

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

11/14/2000

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 Holbrook presented a Certificate of Award to Joshua Samuel for achieving the rank of Eagle Scout. The Town Board congratulated Joshua Samuel on a job well done.

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On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Chapter 216 Proceeding: A & S Builders, LLC, 15 Mayfield Street Valley Cottage (108-B-14.10) was opened, time: 8:03 PM

On motion of Councilman Maloney, seconded by Councilwoman Lasker and unanimously adopted, the public hearing re: Chapter 216 Proceeding: A & S Builders, LLC, 15 Mayfield Street Valley Cottage (108-B-14.10) was closed, DECISION RESERVED, time: 8:10PM.

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Supervisor Holbrook opened the public portion of the meeting.

Appearance: George Nugent, President, Valley Cottage Civic Assoc.  
Valley Cottage

Spoke regarding Item 22 on the agenda. Said the open space referendum passed by 1,640 votes. The people are in favor of open space. He believes there should be a 5 member over-site committee that would include Gerry O'Rourke and Catherine Nowicki. Town should hold on to the Martus Granirer.

Appearance: Nicole Dolaner, President of Rockland County Civic Association  
New City

Item 22. She supports the contract the Town has with Martus Granirer and is in favor of the citizen's over-site committee.

Appearance: Janet Connor  
Real Estate Agent, Rockland County

Item 22. Is in favor of open space and believes the Town should retain Martus Granirer.

Appearance: Edmund Gabriel  
New City

Item 22. Said he would prohibit any more input by Martus Granirer and felt he should not be allowed to participate.

Appearance: Klaus Jacob  
Valley Cottage

Item 22. Is in favor of open space. Feels there are problems in his area with constant flooding. Feels Martus Granirer should be retained.

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Appearance: Martin Bernstein  
New City

Item 22. The mapping should come from the Town Board and not one person. Is in favor of retaining Martus Granirer.

Appearance: John Lodico  
New City

Item 22. Did not support this project because it did not speak to the lost taxes. Feels that we should not resort to eminent domain. The only property that should be bought is from owners that are willing to sell. Believes that we should purchase the water company's property in West Nyack.

Appearance: Cora Bodkin, South Little Tor Civic Assoc.  
New City

Item 22. The vote shows the taxpayers are in favor of Open Space. She asked how the property would be acquired. Feels we should seek experts and coordinate with the County.

Appearance: Jenna Ironside  
Orangetown

Item 22. Congratulated the Town Board and citizens of Clarkstown for the referendum and feels we should continue to retain Martus Granirer for his expertise.

Appearance: John Curtis, Chamber of Commerce  
New City

Item 22. Believes that a member of the business community should be included on the over-site committee.

Appearance: Terry Thal  
New City

Item 22. Presented a letter with 15 names on it on whose behalf she was speaking. She is in favor of keeping Martus Granirer and having an over-site committee. Requested a resolution to retain Martus Granirer.

Appearance: Peggy Curtis  
Upper Nyack

Item 22. Felt that the Town should acquire West Hook and Heaton Pond. Would like the Board to proceed expeditiously so as to not see that land developed. Town should keep Martus Granirer and Robert Geneslaw.

Appearance: James Cropsey  
New City

Item 22. Is in favor of open space, however, the list sent out by the Town Board was not understandable. The public was not informed. If property is sterilized, it will not be worth anything.

Appearance: Faith Elliot  
South Nyack

Item 22. Clarkstown is lucky and she wished the villages in Orangetown were as fortunate. Martus Granirer has saved the open space and this is a golden opportunity for Clarkstown.

Appearance: George Rumelt  
New City

Item 22. Felt that there should be a 3-prong process, 1, prioritize parcels; 2, pay fair market value and 3, go to the owner.

Appearance: Andrew Wiley  
Orangetown

Item 22. Spoke regarding a client he had in Valley Cottage that was interested in having their land acquired. Feels that the open space should be spread around, not all in one location and the tax consequences should be considered.

Appearance: Joanna Geldome  
New City

Item 22. Said she was in favor of mapping and supported Martus Granirer and feels the property should be put into a consortium.

Appearance: Dave Harold  
New City

Item 22. In favor of open space. He gets flooded all the time and would like something done about it.

