed before such work was begun; and in the event that the TOWN OF CLARKSTOWN fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the TOWN OF CLARKSTOWN, may restore the property to substantially the same or equivalent condition as existed before the TOWN OF CLARKSTOWN began the work and require the TOWN OF CLARKSTOWN to reimburse the State for any and all costs incurred by the State in such restoration.

RESOLUTION NO. (203-2000) continued

3. The TOWN OF CLARKSTOWN will indemnify, hold harmless and defend and protect the State of New York, the Commissioner and the Department, their officials, officers, agents and employees against and pay any and all amounts, damages and costs and judgments which may or shall be recovered against said State, or its officers, or agents, or which such State may be called upon to pay to any person or corporation by reason of damages arising or growing out of operations pursuant to said permits or the manner of doing the same, or the neglect of said TOWN OF CLARKSTOWN, or its agents or servants, or the improper performance pursuant to the conditions of said permits by the TOWN OF CLARKSTOWN, its agents or servants.

4. The TOWN OF CLARKSTOWN which is partially self-insured, will pay any and all damages, costs, including but not limited to attorney's fees, and judgments recovered against the State, the Commissioner of Transportation, the Department of Transportation and their officials, officers, and employees in connection with work allowed by a permit or from use of a permit by the TOWN OF CLARKSTOWN or by any person acting by, through or for the TOWN OF CLARKSTOWN, including omissions and supervisory acts of any of the entities or persons named above.

5. It is understood that this undertaking is one of indemnity only and is not to be construed as imposing on the TOWN OF CLARKSTOWN an obligation to pay claims for which there would not otherwise be a remedy in law against the State of New York.

6. Any payments required by the foregoing will be guaranteed by the full faith and credit of the TOWN OF CLARKSTOWN, or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casualty reserved fund or from the proceeds of bonds which current laws permit the TOWN OF CLARKSTOWN, to issue to pay claims against it, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes Charles E. Holbrook, Supervisor, or his designee, to execute and provide a blanket Undertaking in the form provided herein with the New York State Department of Transportation, as required with respect to the applications now pending, or to be made by the TOWN OF CLARKSTOWN, to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way pursuant to Sections 52, 103, 203, 249 and/or 250 of the Highway Law.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (204-2000)

Co. Maloney offered and Co. Smith seconded

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

**BID #22-2000
FOOD PROVISIONS FOR THE TOWN OPERATED PARK
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 23,2000 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.

RESOLUTION NO. (204-2000) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (205-2000)

Co. Maloney offered and Co. Smith seconded

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

BID #24-2000

REFUSE RECEPTACLES FOR USE ATOWN COMMUTER LOTS AND BUS SHELTERS

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by on: **TO BE DETERMINED** at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (206-2000)

Co. Maloney offered and Co. Smith seconded

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

BID #25-2000

FRENCHMANS CREEK/PARROT ROAD DRAINAGE IMPROVEMENTS

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 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 Department of Environmental Control upon payment of the prescribed non-refundable fee per set.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (207-2000)

Co. Maloney offered and Co. Lasker seconded

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

BID #8-2000
IMPROVEMENTS TO TOWN SWIMMING POOLS

is hereby awarded to

NORCO LTD
88 GARDEN STREET
GARDEN CITY NY 11530
PRINCIPALS: SALVATORE NORBERTO
PATRICIA NORBERTO

as per their low bid proposal of \$419,000 including alternate #1, and be it

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

- 1) Signed contract Documents - including Save Harmless Agreement - 3 copies
- 2) Performance Bond
- 3) Labor and Material Payment Bond
- 4) Certificate(s) of Insurance in compliance with Article II of General Conditions as amended by addendum #2

On roll call the vote was as follows:

Councilwoman Lasker Yes
 Councilman Maloney Yes
 Councilman Mandia Yes
 Councilwoman Smith Yes
 Supervisor Holbrook Yes

RESOLUTION NO. (208-2000)

Co. Maloney offered and Co. Lasker seconded

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

BID #13-2000
FIRST AID/SAFETY SUPPLIES

is hereby awarded to:

AMZCO HEALTH SUPPLY
 200 N MAIN ST
 FREEPORT NY 11520
 PRINCIPAL: JAVAID RATCHER

MICRO BIO MEDICS
 846 PELHAM PARKWAY
 PELHAM MANOR NY 10803
 PRINCIPAL: PUBLICLY OWNED

ZEVCO MEDICAL PRODUCTS INC
 28 W 080 COMMERCIAL AVE
 BARRINGTON IL 60010
 PRINCIPALS: SHERWIN H MEYERS
 GAIL S MEYERS

ARBILL INDUSTRIES INC
 10450 DRUMMOND RD
 PHILADELPHIA PA 19154
 PRINCIPAL: BARRY BECKMAN

RESOLUTION NO. (208-2000) continued

NATIONAL HEALTH SUPPLY CO
171 MILBAR BOULEVARD
FARMINGDALE NY 11735
PRINCIPALS: STANLEY SAFT
DAVID SAFT

PARK SURGICAL SUPPLY
5001 NEW UTRECHT AVE
BROOKLYN NY 11219
PRINCIPALS: DANIEL DUBE
MIRIAM DUBE

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

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (209-2000)

