

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

6/27/00

8:00 P.M.

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

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

The Town Board presented a plaque to the New City Volunteer Ambulance Corp in honor of their 40<sup>th</sup> anniversary and certificates were issued to volunteer members. The Board members thanked the volunteers of the ambulance corps for their dedication and for the valuable service they provide to the community.

Supervisor opened the public portion of the meeting.

Appearance: John Lodico  
New City

Gave a report on the Clarkstown Veteran's Memorial Park in Nanuet. The dedication for same is going to be September 24, 2000. Also spoke about the old firing range that the Town is going to use as a record room. Has anyone looked in the air quality and dehumidification?

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RESOLUTION NO. (505-2000)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of June 13, 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. (506-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, the Town Board of the Town of Clarkstown has applied to the State of New York for State-Local Disaster Assistance Funds for certain Flood Hazard Mitigation Projects proposed by the Director of the Department of Environmental Control;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with the State of New York, in a form approved by the Town Attorney, which is required for eligibility for grants pursuant to the "404 Hazard Mitigation Program."

RESOLUTION NO. (506-2000) 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. (507-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes attendance at an Auto Mechanics Seminar by Greg Barra, Billy Carton and Chuck Clark of the Town Garage, which seminar will be held in Saddle Brook, New Jersey, on June 20, 2000, and be it

FURTHER RESOLVED, that the cost to attend the course per person shall be \$25.00, plus other reasonable expenses for tolls, travel and meals shall be charged to Account No. A 1010-414, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to June 19, 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. (508-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown Police Department is responsible for the operation of the Clarkstown Police JUVENILE AID BUREAU, and

WHEREAS, the State and County have each recognized the need to assist local municipalities with such programs through the continuation of Division for Youth funding on a 50/50 matching funds basis;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's JUVENILE AID BUREAU grant application for 50/50% Division for Youth funding for 2001, and

FURTHER BE IT RESOLVED, that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

RESOLUTION NO. (508-2000) 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. (509-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown Police Department is responsible for the administration of the Clarkstown YOUTH COURT program, and

WHEREAS, the State of New York and County of Rockland have each recognized the need to assist local municipalities with such programs through the continuation of Division for Youth funding on a 50/50 matching funds basis;

NOW, THEREFORE BE IT

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's YOUTH COURT grant application for 50/50% Division for Youth funding for 2001, and

FURTHER BE IT RESOLVED, that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

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. (510-2000)

Co. Smith offered and Co. Maloney seconded

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

BID # 36-2000  
Video Surveillance Project  
Nanuet Prospect Street Commuter Lot

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: August 2, 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. (510-2000) 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. (511-2000)

Co. Smith offered and Co. Maloney seconded

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

BID #42-2000  
CLARKSTOWN SOLID WASTE FACILITY  
TRANSFER STATION VENTING SYSTEM UPGRADE

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: AUGUST 1, 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 Environmental Control upon payment of the prescribed fee for each set obtained..

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. (512-2000)

Co. Smith offered and Co. Maloney seconded

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

BID # 43-2000  
Old Mill Road Resurfacing Project

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 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 prescribed non-refundable fee.

RESOLUTION NO. (512-2000) 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. (513-2000)

Co. Smith offered and Co. Maloney seconded

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

BID # 44-2000  
Zukor Park Drainage Improvement Project

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by a date 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. (514-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has received \$12,800 from New York State and \$1,529 from Seized Property and \$963,576.91 from FEMA

THEREFORE BE IT,

RESOLVED, to increase Revenue Account No. A 01 10 3389 (NYS-Honor Guard Motorcycle) and Budgetary Account No. A 3120-203 (Police-Motor Vehicles) by \$12,800 and Revenue Account No. A 01 11 4320 (Seized Property) and Budgetary Account No. A 3120-293 (Police-Law Enforcement Equipment) by \$1,529 and increase Revenue Account No.'s H 15 10 3091 (Fema-NYS) by \$289,012.07 and H 15 11 409 (Fema-Federal) by \$674,564.84 and Budgetary Account No. H 8748-409 72-1 (Emergency Expenses-Tropical Storm Floyd) by \$963,576.91 and

