

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall 6/13/2000 8:00 P.M.

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

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

Supervisor presented a Certificate of Award to Joseph Nash for achieving the rank of Eagle Scout. On behalf of the Town Board he congratulated Joseph and his parents

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Officer Michael Novotney, PBA president, presented the Chief Robert Schnakenberg Memorial Scholarship to Erin K. Horan from Albertus Magnus High School. He then presented the annual Clarkstown Police Benevolent Awards scholarships of \$1,000 to the following students: Erik W. Woltje from Nanuet High School, Christopher E. Fogel from Clarkstown South High School and Amin Y. Venjara from Nanuet High School. He presented \$500 PBA scholarship awards to the following: Justin Elmendorf of Clarkstown South High School, Meghan O'Neill of North Rockland High School, Kerry E. White of Clarkstown North High School, Jessica King of North Rockland High School and Nicole Farrell of Warwick High School.

Chief Kevin Kilduff congratulated the graduates of the Clarkstown Youth Court. He stated that since 1981, there have been 380 graduates of this program. He also commended Pat Barret, Det. David Elemendorf and Officer Eileen Malloy for their outstanding contribution to the program. The Town Board members congratulated the graduates and their parents and thanked all the people who are involved in making this program such a success.

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On motion of Co. Maloney seconded by Co. Mandia and unanimously adopted, the public hearing re: Chapter 216 Proceeding (Property Maintenance), Diaz, 14 Buena Vista Road, New City (169-A-9) was opened, time: 8:30 P.M.

On motion of Co. Smith seconded by Co. Lasker and unanimously adopted, the public hearing re: Chapter 216 Proceeding (Property Maintenance) Diaz, 14 Buena Vista Road, New Cit (169-A-9) was closed, RESOLUTION NO. 468-2000 ADOPTED , time: 8:35 P.M.

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On motion of Co. Maloney seconded by Co. Mandia and unanimously adopted, the public hearing re: Chapter 216 Proceeding (Property Maintenance), Ronstein Construction Corp., 19 Lombardi Drive, New City (39-C-23) was opened, time: 8:35 P.M.

On motion of Co. Smith seconded by Co. Lasker and unanimously adopted, the public hearing re: Chapter 216 Proceeding (Property Maintenance) Ronstein Construction Corp., 19 Lombardi Drive, New City (39-C-23) was closed, RESOLUTION NO. 469-2000 ADOPTED , time: 8:38 P.M.

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Supervisor opened the public portion of the meeting.

Appearance: Martin Bernstein  
New City\

Asked for an explanation of agenda Item #21 regarding SEQRA for Open Space Initiative.

Appearance: Dwight Kerns  
Clarkstown

Requested that resolutions be read in full at Town Board Meeting. Also spoke regarding codification of Town rules as directed by the State Comptroller..

Appearance: M. Recupero  
Samatha Way  
West Nyack

Inquired as to the resolution regarding Samatha Way.

Appearance: Henry Greenberg  
New City

Spoke regarding assessment and taxes on Palisades Center Mall.

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**RESOLUTION NO. (468-2000)**

Co. Smith offered and Co. Lasker seconded

WHEREAS, by Resolution No. 461-2000, dated May 23, 2000, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 169, Block A, Lot 9, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 13<sup>th</sup> day of June, 2000, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises, as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated May 25, 2000, exist and have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector and the Superintendent of Highways of the Town of Clarkstown are hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such conditions continue to be uncorrected on or after the 20<sup>th</sup> day of June, 2000, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measure, including the removal of debris and the costs of this proceeding and all other necessary action, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

RESOLUTION NO. (468-2000) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (469-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, by Resolution No. 467-2000, dated May 23, 2000, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 39, Block C, Lot 23, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 13<sup>th</sup> day of June, 2000, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises, as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated May 25, 2000, exist and have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector and the Superintendent of Highways of the Town of Clarkstown are hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such conditions continue to be uncorrected on or after the 20<sup>th</sup> day of June, 2000, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measure, including the removal of debris and the costs of this proceeding and all other necessary action, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