Co. Maloney offered and Co. Lasker seconded

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

BID #9-2000
RETENTION POND MODIFICATIONS AT THE SOLID WASTE FACILITY

is hereby awarded to:

MC NAMEE CONSTRUCTION CORP.
P.O. BOX 182
LINCOLNDALE, NY 10540
PRINCIPAL: DANIEL F. MAC NAMEE

as per their low bid proposal of \$74,400 and be it

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

- a) Signed Contract Documents - 2 sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability, Property Damage Coverage, including a Save Harmless Clause
- e) Certificate of Worker's Compensation insurance coverage
- f) Certificate of Worker's Disability Insurance 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:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (210-2000)

Co. Maloney offered and Co. Lasker seconded

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

BID #17-2000
CRUSHED STONE

is hereby awarded to:

TILCON NEW YORK INC
162 OLD MILL RD.
WEST NYACK, NY 10994
PRINCIPAL: PUBLIC CORPORATION

PLAZA MATERIALS COMPANY
969 MIDLAND AVENUE
YONKERS, NY 10704
PRINCIPAL: CARL E. PETRILLO

VAN ORDEN SAND & GRAVEL OF RINGWOOD
PO BOX 8246
HALEDON, NJ 07538
PRINCIPAL: JANET R. BRAEN

DUTCHESS QUARRY AND SUPPLY CO., INC.
PO BOX 651
PLEASANT VALLEY, NY 12569
PRINCIPAL: A PUBLIC CORPORATION

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

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (211-2000)

Co. Maloney offered and Co. Lasker seconded

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

BID #18-2000
BITUMINOUS CONCRETE

is hereby awarded to:

COUNTY ASPHALT
PO BOX 96
WEST MAIN STREET
TARRYTOWN NY 10591
PRINCIPALS: WESTCHESTER INDUSTRIES INC
JOHN T COONEY SR
FRANK D COONEY JR

PLAZA MATERIALS COMPANY
969 MIDLAND AVENUE
YONKERS NY 10704
PRINCIPALS: CARL E PETRILLO
R. MARCUS JOBES
JOSEPH L SAGARIA
PAUL B CONNELLY

TILCON NEW YORK INC
162 OLD MILL ROAD
WEST NYACK NY 10994
PRINCIPAL: PUBLIC CORPORATION

RESOLUTION NO. (211-2000) continued

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

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (212-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Supt. of Highways that

BID #19-2000
TRACKLESS VEHICLE WITH OPTIONAL ACCESSORIES

is hereby awarded to:

GANNON MUNICIPAL EQUIPMENT, INC.
50 BIG ISLAND ROAD
FLORIDA, NY 10921
PRINCIPAL: GERARD A. GANNON

for one 1997 Trackless MTV @ \$50,280 plus options:

Sickle Bar Mower	\$6,900.00
V Plow	2,200.00
Angle Plow	2,900.00
51" wide Snow Blower	<u>6,300.00</u>
Total	\$68,580.00

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (213-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, SOUTHERN ENERGY BOWLINE, L.L.C. has applied to the New York State Public Service Commission for a permit to construct a 750 megawatt combined cycle combustion turbine electric generating facility in the Town of Haverstraw, Rockland County, New York, to be known as "Bowline Unit 3," and

WHEREAS, Bowline Unit 3 would be capable of generating electricity by use of natural gas or fuel oil and may require the construction or enlargement of an existing gas pipeline through a portion of the Town of Clarkstown, and

RESOLUTION NO. (213-2000) continued

WHEREAS, the proposed Bowline Unit 3 would be located less than three miles north of Clarkstown, and

WHEREAS, construction, operation and maintenance of the proposed generating facility and any related natural gas transmission lines have potential environmental consequences, both local and global, that are of real concern to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that to protect the interests of the Town of Clarkstown, the Town Board of the Town of Clarkstown hereby authorizes the Town Attorney to seek intervenor status for the Town from the New York State Public Service Commission in its proceedings concerning the application referred to above, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Attorney to seek funding from the applicant-provided Intervenor's Fund sufficient to enable the Town to obtain expert services to conduct independent assessments of the potential consequences of the project, both local and global; and after making such assessments, to prepare comments for the Commission and to participate in the proceedings on behalf of the Town.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (214-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, certain trees have fallen along the banks of stream NJ1-13, Kill Von Beast, in the vicinity of parcel 124-C-27.3 and 125-B-12.5, Valley Cottage, New York, and
RESOLUTION NO. (214-2000) continued

WHEREAS, these trees pose a potential blockage of the stream if left in their present state, and

WHEREAS, the Department of Environmental Control has obtained three (3) proposals from qualified contractors to remove and dispose of the fallen trees.