Appearance: Cynthia Streeter  
New City

Item 22. In favor of and thanks God for the open space plan because we must protect what is left. Also spoke about tax abatement

Appearance: George Rumelt  
New City

Spoke regarding the taxes. Commercial property was decreased and residential property increased. Said that 50% of the people who frequent the Palisades Mall are from outside the County. County needs the 3 % sales tax back again.

Appearance: John Lodico  
New City

Spoke about the Veteran's Memorial Park in Nanuet whose dedication will be Saturday, December 2, 2000. Asked that signs be put up in the park to prohibit skateboarding which is damaging property and make us subject to lawsuits for injuries.

Appearance: Karen Tarapata  
Upper Nyack

Item 22. Inquired as to who will be on the over-site committee. She supports the idea of adding a member of the chamber of commerce.

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RESOLUTION NO. (883-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of November 2, 2000 and November 6, 2000 are hereby accepted as submitted by the Town Clerk.

RESOLUTION NO. (883-2000) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (884-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, some years ago, the Town of Clarkstown erected a fence in the vicinity of Red Hill Road near Lindberg Lane, New City New York, in order to protect school children using a school sidewalk from exposure to a hazardous drop, and

WHEREAS, said fence has deteriorated to a point where a replacement is needed;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes a new fence to be erected within the Town right-of-way in the vicinity of Red Hill Road near Lindberg Lane, New City, New York, and be it

FURTHER RESOLVED, that based on the recommendation of the Superintendent of Highway, the Yaboo Fence Company, Inc., 95 West Nyack Way, West Nyack, New York, shall be engaged to perform said work at a cost not to exceed \$1,690.00, which shall be charged to Account No. H 8749-409-0.

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. (885-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Kevin Kilduff, Police Chief, has been named individually in an action known as JOSEPH CLARK v. THE TOWN OF CLARKSTOWN, POLICE CHIEF KEVIN KILDFUFF, BOTH OFFICIALLY AND INDIVIDUALLY, NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM, THE COMPTROLLER OF THE STATE OF NEW YORK, JOHN DOES #1, JOHN DOES #2, AND JOHN DOES #3, U.S. District Court Case No. 00 CIV 7320;

WHEREAS, Kevin Kilduff has requested defense and indemnification as provided 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 individually named public employee/defendant be defended and indemnified as provided in accordance with Section 18 of the Public Officers Law.

RESOLUTION NO. (885-2000) 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. (886-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, a proposal has been received from Korn, Rosenbaum, Phillips & Jauntig, LLP, certified public accountants, to continue providing audit services of the Town of Clarkstown, and

WHEREAS, past experience with this firm has proven satisfactory;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Korn, Rosenbaum, Phillips & Jauntig, LLP, in a form satisfactory to the Town Attorney, for audit services for the years ending December 2000 and 2001, and be it

FURTHER RESOLVED, that the fees for such services shall be \$33,750.00 for the year ending December 2000 and \$33,750.00 for the year ending December 2001, which fees shall be charged to Account No. A-1320-409, and be it

FURTHER RESOLVED, that said agreement shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, and professional and other liability insurance coverage with the Town of Clarkstown named as an additional insured.

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. (887-2000)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with NYACK HOSPITAL for an Employee Assistance Program covering all employees and members of their immediate families, for the twenty-four month period commencing October 1, 2000 and terminating on September 30, 2002, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the agreement shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, proof of professional liability insurance, and other general liability insurance with the Town of Clarkstown named as an additional insured, and be it

RESOLUTION NO. (887-2000) continued

FURTHER RESOLVED, that the fee of \$13,975.00 per year for such services shall be charged to Account No. A 8840-424, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall retain the right of cancellation of the contract on thirty days notice given on or after January 1, 2002, for the second contract year, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to September 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. (888-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Councilperson Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO CHAPTER 262 (TAXATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN;

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 November 28, 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 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.

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. (889-2000)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, dated October 15, 2000, the Superintendent of Highways is hereby authorized to install the following signs on West Nyack Road, Nanuet in the vicinity of St. Anthony's School:

RESOLUTION NO. (889-2000) continued

1. Change the 25 MPH legend on the School Speed Limit sign on westbound West Nyack Road to 15 MPH, and

Using the attached Sign Data Table and drawing, make the following changes to the No Parking signs:

2. Relocate the sign at Location #255 farther to the west as shown in the drawing,
3. Relocate the sign at Location #265 farther to the west as shown in the drawing,
4. Change the sign legend at Sign Location #253 to be the same as Text #30, and change the right panel accordingly, and
5. Replace the existing faded sign panel with the legend "No Parking 8AM-4PM Mon.-Fri." that is located opposite Kent Radiator with a new sign with the same legend but which includes a left arrow.