On roll call the vote was as follows:

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

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RESOLUTION NO. (470-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION NO. (470-2000) continued

RESOLVED, that the Town Board Minutes of May 23, 2000 are hereby accepted as submitted by 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

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RESOLUTION NO. (471-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization 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 organization in the following amount:

Meals on Wheels	\$12,500
Clarkstown Summer Theater Festival	\$ 1,000
Clarkstown Baseball Association	\$ 2,000
Rockland Youth Philharmonic	\$ 1,500
Clarkstown Garden Club	\$ 1,000

and be it

FURTHER RESOLVED, that the total amount of \$18,000.00 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

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RESOLUTION NO. (472-2000)

Co. Maloney offered and Co. Smith seconded

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

**BID #30-2000  
 DRAINAGE EASEMENT REPAIRS – SPRUCE COURT, NANUET**

Are hereby rejected.

TBM 6/13/00

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RESOLUTION NO. (472-2000) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (473-2000)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes membership in the American Society of Safety Engineers by John Coyle, Safety Manager, for a period of one year, effective June 1, 2000, at a fee of \$165.00, and be it

FURTHER RESOLVED, that the fee shall be charged to Account No. A 1010-423.

On roll call the vote was as follows:

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

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RESOLUTION NO. (474-2000)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes the following Clarkstown Highway Department personnel to attend a workshop entitled, "OBDII-Ignition Systems Clinic on June 20, 2000, at 7:00 p.m., which is being held at the Holiday Inn, Saddle Brook, NJ:

Joe Passarella, Foreman  
 Ed Smith  
 Al Camadeco  
 Adam Szkodzinsky  
 Bob Hickey

and be it

FURTHER RESOLVED, that the fee for said workshop shall not exceed \$25.00 each and shall be charged to Account No. DB 5110-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (475-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes attendance at the PC EXPO 2000 by Lawrence Berkowitz, Computer Network Specialist, at the Jacob Javits Center, on June 29, 2000, and be it

FURTHER RESOLVED, that the total cost for such course, and other reasonable expenses for tolls, travel and meals shall not exceed \$150.00 and will be charged to Account No. A 1680-404.

On roll call the vote was as follows:

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

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RESOLUTION NO. (476-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Assessor of the Town of Clarkstown, the sum of \$3,994.75 be refunded to Giulio Monaco, Jr. and Jeannine Monaco for taxes erroneously assessed, levied and paid.

On roll call the vote was as follows:

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

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RESOLUTION NO. (477-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Andrew Mofletas has requested a refund of Building Permit fees paid for premises 45 Kyle Road, Congers, New York, since his application was denied;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of Building Permit fee paid, less \$40 review fee, to Andrew Mofletas, who resides at 45 Kyle Road, Congers, New York, in the amount of \$40.00.

On roll call the vote was as follows:

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

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RESOLUTION NO. (478-2000)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes payment to Danny Clapp Landscaping in the sum of \$2,950.00, for remediation of retaining wall for property situate in the Long Meadow West Subdivision, 25 Lowell Drive, New City, New York, and designated on the Clarkstown Tax Map as Map 60, Block A, Lot 16.33.

On roll call the vote was as follows:

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

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RESOLUTION NO. (479-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes payment to Albert Valuation Group, Inc. in the sum of \$1,000.00, for providing an updated appraisal letter to the Town with regard to the proposed sale of surplus municipal property at Kemmer and Hutton Avenues, Nanuet, New York.

On roll call the vote was as follows:

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

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RESOLUTION NO. (480-2000)

Co. Smith offered and Co. Mandia seconded

WHEREAS, by Resolution No. 447-2000, the Town Board authorized the Supervisor to hire the services of an appraiser to determine the valuation of property owned by the Town of Clarkstown, located in the Town of Ramapo, identified as Section 3, Lots 13A2C1, 12A1, 13A2A, 13A2B and 13A2C, and

WHEREAS Albert Valuation Group, Inc. has submitted a proposal, dated May 26, 2000, to the Town of Clarkstown for the preparation of said appraisal, which is acceptable to the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes Albert Valuation Group, Inc. to prepare an appraisal of the above property in accordance with said proposal for a fee of \$7,500, which shall be charged to Account No. A-1420-409.