NOW THEREFORE BE IT,

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Danny Clapp Landscaping, 59 Schriever Lane, New City, New York 10956 to remove and dispose of the trees in accordance with his proposal dated February 18, 2000, and

BE IT FURTHER RESOLVED, that the cost for the work shall not exceed \$ 2,200.00 and shall be a proper charge to account H 8749 400 409 0 73 2.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (215-2000)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished certification of Eligibles #97134A Police Lieutenant (Promotional) which contains the name of Michael R. Sullivan.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Michael R. Sullivan, 38 Woodlake Drive, Thiells, New York, to the position of (Perm.) Police Lieutenant at the current salary of \$105,71.00, effective and retroactive to February 14, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (216-2000)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished certification of Eligibles #97061A Police Sergeant (Promotional) which contains the name of JoAnne M. Broгна.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of JoAnne M. Broгна, 4 Sunrise Avenue, New city, New York, to the position of (Permanent) Police Sergeant at the current salary of \$90,453.00, effective and retroactive to February 14, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (217-2000)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished certification of Eligibles #97061A Police Sergeant (Promotional) which contains the name of Raymond F. McCullagh.

NOW, THEREFORE, be it

RESOLUTION NO. (217-2000) continued

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Raymond F. McCullagh, 4 Braemar Court, New City, New York to the position of (Permanent) Police Sergeant at the current salary of \$91,203.00, effective and retroactive to February 14, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (218-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that David G. Phillips, 19 Red Hill Road, New City, New York is hereby reappointed to the position of (temporary) Laborer, Solid Waste Facility at the current hourly rate of \$12.50 effective and retroactive to February 9, 2000 to March 9, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (219-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Michael D. Sforza, 85 Poplar Street, Nanuet, New York, is hereby reappointed to the position of (temporary) Laborer, Solid Waste Facility at the current hourly rate of \$12.50 effective and retroactive to February 9, 2000 to March 9, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (220-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Kenneth A. Kraus, 6 Ridge Road, Congers, New York is hereby appointed to the position of Assistant Maintenance Mechanic, Sewer Department at the current salary of \$30,727.00 effective March 6, 2000.

RESOLUTION NO. (220-000) continued

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (221-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that the resignation of Dawn Massa-Thomas, 14 Pavilion Road, Apartment 40, Suffern, New York, Data Entry Operator I, Assessor's Office is hereby accepted, effective and retroactive to February 24, 2000 at the close of the business day.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (222-2000)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Town Board adopted Resolution No. 776 on October 27, 1998 establishing a five person Ad Hoc Citizens Committee and appointed said members to the Committee, and

WHEREAS, the Town Board wishes to increase the membership of the Ad Hoc Citizens Committee from five to six members and to appoint a new member to the Committee;

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby authorizes an increase in the membership of the Ad Hoc Citizens Committee from five to six members, and be it

FURTHER RESOLVED, that the Town Board hereby appoints Dr. Raymond G. Joseph, 5 Gail Drive, New City, New York, as the new member of the Ad Hoc Citizens Committee.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (223-2000)

Co. Lasker offered and Co. Maloney seconded

BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves a Stipulation of Settlement, dated February 15, 2000, resolving the claim of Thomas Grasso.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (224-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that George A. Nugent, 103 Lake Road, Valley Cottage, New York, Valley Cottage, New York, is hereby appointed to the position of Member, Sanitation Commission at the current annual salary of \$2,500.00, term effective March 1, 2000 and to expire on February 28, 2005.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney . . Abstained.
- Councilman Mandia Yes
- Councilwoman Smith . . Abstained
- Supervisor Holbrook Yes

RESOLUTION NO. (225-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that the resignation of Patricia E. Parke, 162 Foltim Way, Congers, New York, Senior Clerk Typist (Full-time), Supervisor's Office is hereby accepted effective February 29, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (226-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Patricia E. Parke, 162 Foltim Way, Congers, New York is hereby appointed to the position of (part-time) Senior Clerk Typist (against position #0808) Supervisor's Office at the current hourly rate of \$20.00, effective March 1, 2000.

RESOLUTION NO. (226-000) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (227-2000)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on December 22, 1999 that the position of Principal Clerk Stenographer, Town Justice Department can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Principal Clerk Stenographer, Town Justice Department is hereby created effective March 1, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (228-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Lucy Perutti, 7 Gloria Court, New City, New York is hereby appointed to the position of Principal Clerk Stenographer, Town Justice Department, reassigned from the Supervisor's Office to the Town Justice Department at the current salary of \$44,409.00 effective March 15, 2000.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (229-2000)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that John W. Coyle, 63 Third Street, New City, New York is hereby appointed to the position of (Provisional) Safety Manager at the current annual salary of \$50,010.00, effective March 20, 2000.