WHEREAS, various accounts need additional funding,

THEREFORE BE IT,

RESOLUTION NO. (514-2000) continued

RESOLVED, to decrease A 3120-112 (Police-Other Personnel) and increase A 3120-409 (Police-Fees for Services) by \$12,000 and decrease DA 5130-219 (Highway-Misc. Equipment) by \$15,000 and decrease DA 5142-386 (Highway-Salt & Calcium) by \$5,000 and increase DA 5140-379 (Highway-Signs/Posts) by \$20,000 and decrease B 8030-114 (Architecture and Landscape Comm.) and increase B 3620-111 (Building-Overtime) by \$563.04.

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. (515-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, a potential hazard of two dead trees falling onto private property within a drainage easement at tax maps 21-A-11.15 and 11.17); and

WHEREAS, the Department of Environmental Control has recommended the removal of these trees and replanting with three trees; and

WHEREAS, the Department of Environmental Control has obtained proposals to perform said work; and,

NOW THEREFORE, BE IT RESOLVED that the Director of Environmental Control is hereby authorized to hire Danny Clapp Landscaping, 59 Schriever Lane, New City New York, to perform the necessary work; and

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed \$1,850.00 and shall be a proper charge to account # H 7182 409 0 55-16

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. (516-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown has previously authorized improvements to be made to the drainage channel located within the easement on the west side of Roland Court in Nanuet; and

WHEREAS, the scope of work for this project was increased to allow for the removal of additional trees and other material from within the easement; and

RESOLUTION NO. (516-2000) continued

WHEREAS, the Department of Environmental Control negotiated a price for this additional work with Danny Clapp Landscaping, the contractor retained to perform these improvements; and

WHEREAS, the Department of Environmental Control directed Danny Clapp Landscaping to perform said additional work;

NOW, THEREFORE, BE IT RESOLVED that the amount for this project be increased to \$10,600.00 to cover the cost of this additional work; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8749 409-0 73-3.

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. (517-2000)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Resolution No. 499-2000 adopted on June 13, 2000 is hereby amended to read:

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 south 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 south of the northerly edge of Samantha Way.

RESOLUTION NO. (517-2000) continued

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. (518-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Manuel Torres, 114 Lake Road, Congers, New York – Bus Driver – Mini Trans Department – is hereby accepted – effective and retroactive to June 3, 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. (519-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Susan A. Lievel, 15 Eastlyn Drive, Bardonia, New York – Secretarial Assistant I (Information Processing ) – Town Highway Department – is hereby accepted – effective June 27, 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. (520-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION NO. (520-2000) continued

RESOLVED, that the resignation of John J. Davidson, 14 Chauncy Street, Congers, New York – Legal Assistant – Town Attorney’s Office – is hereby accepted – effective and retroactive to June 23, 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. (521-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Elsie Coyne, 231 Richard Court, Pomona, New York, is hereby reassigned from the position of Data Entry Operator I – Assessor’s Office – to the position of Data Entry Operator I – Purchasing Department – at the current annual salary of \$36,497, effective and retroactive to 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

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RESOLUTION NO. (522-2000)

Co. Maloney offered and Co. Mandia seconded

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

WHEREAS, additional plans and specifications had to be printed and supplied to the potential bidders during the bidding process;

NOW THEREFORE, BE IT RESOLVED that the current allowance for this project be increased by an amount of \$1,474.00 to cover this additional printing cost; 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

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RESOLUTION NO. (523-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, New York State Department of Environmental Conservation, Dam Safety Division requested that an access easement to the Town of Clarkstown be obtain over and to the dam for the purposes of inspections and maintenance; and

WHEREAS, the Department of Environmental Control solicited three proposals for Surveying work; and