RESOLUTION NO. (480-2000) continued

On roll call the vote was as follows:

Councilwoman Lasker . . . . . No  
Councilman Maloney . . . . . Yes  
Councilman Mandia . . . . . Yes  
Councilwoman Smith . . . . . Yes  
Supervisor Holbrook . . . . . No

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RESOLUTION NO. (481-2000)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts proposals from Orange and Rockland Utilities, Inc. for lighting at the following locations:

Route 59, Nanuet  
(Install one (1) 46000 lumen sodium vapor flood light - existing utility pole number 58853/39989 - Veteran's Memorial Park, northeast corner Route 59 at Middletown Road, Nanuet)

Strawtown Road, West Nyack  
(Remove one (1) - 5800 lumen sodium vapor street light - existing utility pole number 60007/40917)  
(Install one (1) - 16000 lumen sodium vapor street light - existing utility pole number 60007/40917)  
(Install one (1) - 16000 lumen sodium vapor street light - existing utility pole number 60012/40933 - Strawtown Elementary School)

Samantha Way, West Nyack  
(Install two (2) new poles with lights as per proposal dated 5/29/2000 - Clarksville Corner Subdivision)

On roll call the vote was as follows:

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

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RESOLUTION NO. (482-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Governor Pataki has signed into law a measure establishing the Justice Court Assistance Program. This measure will enable towns to apply to the Chief Administrative Judge for a grant of state funds not to exceed 20,000 to assist in the operation of the Justice Court, and

WHEREAS, the Town of Clarkstown wishes to avail itself of said State funds;

NOW, THEREFORE, be it

RESOLUTION NO. (482-2000) continued

RESOLVED, that the Supervisor is hereby authorized to execute an application with the State of New York Unified Court System, in a form approved by the Town Attorney, to apply for a grant of not more than \$15,589.97 to provide an enhanced security system at the Clarkstown Justice Court, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to June 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

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RESOLUTION NO. (483-2000)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways and the consulting project engineer, Howard L. Lampert PE

BID # 34-2000  
Concrete Curbs & Sidewalk Replacement

is hereby awarded to:

Bella Vista Construction  
PO Box 753  
Ardsley, NY 10502  
Principals: Yolanda DeSantis  
Joseph DeSantis

as per their low bid proposal of \$75,427.50 and be it,

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

- a) Signed Contract Documents- 2 sets
- b) Performance Bond- 100% of proposed project cost
- c) Labor and Materials Payment Bond- 100% of proposed project cost
- d) Certificate of Contractors Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Workers Compensation
- f) Certificate of Workers Disability Coverage

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (484-2000)

Co. Mandia offered and Co. Lasker seconded

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

BID # 40-2000  
Computer/Word Processing Supplies

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on July 10, 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.

On roll call the vote was as follows:

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

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RESOLUTION NO. (485-2000)

Co. Maloney offered and Co. Mandia seconded

Whereas, the Town of Clarkstown is desirous of effecting repairs to specific areas damaged as a result of Tropical Storm Floyd; and

Whereas, the Federal Emergency Management Administration (FEMA) has made available funding for this work; and

Whereas, the Department of Environmental Control has initiated the Tropical Storm Floyd Rebuilding Program for the purpose of effecting these repairs; and

Whereas, the Department of Environmental Control has solicited proposals from four (4) qualified contractors to provide the equipment and labor required to effect said repairs in accordance with the scope of work prepared by the Department of Environmental Control at the specific locations found in Project Package No. 2; and

Whereas, the Department of Environmental Control has received two (2) responses to their request for proposals; and

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

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

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

RESOLUTION NO. (485-2000) continued

to provide the equipment and labor necessary to perform this work in accordance with their proposal in an amount not to exceed \$30,896.00; and

Be It Further Resolved, that all materials necessary to complete this work shall be provided by the Town of Clarkstown; and