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

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RESOLUTION NO. (890-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, several Clarkstown residents have reported problems with neighbors neglecting to pick up after their dogs in the vicinity of their homes as required by Section 125-4-F of the Clarkstown Town Code,

NOW THEREFORE, be it

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

"Dog Waste Prohibited - Pursuant to Section 125-4-F of the Town Code of the Town of Clarkstown"

along the right-of-ways at the following locations:

1. One sign on Brookridge Drive, Valley Cottage, at the entrance of the Burgundy Gardens complex;
2. One sign on the corner of Briar Road at Well Road, Nanuet near the residence at #64 Briar Road;
3. Two signs at both ends of the center island near the playground on Tennyson Drive, Nanuet; and
4. Replace the existing sign at 15 Jodi Lane, New City, and be it

RESOLUTION NO. (890-2000) continued

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 Chief of Police and the Animal Control Officer 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. (891-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received a donation of \$200.00 from Cablevision (CSC Holdings, Inc.), and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A7310-329 (Parks & Recreation - Supplies) by \$200.00.

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. (892-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received a donation of \$100.00 from A.P.A. Flowers & Gifts, Inc. D/B/A/Bassett Flowers, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A7310-329 (Parks & Recreation - Supplies) by \$100.00.

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. (893-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, 520 North Highland Ave. Corp. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 136, Block C, Lot 2 (59.12-2-3), for the year(s) 1998/99, 1999/00 and 2000/01, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

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. (894-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, THE CHASE MANHATTAN BANK, N.A. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 35, Block A, Lot 7.2 (51.18-3-43, for the year(s) 1997/98, 1998/99, 1999/00 and 2000/01, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1. Preliminary appraisal due no later than November 28, 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. (895-2000)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, GUSSACK REALTY CO. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 89, Block A, Lot 18 (65.5-2-6), for the year(s) 1995/96, 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01, and

RESOLUTION NO. (895-2000) continued

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

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. (896-2000)

Co. Mandia offered and Co. Maloney seconded

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

BID #62-2000  
REPLACEMENT OF CARPET IN PORTIONS OF POLICE DEPARTMENT

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 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

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RESOLUTION NO. (897-2000)

Co. Mandia offered and Co. Maloney seconded

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

BID #64-2000  
COMPLETION OF SUBDIVISION IMPROVEMENTS MACKENSIE GLENN

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: November 27 at which time bids will be opened and read, and be it

RESOLUTION NO. (897-2000) continued

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 deposit of \$25.00.

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. (898-2000)

Co. Mandia offered and Co. Maloney seconded

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

BID #6-2001  
PAPER & PLASTIC SUPPLIES

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 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

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RESOLUTION NO. (899-2000)

Co. Mandia offered and Co. Maloney seconded

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

BID #65-2000  
DEMAREST KILL STREAM BANK STABILIZATION (NJ1-12-3)  
FROM TWIN ELMS LANE TO ELYSE DR. NEW CITY

to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 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 deposit per set.

RESOLUTION NO. (899-2000) 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. (900-2000)

Co. Mandia offered and Co. Maloney seconded

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

BID #66-2000  
CRUMB CREEK DETENTION BASIN SEDIMENT REMOVAL, NEW CITY

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 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 deposit 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. (901-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the resignation (by retirement) of Mary Cestaro, 23 Beech Street, Nanuet, New York, Real Property Data Controller I, Assessor's Office is hereby accepted, effective and retroactive to October 31, 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. (902-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Joseph Maggino, 3 Esquire Road, New City, New York is hereby appointed to the position of (temporary) Laborer, Solid Waste Facility at the current hourly rate of \$13.00, effective and retroactive to November 6, 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. (903-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Christopher J. Monteith, 40 Kings Highway, New City, New York is hereby appointed to the position of (temporary) laborer, Solid Waste Facility at the current hourly rate of \$13.00, effective and retroactive to November 6, 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. (904-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, The Rockland County Personnel Office has certified on October 24, 2000 that the position of Senior Recreation Leader (55A), Parks Board and Recreation Commission can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Recreation Leader (55A), Parks Board and Recreation Commission is hereby created, effective and retroactive to October 25, 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. (905-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Christopher M. Romanisin, 14 Tena Place, Valley Cottage, New York to the position of Senior Recreation Leader (55a), Parks Board and Recreation Commission at the current annual salary of \$38,042.00, effective and retroactive to October 25, 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. (906-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, The Rockland County Personnel Office has certified on October 24, 2000 that the position of Laborer, Highway Department, can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Laborer, Highway Department is hereby created, effective and retroactive to October 25, 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. (907-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED. that Resolution No. 794, adopted at the Town Board Meeting of October 10, 2000, appointing Bradford O'Dell to the position of Laborer, Highway Department, is hereby amended to reflect a start date of October 25, 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. (908-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Michael A. August, 86 Old Phillips Hill Road, New City, New York is hereby appointed to the position of Motor Equipment Operator II, Solid Waste Facility, at the current annual salary of \$31,302.00, effective and retroactive to November 6, 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. (909-2000)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that John J. Davidson, 14 Chauncy Street, Congers, New York is hereby reinstated to the part-time position of Legal Assistant, Town Attorney's Office, at the current hourly rate of \$17.00, effective November 20, 2000, for a maximum of 30 hours per pay period with the scheduling of said hours subject to the approval of the Town Attorney.

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. (910-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, trees and shrubs were removed within a drainage easement along the property boundary in order to perform necessary drainage work (TB resolution # 648-2000) at tax map 62-A-6.3 and 6.4, and;

WHEREAS, the Department of Environmental Control has recommended replanting with same type of trees and shrubs; and,

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

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 \$ 2,250.00 and shall be a proper charge to account # H 1994-409-0-14-21

RESOLUTION NO. (910-2000) 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. (911-2000)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, a proceeding pursuant to Chapter 111 of the Code of the Town of Clarkstown was duly instituted against premises known and described on the Tax Map of the Town of Clarkstown as Map 13, Block E, Lot 26, and

WHEREAS, by Order of the Town Board, the Building Inspector was authorized and directed to take certain corrective measures regarding said premises, and

WHEREAS, the total cost for the proceeding and corrective measures is the sum of \$3,893.09;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office on May 23, 2000, upon the payment of \$3,893.09 to reimburse the Town for the cost of the proceeding pursuant to the attached statement.

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. (912-2000)

Co. Smith offered and Co. Lasker seconded

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

BID #2-2001  
PHOTOCOPIER AND FACSIMILIE MACHINE SUPPLIES

Is hereby awarded to:

MCS BUSINESS SOLUTIONS  
5 DAKOTA DRIVE  
LAKE SUCCESS, NY  
PRINCIPAL: PUBLIC CORPORATION

AMERICAN TONER PRODUCTS  
P.O. BOX 597  
HARRIMAN, NY 10926  
PRINCIPAL: GOLDIE ENGELMAN

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RESOLUTION NO. (912-2000) continued

ALL DISCOUNT COPY SUPPLY  
60 NORTH HARRISON AVE.  
CONGERS, NY 10920  
PRINCIPAL: SHELDON BUCHMAN

DANKA OFFICE IMAGING  
9799 INTERNATIONAL COURT NORTH  
ST. PETERSBURG, FL 33716  
PRINCIPAL: PUBLIC CORPORATION

O.P.G. INDUSTRIES, INC.  
P.O. BOX 140  
BROOKLYN, NY 11232  
PRINCIPAL: DON THOMPSON  
DAN SCHWERBE

(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. (913-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown by Resolution No. 545-2000, has previously authorized the Department of Environmental Control to lease equipment with operators for work to be performed at Denver Drive, Culver Drive and Victor Road in New City as part of the Tropical Storm Floyd Rebuilding Project; and

WHEREAS, the Department of Environmental Control has determined that additional work is required on the stream from the culvert outlet on Denver Drive to the inlet of the culvert beneath Little Tor Road to improve the flow of water; and

WHEREAS, the Department of Environmental Control has obtained a proposal from Pinebrook Industries to extend the lease of said equipment with operators for the time period required to perform said 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 amount to be extended pursuant to Resolution No. 545-2000 is hereby increased by the amount of \$7,600.00 to cover the additional leasing of equipment with operators, and

BE IT FURTHER RESOLVED that this work shall continue to be performed under the direct supervision and control of the Department of Environmental Control; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8748 409 0 72-1.

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. (914-2000)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Guaranty in the amount of \$1,250.00, which was furnished to the Town in connection with acceptance of the sanitary sewer easement on August 10, 1999 in a subdivision known as Marianne Hill, is hereby terminated; and the Maintenance Guaranty 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. (915-2000)

Co. Smith offered and Co. Lasker seconded

WHEREAS, the New York State Department of Motor Vehicle Law, Section 19-A, requires that all certified examiners of CDL operators must obtain refresher training at least every three years, and

WHEREAS, Frank Fee, Transit Operations Supervisor, is a certified examiner of CDL operators and is required to obtain said training;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Frank Fee, Transit Operations Supervisor, to attend a refresher training course for examiners of CDL operators being given by the New York State Department of Motor Vehicles on November 21, 2000, in Westchester, New York, and be it

FURTHER RESOLVED, that the fee for such course of \$65.00, shall be charged to Account No. A 1010-414, and be it

FURTHER RESOLVED, that any reasonable expenses for travel and tolls shall also be charged to Account No. A 1010-404.

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. (916-2000)

Co. Lasker offered and Co. Maloney seconded

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

RESOLUTION NO. (916-2000) continued

Curve signs with panels beneath to read, "20 MPH" on the Westside of Renee Lane, Bardonia on the property lines of Map 58.14 Block 2, Lots 32 and 38. On the north side of Renee Lane on the property line of Map 58.15 Block 1, Lots 13 and 14 . On the south side of Renee Lane on the property line of Map 58.5 Block 1, Lot 69. On the north side of Renee Lane on the property lines of Map 58.5 Block 1, lots 35 and 36, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (917-2000)

Co. Lasker offered and Co. Maloney seconded

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

A "Curve" sign on the north side of Long Clove Road, New City, 200 ft. north of Ridge Road in the vicinity of house #184 and utility pole number 162S, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (918-2000)

Co. Lasker offered and Co. Smith seconded

WHEREAS, Resolution No. 447-2000, adopted by the Town Board on May 23, 2000, authorized the Supervisor to hire the services of an appraiser to determine the valuation of certain property owned by the Town of Clarkstown located in the Town of Ramapo, and

WHEREAS, by Resolution No. 480-2000, the Town Board authorized Albert Valuation Group, Inc. to prepare an appraisal of said property in accordance with a proposal submitted by said Company; and thereafter, the appraisal company advised that it could not complete the project within the authorized project fee, and the Town Board declined to increase said authorized expenditure;

NOW, THEREFORE, be it

RESOLUTION NO. (918-2000) continued

RESOLVED, that Resolution No. 480-2000 is hereby rescinded.

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. (919-2000)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board desires to obtain current market valuation data concerning Town owned property located in the Town of Ramapo;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to obtain a proposal from Karl A. Kirchner, Inc., if available, to provide current market value appraisal for the Town owned property identified on Tax Map as Section 3, Lots 13A2C1, 12A1, 13A2A, 13A2B and 13A2C in the Town of Ramapo.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (920-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a public hearing pursuant to Town Law Section 108, to consider the Town of Clarkstown Preliminary Budget for the year 2001, was duly scheduled and noticed for November 6, 2000, at 8:30 P.M., in Room 311 of the Clarkstown Town Hall, and

WHEREAS, the Town Board met at the time and place specified in the Notice of the Public Hearing and heard all persons desiring to be heard;

NOW, THEREFORE, be it

RESOLVED, that such Preliminary Budget, a copy of which is attached hereto, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the fiscal year beginning the 1st day of January, 2001, and that such Budget, as so adopted, be entered in detail in the proceedings of the Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown shall prepare and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together with Assessment Rolls for benefit improvements, if any, adopted pursuant to Section 202-a, Subd. 2, and Section 231, Subd. 2 of the Town Law, and deliver two copies thereof to the

RESOLUTION NO. (920-2000) continued

Supervisor of this Town to be presented by him to the Legislature of Rockland County, pursuant to Section 115 of the Town Law and other applicable sections of the Town 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. (921-2000)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the banks of stream NJ1-12-6 were significantly eroded as a result of Tropical Storm Floyd, and

WHEREAS, the degradation of the stream banks is affecting normal stream flow and could potentially cause obstructions to the stream, and

WHEREAS, the Department of Environmental Control has recommended the restoration of the banks to ameliorate the adverse condition by facilitating runoff, and

WHEREAS, the Department of Environmental Control has obtained three (3) proposals from qualified contractors to perform the required work.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire

KJS Hauling and Home Improvements  
95 Maple Avenue  
New City, New York 10956

to perform the corrective work necessary in accordance with their proposal dated November 13, 2000, and the recommendation of the Department of Environmental Control, and

BE IT FURTHER RESOLVED, that the cost for the corrective work shall not exceed \$14,096.00 and shall be a proper charge to account H 8749 409 0 73 24.

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. (922-2000)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received a donation of \$250.00 from CSC Holdings, Inc. - The Bank of New York, and be it

RESOLUTION NO. (922-2000) continued

THEREFORE RESOLVED, to increase Estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A 7310-329 (Parks & Recreation – Supplies) by \$250.00.

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. (923-2000)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Agenda Item #22 regarding creating a Citizens Advisory Committee to review and advise regarding the Town of Clarkstown Open Space acquisition program is hereby tabled.

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. (924-2000)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown purchased acreage in the Town of Ramapo intended for development of a municipally owned golf course pursuant to a contract dated August 7, 1996 with Patrick Farms, LLC, and

WHEREAS, it has been reported that the Town may have paid an inflated price due to a purported agreement between the contract vendor and a real estate agent or agents which may have artificially inflated the price of the land, and

WHEREAS, the Town Board wishes to seek the services of special counsel with expertise in real estate matters concerning undisclosed brokerage or other compensation arrangements to review the facts and circumstances regarding this transaction, and to evaluate the potential for the Town to recover any of the consideration paid from any person who may be liable for same;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney, in consultation with any interested members of the Town Board, is hereby authorized to seek the services of special counsel having the expertise in the area of law concerning the subject transaction for the purpose of analyzing same and providing a Memorandum of Law assessing the potential for recovery from any person or persons who may have received recoverable funds at Town expense, and be it

RESOLUTION NO. (924-2000) continued

FURTHER RESOLVED, that the Town Board reserves the right to review and accept any such proposal made in accordance with this Resolution prior to authorizing such legal analysis.

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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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 9:27 PM.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

11/14/00

8:00 P.M.

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

RE: Chapter 216 Proceeding (Property Maintenance): A7 S Builders, LLC, 15 Mayfield St., Valley Cottage (108-B-14.10)

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On motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the Public Hearing was declared open.

Supervisor asked if the owner of property was present.

Appearance: Madeline Pinto  
Property Owner

Stated that all the work had been completed and it was not her debris and it was very expensive to have cleaned up.

Supervisor read the following report from Dennis Letson:

In response to a request by the Town Attorney, we inspected 15 Mayfield Street, Valley Cottage, Tax Map 108, Block B, Lot 14.10 for completion of remedial work. At this time the asphalt debris has been removed. Additional silt fence has been installed and safety fence has been installed along the sides and rear of lot to prevent access to the vertical cut slope listed in our prior memorandums. The installations are generally satisfactory. The following remedial work should be performed by owner within three days. 1. Relocate the safety fence along the north side of lot to a minimum of six feet from the top of embankment. 2. Reset or replace post supporting the safety fence on the south side of lot, one post. Inspection of the soils above cut slope do not show any signs of slope failure or instability at this time. The location of the safety fence (generally a minimum of 7 feet to 18 feet behind the top of embankment) is adequate except as noted above. This condition is acceptable with periodic inspection to verify maintenance of appropriate erosion control and safety devices by the owner. Any additional measures would be directed by the Building Department or Department of Environmental Control, as required.

Luke Kalarickal, Director of Environmental Control, stated that as of today, the two items had not been completed.

Co. Mandia said that he wanted to reserve decision because otherwise we would have no assurance that the work would be done.

There being no one further wishing to be heard, on motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted, the public hearing was closed, DECISION RESERVED, time: 8:10 p.m.

Respectfully submitted,

  
PATRICIA SHERIDAN  
Town Clerk