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

NOW, THEREFORE, BE IT RESOLVED that, based on said review, the Director of the Department of Environmental Control recommends that the Town Board retain the services of:

JAMES BOSWELL,PLS  
P.O. BOX 1863  
NEW CITY, NY 10956

AND BE IT FURTHER RESOLVED that the current allowance for this project be increased by an amount of \$1,200.00 to cover this 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

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RESOLUTION NO. (524-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, an adverse drainage condition exists along the right-of-way at #127 Third Street in New City; and

WHEREAS, the Department of Environmental Control has inspected this location and formulated a plan to relieve said condition; and

WHEREAS, the Department of Environmental Control has solicited proposals from four (4) qualified contractors to implement said improvements in accordance with their plan; and

WHEREAS, the Department of Environmental Control has received 3 responses to their request for proposals; and

WHEREAS, the Department of Environmental Control has reviewed said 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

RESOLUTION NO. (524-2000) continued

Cal Mart Enterprises, Inc.  
357A Rte. 59  
West Nyack, New York 10994

to perform this work in accordance with their proposal for an amount of \$5,858.00; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account #H 8749-409-0 73-10.

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. (525-2000)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board by resolution 385-2000 awarded a contract to West-Con Contracting Corp. for the referenced bid, and

WHEREAS, during the course of construction field conditions have arisen which require additional work to be performed, and

WHEREAS, West-Con Contracting Corp. have submitted change orders to perform the required work as follows:

- Change Order #1 – Rebuild existing catch basin and install new frame and grate, in the amount of \$5,261.23
- Change Order #2 – Install new catch basin with frame and grate to eliminate blind pipe connection, in the amount of \$4647.79
- Change Order #3 – Install new drainage pipe to replace deteriorated Metal Drainage Pipe in Endicott Street, in the amount of \$9,500.00

NOW THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to execute change orders to perform additional work under bid number 29-2000 as he determines are necessary, and

BE IT FURTHER RESOLVED that the amount of said additional work shall not exceed \$19,402.02, and

BE IT FURTHER RESOLVED that the amount of such additional work shall be a proper charge to account number H 8749 409-0 73-5.

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. (526-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, an adverse condition exists in a Town Drainage Easement located on Tax Map parcel 24 A 6.28, and

WHEREAS, the Department of Environmental Control has prepared a plan to ameliorate said adverse condition and has solicited proposals from qualified contractors to perform the work called for in said plan, and

WHEREAS, five Contractors have submitted proposals to perform said Work, and

WHEREAS, the lowest cost proposal was received from Danny Clapp Landscaping,

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 perform the work in accordance with the plan for an amount not to exceed Two Thousand Eight Hundred (\$2,800.00) dollars, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8749-409-0 73-11.

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. (527-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Charles Connington, Superintendent of Recreation and Parks, has advised the Town Board that the Parks Board and Recreation Commission wishes to establish guidelines for use of the Town parks by Little League organizations;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby confirms the authority of the Parks Board and Recreation Commission to impose, pursuant to Town Code Section 202-17, rules and guidelines for use of Town park fields and other facilities by Little League organizations.

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. (528-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Chief of Police, Kevin Kilduff, and members of the Clarkstown Police Department Community Policing Unit have supported efforts of St. Agatha's Home for Children to construct a horse barn on St. Agatha's property for the use and enjoyment of residents, and have recommended waiver of the building permit fee for the construction of said facility;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Chief, the Town Board hereby authorizes the Building Inspector to waive the building permit fee for the construction referred to above.

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. (529-2000)

Co. Maloney offered and Co. Smith 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 wishes to consider further amendment to said Zoning Ordinance, and

WHEREAS, the Clarkstown Planning Board has reviewed a proposed amendment pursuant to Resolution adopted by the Town Board on April 25, 2000, and has submitted its recommendations;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Rockland County Commissioner of Planning for its recommendation and report:

AMEND §290-17(Z). Additional requirements for certain special permit uses - as follows:

“(4) Parking. One (1) parking space shall be provided for every 350 square feet of gross floor area, exclusive of exterior play areas. The most appropriate location for dropoff parking shall include a consideration of emergency access and shall be determined by the Planning Board during site plan review. The dropoff location shall be clearly posted with appropriate signage or pavement markings. Fire lanes shall not be used for dropoff areas.”

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

RESOLUTION NO. (529-2000) continued

agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on July 11, 2000, at 8:00 P.M., or as soon thereafter as possible, to consider the adoption of the proposed amendment to the Zoning Ordinance of the Town of Clarkstown, 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

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RESOLUTION NO. (530-2000)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the placement of an advertisement in the Souvenir Journal of Worldfest NY, for the International Dance and Music Festival which is being held in the Town of Clarkstown during the month of July, 2000, for the purpose of promoting the Town of Clarkstown, and be it

FURTHER RESOLVED, that the fee for the full page advertisement shall not exceed the sum of \$800.00 which shall be charged to Account No. A6410-405.

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. (531-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, John Coyle, Safety Manager, has recommended the Town Board enter into an agreement with the 3E COMPANY to maintain a data base inventory of all chemical products used or stored in Town controlled locations, and to provide twenty-four (24) hour spill and emergency response services for an annual fee of \$1,600.00, and

WHEREAS, such services will assist the Town in complying with the regulations regarding storage of hazardous materials;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement, in a form approved by the Town Attorney, to obtain the services of the 3E COMPANY to

RESOLUTION NO. (531-2000) continued

maintain a hazardous material data base, and to provide spill and emergency response services on an annual basis, not to exceed \$1,600.00, which fee shall be charged to Account No A 3989-409.

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. (532-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Southern Energy Bowline, L.L.C. has fled an application with the New York State Department of Public Service to construct a fuel transmission line in the Town of Clarkstown, and

WHEREAS, an application is pending or about to be filed with respect to the construction of an electrical generating facility in the adjacent Town of Haverstraw, and

WHEREAS, the Town Board has adopted Resolutions on February 8, 2000 and February 29, 2000, requesting intervening status with respect to said application to protect the interests of the residents of the Town of Clarkstown and the environment of the Town, and

WHEREAS, the Town has solicited a proposal to obtain special counsel, and has received a proposal from Martus Granirer, Esq., 100 South Mountain Road, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that a proposal dated May 23, 2000 from Martus Granirer is hereby accepted, and the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, to obtain said services at a cost not to exceed \$15,000 without further authorization from the Town Board, and said fee shall be charged to Account No. A 1420-409, and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to April 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

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RESOLUTION NO. 533-2000)

Co. Maloney offered and Co. Mandia; seconded

WHEREAS, the Town of Clarkstown owns a parcel of land located on the eastside of Corners Road in Congers, New York; and

RESOLUTION NO. (533-2000) continued

WHEREAS, the Town Board of the Town of Clarkstown is desirous of having maintenance work performed on this property, to wit, repairs to an existing stockade fence, removal of brush and debris, removal of dead trees, pruning of existing white pine trees and application of weed control spray; and

WHEREAS, the Department of Environmental Control has obtained a proposal from a qualified contractor to perform this 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 retain the services of

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

to perform this maintenance work in accordance with their proposal for an amount not to exceed \$3,200.00; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account #A 8511 409.

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. (534-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways and the Town Traffic Engineering consultant, Howard L. Lampert PE that

BID # 35-2000  
TOWN ASPHALT ROADWAY RESURFACING PROGRAM

is hereby awarded to: COLUMBUS CONSTRUCTION CORP.  
711 SOUTH COLUMBUS AVENUE  
MT. VERNON, NY 10550  
Principal: AUGUST M NIGRO

as per their proposed project cost for part 1 only of \$1,123,392 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 Clause

RESOLUTION NO. (534-2000) continued

- 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. (535-2000)

Co. Maloney offered and Co. Mandia seconded

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

**BID #45-2000 - LAKE NANUET IMPROVEMENT PROJECT**

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York at a date and time to be announced at which time bids will be opened and read, and be it

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

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RESOLUTION NO. (536-2000)

Co. Maloney offered and Co. Mandia seconded

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

**BID #46-2000 - STEEL SHELVING AND RELATED ITEMS FOR  
ARCHIVE RECORDS STORAGE ROOM**

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York at a date and time to be announced at which time bids will be opened and read, and be it

RESOLUTION NO. (536-2000) continued

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. (537-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Clarkstown Recycling Center, Inc. has applied for an amendment to the service agreement with the Town of Clarkstown to increase the payment received for processing and disposal of used tires, and

WHEREAS, the Director of the Department of Environmental Control has analyzed the cost of disposal of tires and has recommended that the requested adjustment be granted due to increased costs associated with the disposal of tires;

NOW, THEREFORE, be it

RESOLVED, that in accordance with the memo and recommendation of the Director of Environmental Control, the Town Board hereby authorizes an adjustment in the service agreement with Clarkstown Recycling Center, Inc., to increase the fee for disposal of used tires to \$125.00 per ton effective July 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

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RESOLUTION NO. (538-2000)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law, and pursuant to the recommendations of the Planning Board and the Director of Environmental Control, a Building Permit for the erection of one (1) single family residence may be issued to JOHN NASH, as owner, for property situate on the north side of Fisher Avenue and the east side of Lakewood Drive, Congers, New York, as shown on the Clarkstown Tax Map as Map 141, Block B, Lot 28, provided the owner shall prior to the issuance of such Building Permit obtain final subdivision approval from the Planning Board, and execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and which shall provide:

- 1. That the property owner shall acknowledge that no Town services, including but not limited to maintenance, paving or snow removal shall be provided along Fisher Avenue, Congers, New York.

RESOLUTION NO. (538-2000) continued

2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street adjacent to said premises, when and if required by the Town Board of the Town of Clarkstown.

3. That the property owner/declarant shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street frontage the premises to the designated street line to Fisher Avenue, to fifty (50') feet in width.

4. That the property owner has entered into an access maintenance agreement, in a form approved by the Town Attorney, with all property owners using Fisher Avenue, which provides for shared maintenance of said right-of-way.

5. That any deed of conveyance for the subject premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that prior to the issuance of a Building Permit or Certificate of Occupancy, as the case may be, for the subject premises, the owner shall perform the following to the satisfaction of the Department of Environmental Control:

1. The access from Lakewood Drive to the easterly boundary of the proposed driveway should be widened for two-way traffic, preferably 20 to 22 feet in width. The access and the proposed driveway should be paved.

2. A separate individual house connection, including the spur, should be provided at no cost to the Town.

3. A road opening permit from the Clarkstown Highway Department shall be obtained prior to any work to be done in the mapped right-of-way, and be it

FURTHER RESOLVED, that a Building Permit and/or Certificate of Occupancy shall not be issued for the premises to be constructed until compliance with all other requirements of law, rules and regulations to the satisfaction of the Building Inspector.

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. (539-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

**"A LOCAL LAW TO RE-INSTITUTE THE MORATORIUM ON PROHIBITING THE ISSUANCE OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ADULT ENTERTAINMENT USES FOR A PERIOD OF SIX MONTHS FROM THE ADOPTION OF LOCAL LAW NO. 9-1999 TO PERMIT ADDITIONAL STUDY AND IMPLEMENTATION OF NEW REGULATIONS SUBSEQUENT TO ADOPTION OF THE TOWN OF CLARKSTOWN COMPEREHSINVE PLAN"**

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 Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on July 11, 2000, at 8:00 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

RESOLUTION NO. (539-2000) continued

FURTHER RESOLVED, that the 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, and be it

FURTHER RESOLVED, that the proposed local law is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

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: 8:27 P.M.

Respectfully submitted,

*Patricia Sheridan*  
 PATRICIA SHERIDAN  
 Town Clerk