Be It Further Resolved, that all work will be performed under the direct supervision of the Department of Environmental Control; and

Be It Further Resolved, that this work shall be a proper charge to account # H 8748-409-072-1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (486-2000)

Co. Maloney offered and Co. Lasker seconded

Whereas, the Town of Clarkstown is desirous of effecting repairs to specific areas damaged as a result of Tropical Storm Floyd; and

Whereas, the Federal Emergency Management Administration (FEMA) has made available funding for this work; and

Whereas, the Department of Environmental Control has initiated the Tropical Storm Floyd Rebuilding Program for the purpose of effecting these repairs; and

Whereas, the Department of Environmental Control has solicited proposals from four (4) qualified contractors to provide the equipment and labor required to effect said repairs in accordance with the scope of work prepared by the Department of Environmental Control at the specific locations found in Project Package No. 8; and

Whereas, the Department of Environmental Control has received three (3) responses to their request for proposals; and

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

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

Danny Clapp Landscaping  
59 Schriever Lane  
New City, New York 10956

to provide the equipment and labor necessary to perform this work in accordance with their proposal at the rate of \$1,775.00 per day for a period not to exceed 16 working days; and

Be It Further Resolved, that all materials necessary to complete this work shall be provided by the Town of Clarkstown; and

RESOLUTION NO. (486-2000) continued

Be It Further Resolved, that all work will be performed under the direct supervision of the Department of Environmental Control; and

Be It Further Resolved, that this work shall be a proper charge to account # H 8748-409-072-1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (487-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$1,032.90 from Independent Holding Corp (Teplitz),

THEREFORE BE IT,

RESOLVED, to increase Revenue Account No. SR 16 8 2650 (Sanitation-Scrap Recycling) and Budgetary Account No. SR 8160 300 307 (Sanitation-Uniforms by \$1,032.90 and

WHEREAS, various accounts need additional funding,

THEREFORE BE IT,

RESOLVED, to decrease A 1640-312 (Town Garage-Auto Maintenance Supplies) and increase A 1640-404 (Town Garage-Travel) by \$5.85.

On roll call the vote was as follows:

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

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RESOLUTION NO. (488-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town Board authorized work to be performed to restore adequate function of a pond at 401 Phillips Hill Road by resolution 389-2000, and

WHEREAS, during the course of construction it was discovered that existing concrete spillway aprons were severely undermined and required replacement, and

WHEREAS, the Contractor has submitted a proposal to remove, install fill and replace said concrete aprons in the amount of five thousand nine hundred (\$5,900.00) dollars,

RESOLUTION NO. (488-2000) continued

NOW THEREFORE BE IT RESOLVED, that the Town Board does authorize additional work to be performed under the contract of work for the 401 Phillips Hill Road Pond Improvement Project,

AND BE IT FURTHER RESOLVED THAT Director of the Department of Environmental Control is authorized to issue a change order to the Contractor, Environmental Construction Inc. in the amount of five thousand nine hundred (\$5,900.00) dollars to perform said work,

AND BE IT FURTHER RESOLVED THAT the additional cost of such work shall be a proper charge to account number H 8749 409 0 73-4.

On roll call the vote was as follows:

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

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RESOLUTION NO. (489-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission, granting a second (2) provisional appointment to Rose Marie Giambalvo, 21 Eldor Avenue, New City, New York to the position of (Second - Provisional) Recreation Information Clerk, Parks Board and Recreation Commission at the current annual salary of \$24,178.00 effective and retroactive to May 30, 2000.

On roll call the vote was as follows:

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

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RESOLUTION NO. (490 -2000)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on June 7, 2000 that the position of Senior Clerk #500762 - encumbered by Nancy Fuchs - can be reclassified to the position of Principal Clerk - Police Department -

Now, therefore, be it

RESOLVED, that the position of Senior Clerk (encumbered by Nancy Fuchs) is hereby reclassified to the position of Principal Clerk, and be it

FURTHER RESOLVED, that the grade for the position of Principal Clerk is hereby established at a grade 21.

RESOLUTION NO. (490-2000) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (491-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Nancy Fuchs, 40 Barry Lane, Bardonia, New York to the position of (Provisional) Principal Clerk – Police Department – at the current annual salary of \$37,209., effective and retroactive to June 12, 2000.

On roll call the vote was as follows:

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

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RESOLUTION NO. (492-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Jeanine M. Reiter, 7 Brenda Lane, Bardonia, New York, Data Entry Operator I, Assessor's Office is hereby accepted effective and retroactive to May 26, 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

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RESOLUTION NO. (493-2000)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on May 26, 2000 that two (2) positions of Clerk, Assessor's Office can be created.

NOW, THEREFORE, be it

RESOLVED, that the two (2) positions of Clerk, Assessor's Office are hereby created effective June 14, 2000 in lieu of Positions #0811 & 0813.

RESOLUTION NO. (493-2000) continued

On roll call the vote was as follows:

Councilwoman Lasker . . . . . Yes  
Councilman Maloney . . . . . Yes  
Councilman Mandia . . . . . Yes  
Councilwoman Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
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RESOLUTION NO. (494-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Christopher Van Etten, 74 Demarest Mill Road, West Nyack, New York, Custodial Worker, Maintenance Department is hereby accepted effective and retroactive to May 19, 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  
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RESOLUTION NO. (495-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Mario A. Sacchi, 15 Nirvana Court, Valley Cottage, New York is hereby appointed to the position of Custodial Worker (Nights), Maintenance Department at the current salary of \$26,595.80 effective June 26, 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. (496-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Joseph D. Fiumara, 54 Basswood Court, Bardonia, New York is hereby appointed to the position of Automotive Mechanic I (temporary), Mini Trans Department at the current annual salary of \$34,157.00 effective and retroactive to June 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. (497-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Federal Emergency Management Authority (FEMA) may require modification to the Klein Avenue Levee so as to provide additional storage potential to meet current regulations, and

WHEREAS, the Director of the Department of Environmental Control has recommended that Kozma Associates, Consulting Engineers, be retained to provide engineering analysis as may be required by FEMA in accordance with a proposal dated June 9, 2000;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the firm of Kozma Associates to be retained, in accordance with the recommendation of the Director of the Department of Environmental Control, to perform engineering services, in accordance with its proposal, at a cost not to exceed \$7,500.00, which shall be charged to Account No. H 7186-409-0-59-1, and be it

FURTHER RESOLVED, that this resolution is subject to an agreement, in a form approved by the Town Attorney, being entered into between Kozma Associates and 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

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RESOLUTION NO. (498-2000)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, Resolution No. 944-1999 was adopted on November 23, 1999 and authorized the installation of "No Dumping" and "No Parking" signs at the T turnaround portion of Tall Oak Lane, New City, and

WHEREAS, the affected residents were not in agreement with the need for these signs,

NOW THEREFORE BE IT

RESOLVED, that Resolution No. 944-1999 is hereby rescinded and the following shall be enacted in its place:

RESOLVED, that the Superintendent of Highways is hereby authorized to install a sign that states "No Parking in the T-Turnaround" on the Rogoish property at 8 Tall Oak Lane, New City, 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 and the Chief of Police for their information and for enforcement purposes.

RESOLUTION NO. (498-2000) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (499-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Resolution No. 511-1999, adopted on June 22, 1999 and Resolution No. 792-1999, adopted on October 12, 1999 authorized the installation of various parking restriction signs on Samantha Way, West Nyack,

NOW THEREFORE BE IT

RESOLVED, that Resolution No. 511-1999 and Resolution No. 792-1999 are hereby rescinded and the following shall be enacted in their place:

RESOLVED, that the Superintendent of Highways is hereby authorized to install the following signs:

1. "No Parking Anytime" on the north side of Samantha Way from the westerly pavement edge of Strawtown Road to 875 feet west of the westerly edge of Strawtown Road.
2. "No Standing Anytime" on the south side of Samantha Way from 320 feet west of the westerly pavement edge of Strawtown Road to 370 feet west of the westerly pavement edge of Strawtown Road
3. "No Standing Here to Corner" on the south side of Samantha Way from the westerly pavement edge of Strawtown Road to 30 feet west of the westerly pavement edge of Strawtown Road
4. "From April - October, No Parking from 3 p.m. to 10 p.m. Monday - Friday, and 10 a.m. to 7 p.m. on Saturday and Sunday" on the north side of Samantha Way, from 500 feet from the westerly edge of Strawtown Road to the westerly end of Samantha Way, including the entire cul-de-sac that is north of the northerly edge of Samantha Way.

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 and 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

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## RESOLUTION NO. (500-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board wishes to consider a Road Improvement project for an unimproved and undedicated portion of PIERCE STREET, Nanuet, New York, pursuant to the requirements of Section 200 of the Town Law;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control and the Superintendent of Highways are hereby authorized and directed to obtain the services of a licensed surveyor, to prepare a survey and/or topographical map as needed for planning purposes, with respect to the proposed road improvement project for a portion of PIERCE STREET, Nanuet, New York, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control and the Superintendent of Highways is hereby authorized and directed to prepare skematic plans and specifications and to make a careful estimate of the expense of the proposed road improvement.

On roll call the vote was as follows:

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

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## RESOLUTION NO. (501-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board has begun a process entitled, "Town Wide Open Space Protection and Land Conservation Initiative," and

WHEREAS, the Town Wide Open Space Protection and Land Conservation Initiative shall implement the policies favoring open space protection and land conservation embodied in the Comprehensive Plan adopted on September 28, 1999, and

WHEREAS, the Comprehensive Plan was the subject of a Generic Environmental Impact Statement (GEIS or Generic EIS), as required by the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Town Board, being the involved agency principally responsible for undertaking, funding and approving the Comprehensive Plan, has designated itself SEQRA lead agency for the action, and

WHEREAS, the Town Board, therefore, became responsible for the preparation and filing of the Generic EIS that it had determined was required, and

WHEREAS, after preparing a Draft Generic EIS, the Town Board, having determined that no significant adverse impacts would result from implementing the Comprehensive Plan as it was then proposed, issued a Negative Declaration, and

WHEREAS, the Town Board finds that the Town Wide Open Space Protection and Land Conservation Initiative is an action intended to carry out the objective of the Comprehensive Plan that may have a greater level of detail than was considered in the Generic EIS, and that this subsequent action may have one or more significant adverse environmental impacts;

RESOLUTION NO. (501-2000) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby directs that a positive declaration be prepared and filed for this subsequent action, and be it

FURTHER RESOLVED, that the Town Board directs that a supplement to the Generic EIS shall be prepared, and be it

FURTHER RESOLVED, that the Town Board re-establishes itself as lead agency for this subsequent action, and be it

FURTHER RESOLVED, that the Town's Planning Consultant, Robert Geneslaw Co., with the assistance of Town counsel, shall prepare and file the positive declaration and that they shall prepare a supplement to the Generic EIS that considers the effects of the Town Wide Open Space Protection Initiative.

On roll call the vote was as follows:

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

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RESOLUTION NO. (502-2000)

Co. Mandia offered and Co. Maloney seconded

Whereas, the Town Board of the Town of Clarkstown has previously awarded a contract for the 2000 Mosquito Control Service; and

Whereas, the Town Board of the Town of Clarkstown, in response to requests from residents, is desirous of expanding the number of locations to be treated with larvicide beyond those specified in the original contract; and

Whereas, the Department of Environmental Control has obtained a proposal from TBC Spraying Service, the contractor to whom the 2000 Mosquito Control Service contract was let, 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 the Director of the Department of Environmental Control is hereby authorized to direct TBC Spraying Services to perform six (6) larvicide applications in those aforementioned additional locations as specified by the Department of Environmental Control; and

Be It Further Resolved that the total amount of the 2000 Mosquito Control Service contract be increased to \$104,205.00 to cover the costs associated with this additional work; and

Be It Further Resolved that this shall be a proper charge to account number A 8090-409.

RESOLUTION NO. (502-2000) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (503-2000)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Town Board resolution # 526-1999 is hereby corrected to read as follows

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

BID # 41- 2000  
CUL-DE-SAC RECONSTRUCTION  
CONTINENTAL DRIVE

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. at a time 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 Environmental Control upon payment of the prescribed non-refundable fee.

On roll call the vote was as follows:

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

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RESOLUTION NO. (504-2000)

Co. Mandia offered and Co. Maloney seconded

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

BID # 39-2000  
Klein Avenue Levee/Retention Basin Improvements

is hereby awarded to:

Cal Mart Enterprises  
357A Route 59  
West Nyack, NY 10994  
Principals: Carl V. Wortendyke  
Martin C. Wortendyke  
Peter T. Wortendyke

RESOLUTION NO. (504-2000) continued

as per their low bid proposal of \$88,888 and be it,

FURTHER RESOLVED, that contractor shall supply the following items to the Director of Purchasing as a condition of this award

- a) Signed Contract Documents- 2 sets
- b) Performance Bond- 100% of proposed project cost
- c) Labor and Materials Payment Bond- 100% of proposed project cost
- d) Certificate of Contractors Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Workers Compensation
- f) Certificate of Workers Disability Coverage

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

On roll call the vote was as follows:

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

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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Mandia seconded by Co. Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 9:00 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

6/13/00

8:20 P.M.

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

RE: Chapter 216 Proceedings (Property Maintenance)  
Diaz, 14 Buena Vista Road, New City (169-A-9)

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On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing was declared open.

Supervisor opened the public portion of the meeting.

Clarkstown Code Enforcement officer, George Burton, read the following report: An inspection conducted today found the following conditions: The tall grass has been cut at this vacant house however, debris included but not limited to the following items remains: 2 large piles of wood chips in the front yard, an abandoned, unlicensed Maxima parked on the driveway, an inground pool with green stagnant water and a deteriorating cover, boxes, pool equipment and accessories scattered around and unsecured pool gates.

Town Attorney stated that a certified notice had been mailed to the last owners of record and that the property was properly posted as required. Notice was also sent to Industry Mortgage Co and a lien search was mailed June 7. We have received no responses.

There being no one further wishing to be heard, on motion of Co. Smith seconded by Co. Lasker the public hearing was closed, RESOLUTION NO 469-2000 ADOPTED, time 8:25 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

6/13/00

8:25 P.M.

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

RE: Chapter 216 Proceedings (Property Maintenance)  
Ronstein Construction Corp, 19 Lombardi Drive, New City (39-C-23)

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On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing was declared open.

Supervisor opened the public portion of the meeting.

Clarkstown Code Enforcement Officer, George Burton, read the following report: An inspection conducted today found the following conditions: At the curb side and the eastern most portion of the first building - a build up of mud, dumped yard waste, branches, grass clippings etc.

Town attorney stated that the appropriate posting was done and that there was no mortgage on this property.

There being no one wishing to be heard, on motion of Co. Smith, seconded by Co. Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION NO 469-2000 ADOPTED, time: 8:28 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
SPECIAL MEETING

Town Hall

6/13/00

9:00 P.M.

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

On motion of Co. Maloney seconded by Co. Mandia and unanimously adopted, the special meeting re: Resolution authorizing Charles E. Holbrook, President of the Clarkstown Middlewood Housing Development Fund Company Inc., to sign the map renewal contract with HUD was opened

WHEREAS, the Housing Assistance Payment contract (HAP) with HUD has expired;

NOW, THEREFORE, be it

RESOLVED, that Charles E. Holbrook, president of the Clarkstown Middlewood Housing Development Fund Company Inc., is hereby authorized to execute the Housing Assistance payment (HAP) contract with HUD. This contract shall be for an initial period of (1) one year, which renews automatically for (3) three additional one year terms.

There being no further business to come before the meeting, the same was on motion duly make, seconded and unanimously carried, adjourned, time: 9:02 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

Town Board signed a waiver.