RESOLUTION NO. (229-2000) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (230-2000)

Co. Smith offered and Co. Maloney seconded

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 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 all projects resulting from Tropical Storm Floyd

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (231-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Patricia Sheridan, Town Clerk, and Charles Holbrook, Supervisor have been named in an action known as, MAUREEN LYNCH v. PATRICIA SHERIDAN and CHARLES HOLBROOK, Index No. 7434/99, and

WHEREAS, Patricia Sheridan and Charles Holbrook have requested defense and indemnification as provided by in Section 18 of the Public Officers' Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes this action to be defended and that the public employees/ officials be indemnified in accordance with Section 18 of the Public Officers Law.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (232-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION NO. (232-2000) continued

WHEREAS, Town Board Resolution 757-1998 authorized BRIAN BROOKER ASSOCIATES to be the consultant for the Lake Lucille Dam Restoration Project, and,

WHEREAS, New York State Department of Environmental Conservation upgraded the dam to a Class C Dam and an Emergency Action Plan is required to be submitted for the grant approval,

NOW THEREFORE, BE IT RESOLVED that the current allowance for this project be increased by an amount of \$4,800 to cover this additional work; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8741 409 0 23 1

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (233-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolutions No's. 84-2000 and 123-2000 authorized the installation of a drainage system at the Route 59 Compost Facility, West Nyack, New York, and;

WHEREAS, during the course of construction, significant ground water required the use of a 4 inch and 6 inch hydraulic pump to keep the excavation area dry, and;

WHEREAS, the cost of the hydraulic pumps was not included in the original proposal for the installation of the drainage system.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to have Cal Mart Enterprises, Inc., 357A West Route 59, West Nyack, New York provide the required hydraulic pumps necessary to complete the drainage work, and;

BE IT FURTHER RESOLVED that the cost for the pumps shall not exceed \$5,550.00 and shall be a proper charge to account # SR 8160 409.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (234-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Frank and Kathy Martini, 117 South Conger Avenue, Congers, New York, have requested a refund of the Building Permit fee for BP #99-2164 since they are withdrawing their application;

RESOLUTION NO. (234-2000) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes a refund of a portion of the Building Permit fee to Frank and Kathy Martini in the amount of \$50.00.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (235-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, a resident of the Town of Clarkstown has requested that a street light be installed to improve the safety and welfare of the community and

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator, and

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 July 16, 1999 for street lighting at the following location:

Foxwood Road, West Nyack
(Install one (1) 5800 lumen sodium vapor street light
existing utility pole number 58878/39733)

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (236-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, several groups have requested that the Rockland County Consortium consider their organizations for Community Development funding for projects they have planned, and

WHEREAS, the Town Board of the Town of Clarkstown supports each of these organizations in their requests for funding,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests that the Rockland County Consortium consider Community Development funding for the following groups:

RESOLUTION NO. (236-2000) continued

- Town of Clarkstown Parks & Recreation - Pascack Community/Senior Center
- Rockland BOCES - Rockland Career Skills Center
- Volunteer Counseling Service of Rockland County, Inc. - 3rd floor renovation
- United Hospice of Rockland - Community Resource Center
- Congers Veterans Memorial Association - VMA Building renovations
- Rockland ARC - Sidewalk for access to new playground
- Camp Venture - Renovation of Rockland Lake School

and be it

FURTHER RESOLVED, that the Town Board hereby requests that the Consortium give priority to the Pascack Community/Senior Center planned by the Clarkstown Parks and Recreation Department when considering each of these projects submitted by the Town of Clarkstown.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia 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 Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 8:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

2/29/2000

8:14 P.M.

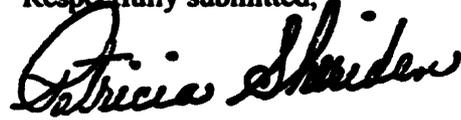
Present: Supervisor Holbrook
Council Members Lasker, Maloney, Mandia & Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

On Motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the special meeting re: Carpenters & Joiners Local 964 Housing Development Fund Company, Inc. (authorizing the signing of the 1999 Financial Statement for the Middlewood Senior Citizen's Complex) was opened.

RESOLVED, that the Town Board of the Town of Clarkstown, as Board of Directors of the Carpenters and Joiners Local 964 Housing Development Fund Company, Inc., hereby authorize the signing of the 1999 Financial Statement for the Middlewood Senior Citizens' Complex - HUD Project No. 012-44136-NP-WAH. Financial statement was signed

There being no further business to come before the meeting, the same was on motion duly made, seconded and unanimously carried, adjourned, time: 8:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk