

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

04/24/2001

8:00 P.M.

Present: Supervisor Holbrook  
Council Members Lasker, Maloney, Mandia & Smith  
John Costa, Town Attorney  
Kathleen Carleo, Deputy Town Clerk

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

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Boy Scouts, Jordan Peck and Stuart Weiler received an award for achieving the rank of Eagle Scout.

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On motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted the public hearing RE Proposed water main extension on Sheridan Avenue and Wells Avenue, Congers was opened, time: 8:15 PM.

On motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted the public hearing RE: Proposed water main extension on Sheridan Avenue and Wells Avenue, Congers was closed, time: 8:16 PM.

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On motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted the public hearing RE: Proposed Local Law "Amendment to Chap 146 (Flood Damage Prevention)" was opened, time 8:17 PM

On motion of Co. Mandia, seconded by Co. Lasker and unanimously adopted the public hearing RE: Proposed Local Law "Amendment to Chap 146 (Flood Damage Prevention)" was closed, time 8:20 PM

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On motion of Co .Mandia, seconded by Co. Maloney and unanimously adopted the public hearing RE: Proposed Local Law entitled "Historic Road Preservation" was opened, time 8:21 PM

On motion of Co .Mandia, seconded by Co. Maloney and unanimously adopted the public hearing RE: Proposed Local Law entitled "Historic Road Preservation" was recessed to next Town Board Meeting, time 8:35 PM

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An informational meeting on the Cranford Drive Flood Amelioration Project was opened, time 8:35 and closed, time: 10:20 PM.

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Supervisor opened the public portion of the meeting

Appearance: Everett Johns, Esq.  
Representing Capasso

Spoke regarding Item #2. Stated that this resolution asks his client to perform an illegal act.

Appearance: Nicole Doliner  
President, Rockland Civic Association

Spoke regarding Item 27K, is in favor of appointing Ed Day to Planning Board.

Appearance: Mr. McKay

Questioned the Town Attorney about any illegalities in Item #2.

Appearance: Cora Bodkin  
President, South Little Tor Civic Association

Spoke regarding Item 27K, supports Ed Day for seat on Planning Board.

Appearance: John Lodico  
New City

Spoke regarding Town acquiring land near Hackensack. Spoke regarding Item 9a, should be open to the free market, not a monopoly.

Appearance: Frank Hackett  
Representing Valley Cottage Civic Association

Spoke regarding Item 27K, supports appointment of Ed Day. Also read a letter from Arleen Whittaker supporting Ed Day.

Appearance: Bob Jackson  
President, Nanuet Civic Association

Spoke regarding Item 27K, supports Catherine Nowicki for Planning Board appointment.

Appearance: Steve Levine  
Congers

Spoke regarding Item 21. What is required before a CO is issued? Asked Town Attorney various questions about this item.

Appearance: James Coleman  
President, Forest Brook Homeowners Association

Spoke regarding Item 27K. He supports the appointment of Ed Day.

Appearance: Ingrid Ilkiw

Spoke regarding an investigation into rabies vaccinations.

Appearance: John Mott  
Representing Palisades Center

Spoke regarding security and safety at Palisades Center.

Appearance: Kevin Riff  
Director of Security, Palisades Center

Handed in a report and went over security procedures at the Palisades Center.

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RESOLUTION NO. (293-2001)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown received a map from the Department of Environmental Control and a plan from the United Water Company for providing the facilities, improvements or services in a portion of the Town of Clarkstown, wherein it was proposed to extend the Clarkstown Consolidated Water Supply District #1, and

WHEREAS, after the map and plan were duly filed in the Office of the Town Clerk of the Town of Clarkstown, the said Town Board did, duly adopt an Order reciting a description of the boundaries of the proposed extension to the water supply district, the fact that the maximum amount proposed to be expended for the improvement is none, the fact that a plan and map and report describing same are on file in the Town Clerk's Office for public inspection, and specifying that said Town Board shall meet at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York on April 24, 2001, at 8:00 p.m., or as soon thereafter as possible, for the purpose of conducting a public hearing on such proposal to extend the Clarkstown Consolidated Water Supply District #1, with the specified improvements, and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and hear all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made;

NOW, THEREFORE, be it

ORDERED, by the Town Board of the Town of Clarkstown, in the County of Rockland, that it be and hereby is determined as follows:

1. The notice of hearing was published and posted as required by law and is otherwise sufficient.
  2. That the property and property owner, within the proposed extension of the Clarkstown Consolidated Water Supply District #1, is benefited thereby. Said benefited properties are described on the attached Schedule "A."
  3. That the property and property owner benefited is included within the proposed extension of the Clarkstown Consolidated Water Supply District #1, is benefited thereby.
  4. It is in the public interest to establish the proposed extension.
- and be it

FURTHER RESOLVED, that the Town Board does hereby approve the extension of the Clarkstown Consolidated Water Supply District #1, to include the area of SHERIDAN AVENUE and WELLS AVENUE, from Liberty Avenue to Southward Avenue, Congers, New York.

On roll call the vote was as follows:

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

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RESOLUTION NO. (294-2001)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a proposed local law entitled,

“AMENDMENT TO CHAPTER 146 (FLOOD DAMAGE PREVENTION)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilwoman Maloney at a Town Board meeting held on March 27, 2001, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 27, 2001, directed that a public hearing be held on April 24, 2001, at 8:00 P.M., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on April 11, 2001, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on March 1, 2001, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on April 24, 2001;

NOW, THEREFORE, be it

RESOLVED, that Local Law No.3-2001 entitled:

“AMENDMENT TO CHAPTER 146 (FLOOD DAMAGE PREVENTION) OF  
THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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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The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

RESOLUTION NO. (295-2001)

Supervisor Holbrook offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests that the Rockland County Drainage Agency extend the permit to the Town of Clarkstown to allow the Town to proceed with its plans to make drainage improvements to the Demarest Kill Stream, in the vicinity of Cranford Drive and Bush Court, New City, New York.

RESOLUTION NO. (295-2001) 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. (296-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of March 27, 2001 and April 10, 2001 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. (297-2001)

Co. Maloney offered and Co. Smith seconded

WHEREAS, ANTHONY CAPASSO, reputed owner of premises described on the Clarkstown Tax Map as 52.12-2-1 (formerly 139All), commonly known as 187 Massachusetts Avenue, Congers, New York, has petitioned the Town Board of the Town of Clarkstown for permission to utilize portions of mapped but unopened streets known as TERRACE AVENUE and QUASPECK ROAD, to obtain ingress and egress access pursuant to Town Law 280-a(2), for a proposed one family dwelling to be built on the to be subdivided rear portion of the premises referred to herein, and

WHEREAS, the Town Board has referred said petition to the Town of Clarkstown Planning Board for its recommendation and scheduled a public hearing which was held on March 13, 2001, and continued until March 27, 2001, at which times the petitioner and all other persons in interest were heard, and

WHEREAS, the Record of this matter was closed on March 27, 2001, and

WHEREAS, the Town Board Members have duly considered the comments of all persons in interest, all correspondence and recommendations placed in the Record so that a determination may now be made;

NOW, THEREFORE, be it

RESOLVED, that under the provisions of 280-a(2) of the Town Law, the Town Board hereby determines, subject to the conditions and other requirements set forth herein, that an additional single family residence (a proposed one family dwelling) may utilize that portion of mapped but unopened TERRACE AVENUE and QUASPECK ROAD as and for ingress and egress from the rear portion of premises known as 52.12-2-1 (formerly 139All), to obtain access to the nearest public street consisting of Massachusetts Avenue at its intersection with Quaspeck Road, and provided further that

## RESOLUTION NO. (297-2001) continued

all applicable regulations regarding subdivision of the premises and Zoning Law provisions are complied with, and said determination is based on the following Findings of Fact by the Town Board:

## FINDINGS OF FACT

1. The proposed ingress and egress right-of-way will have a length of approximately 630± feet from the rear portion of premises known as 187 Massachusetts Avenue, traversing Terrace Avenue and Quaspeck Road to the intersection of Quaspeck Road with Massachusetts Avenue.

2. Massachusetts Avenue is the nearest public street maintained by the Town of Clarkstown.

3. Although said portions of Terrace Avenue and Quaspeck Road are utilized for access by several existing premises, the condition of this access is poor and would not, in the event of emergency, provide adequate, safe, or reasonable access for the additional one family residence as proposed by the applicant.

4. The Planning Board was requested to make a recommendation regarding applicant's request for permission to access the proposed dwelling pursuant to Town Law 280-a(2), and at its meeting of September 13, 2000, after discussion and consideration of the issues, was unable to make a recommendation, as a motion recommending same failed to achieve a majority.

5. That the existing pavement within Quaspeck Road and Terrace Avenue is approximately fourteen (14') to fifteen (15') feet in width, in poor condition, and not maintained pursuant to any road maintenance or other shared maintenance agreement among the present users.

6. The current residents utilizing the private right-of-way proposed to be used by the petitioner have not been willing to enter into a road maintenance agreement with the applicant or among themselves, thereby creating a dangerous condition.

7. There is presently no petition pending with respect to any proposed road improvement district for the subject mapped but unopened streets.

8. The Board of Fire Commissioners of the Congers Fire District has stated that in order for the Congers Fire District to have sufficient access to the proposed structure the road should be as straight and level as possible and wide enough to have passage for all fire apparatus. The Town Board, on the basis of the Record before it, cannot determine that the existing travel way is sufficient to provide sufficient access for fire department apparatus.

9. The Director of the Department of Environmental Control for the Town of Clarkstown has examined the existing travel way and recommended the following for the improvement of the subject mapped but unopened portions of Quaspeck Road and Terrace Avenue:

(A) Widen the existing paved road to eighteen feet (18').

(B) The southeast intersection of Massachusetts Avenue and Quaspeck Road should be widened with a thirty-five foot (35') radius connecting the easterly edge of pavement of Massachusetts Avenue and southerly edge of pavement of Quaspeck Road.

(C) The southwest corner of Quaspeck Road and Terrace Avenue should be widened with a thirty-five foot (35') radius connecting the southerly edge of pavement of Quaspeck Road and the westerly edge of pavement of Terrace Avenue.

(D) The southeast corner of Quaspeck Road and Terrace Avenue should be widened with a radius of fifty-three feet (53') connecting the northerly edge of pavement of Quaspeck Road and the easterly edge of pavement of Terrace Avenue.

(E) Provide a twenty foot by forty foot (20'x40') turn-around on Terrace Avenue north of the driveway for Lot 52.8-3-69 (formerly 139-A-17.03) and now or formerly Youngblood).

(F) The new widened portion of the roadway should have six inches (6") sub-base course and three inches (3") asphalt base course.

(G) The entire roadway (existing and new roadway) should have one inch (1") asphalt top course.

10. The Director of the Department of Environmental Control stated at the public hearing that the recommendations referred to above did not address the issue of

## RESOLUTION NO. (297-2001) continued

maintenance of this right-of-way with respect to snow removal and repairs that may become necessary, and said Director recommended that same should be the responsibility of the persons who would use the private right-of-way for access to their homes.

11. That the access under consideration shall continue to be a private access unless and until a petition for a road improvement district shall be made and accepted by the Town Board;

12. That the Town Board has no authority to compel the present users of the subject proposed access route to join with the petitioner in a road maintenance agreement;

NOW, THEREFORE, be it

FURTHER RESOLVED, that in accordance with the provisions of Section 280-a(2) of the Town Law, pursuant to recommendations of the Director of the Department of Environmental Control, and the Record and proceedings had herein, a Building Permit for the erection of a single family residence may be issued to ANTHONY CAPASSO subject to obtaining final subdivision approval and compliance with all applicable provisions of the Zoning Local Law of the Town of Clarkstown, for premises designated on the Tax Map as 52.12-2-1(formerly 139All), provided further that the owner shall, prior to the issuance of said building permit, 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 the following:

1. That the property owner shall acknowledge that no Town services consisting of maintenance, paving, or snow removal shall be provided along the relevant portions of Quaspeck Road and Terrace Avenue;

2. That the declarant 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 declarant owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the declarant owner in the premises or in any mapped street adjacent to the premises to the designated street line to accomplish the widening of same to fifty feet (50') in width;

4. That the declarant shall obligate the premises upon which the proposed one family residence shall be constructed to maintain the right-of-way so as to be free and clear of ice and snow during inclement weather and to otherwise be repaired and kept free of potholes and other defects at all times, provided however, that nothing herein is intended to prevent the declarant from entering into a shared maintenance agreement, in recordable form, with any others using the right-of-way, so as to obligate all such users to pay their fair share of required maintenance and repair costs, but in lieu thereof, the applicant or his successors in interest shall be obliged to perform such services;

5. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenant provided herein, and shall be subject to same whether or not such recitation is included in the deed;

6. That any Certificate of Occupancy issued for said premises shall be conditioned upon observance and shall recite that it is subject to the Declaration of Covenant provided for herein,

and be it

FURTHER RESOLVED, that prior to the issuance of a Building Permit, the petitioner shall provide the Director of the Department of Environmental Control with an acceptable plan for the improvement of Quaspeck Road and Terrace Avenue, so as to meet all of the requirements and the recommendations made by memo dated March 27, 2001, of the Director of the Department of Environmental Control, which has been incorporated herein as a Finding by the Town Board, and be it

FURTHER RESOLVED, that prior to issuance of any Certificate of Occupancy, the petitioner shall install the improvements to Quaspeck Road and Terrace Avenue in

RESOLUTION NO. (297-2001) continued

accordance with the approved plan, shall obtain the written approval of the Board of Fire Commissioners of the Congers Fire District stating that its emergency equipment may safely utilize said improved travel way should any emergency need arise, and be it

FURTHER RESOLVED, that the petitioner shall comply with all other requirements of the Building Department and the Department of Environmental Control with respect to the construction of the proposed one family dwelling and the improvement of its environs.

On roll call the vote was as follows:

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

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RESOLUTION NO. (298-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Assessor of the Town of Clarkstown, the sum of \$222.61 be refunded to Michael Hoblin for taxes erroneously assessed, levied and paid on property identified as 4 Tilda Lane, New City, New York and designated as 51.6-3-28 (formerly known as 37-A-5.8).

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. (299-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, in accordance with the recommendation of the Deputy Director of the Department of Environmental Control, A.O.R. Developers, Inc. have agreed to gratuitously convey a Drainage and Sanitary Sewer Easement to the Town of Clarkstown in connection with the Rockridge Subdivision, designated as 59.11-1-47.1+ (formerly known as 122-C-4.1), and

WHEREAS, the Town Attorney recommends acceptance of said conveyance;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said Easement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said Drainage and Sanitary Sewer Easement is hereby ordered recorded in the Office of the Rockland County Clerk.

RESOLUTION NO. (299-2001) 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. (300-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Mountainbrook Estates Corp. furnished to the Town of Clarkstown a Performance Bond secured by Letter of Credit No. 1596 in the amount of \$100,000, to cover the improvements and other facilities as shown on the final plat of Mountainbrook Estates, designated as 59.20-1-12./10+ (formerly known as 135-H-1+), which was filed in the Rockland County Clerk's Office on September 26, 1997, and

WHEREAS, by resolution of the Town Board, dated September 28, 1999, said Letter of Credit was reduced to \$75,000, as much of the work had been completed to Town specifications, and

WHEREAS, the Deputy Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown have recommended that said Performance Bond be further reduced to \$55,000, as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Letter of Credit No. 1596 in the amount of \$75,000 be reduced to \$55,000.

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. (301-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Ivan Larin and Marianna Larin, the present owners of record of property designated as 52.20-2-31 (formerly known as 137-A-41.10), and also known as 887 Stockton Road, Valley Cottage, New York, shown as Lot 6 in Block E on a subdivision map entitled Lake Manor Section III, filed in the Rockland County Clerk's Office on February 21, 1967 as Map No. 3543 in Book No. 72 at Page 65, have requested that the 10 foot wide drainage easement filed in the Rockland County Clerk's Office on July 10, 1969 in Liber 862 at Page 429 be extinguished of record in exchange for an alternate easement which has been provided to allow for the existence of a deck over the existing drainage easement, and

RESOLUTION NO. (301-2001) continued

WHEREAS, the Director of Environmental Control has recommended acceptance of said alternate drainage easement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a release in a recordable form, approved by the Town Attorney, which shall extinguish the easement filed on July 10, 1969 and accept and record said alternate easement in the Rockland County 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

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RESOLUTION NO. (302-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, ALFRED T. ROSSI, an agent of FB Nanuet, LLC and JR Nanuet, LLC, owners or persons in charge of the operation and control of a parking area in the shopping center known as the Home Depot Shopping Center, located at 33-53 Hutton Avenue, Nanuet, New York, and known on the Clarkstown Tax Map as 57.20-1-5, (formerly known as 163A3), to implement the provisions of Section 278-13 of the Town Code, and Section 1660-a of the Vehicle and Traffic Law, to the aforementioned parking area;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the implementation of the provisions of Section 278-13 of the Town Code, as amended, and Section 1660-a of the Vehicle and Traffic Law, to the parking area in the Home Depot Shopping Center, located at Hutton Avenue, Nanuet, New York, and known on the Clarkstown Tax Map as 57.20-1-5 (formerly known as 163A3), and be it

FURTHER RESOLVED, that should any signage or signalization be required, the Superintendent of Highway's is authorized to install same provided the property owner pays for all required materials, equipment and labor.

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. (303-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, ARCH WIRELESS seeks to install radio equipment, consisting primarily of telecommunications equipment, at the Town of Clarkstown building (former Police Department), located at 10 Maple Avenue, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with ARCH WIRELESS HOLDING, INC., in a form satisfactory to the Town Attorney, for a period of three years commencing and retroactive to the first day of June, 2000, for an annual rent of \$6,000.00 to be paid in twelve monthly installments of \$500.00 beginning on the commencement date of the lease. At the beginning of each anniversary of commencement, the annual rent will increase five percent, and be it

FURTHER RESOLVED, that the agreement referred to herein shall provide, among other provisions required by the Town Attorney, for cancellation on ninety days notice by lessor to lessee on or after March 31, 2002, for contract indemnification of the Town, any required Workers Compensation and disability insurance compliance, and also provide that the Town of Clarkstown shall be named as an additional insured on the general liability insurance policy obtained by ARCH WIRELESS.

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. (304-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, Article 52 of the New York State Environmental Conservation Law authorizes financial assistance to municipalities for remediation of inactive hazardous waste disposal sites by means of a written agreement, and

WHEREAS, the Town of Clarktown has entered into such agreement which has provided financial assistance for remediation of the Clarkstown Sanitary Landfill, and the Town Board deems it to be in the public interest and benefit of the Town of Clarkstown to enter into Amendment No. 5 of said contract;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes Supervisor Holbrook to enter into an amendment of the agreement for Project No. 3-44-001 (Amendment No. 5), to the NYSDEC 1986 Environmental Quality Bond Act, Title 3 Inactive Hazardous Waste Disposal Sites Remediation Program State Assistance Contract, with the New York State Department of Environmental Conservation (NYSDEC), in a form approved by the Town Attorney. The State shall reimburse the Town for its costs in conducting the Remedial Investigation and Feasibility Study, Remedial Design and Remedial Action Construction and Construction Oversight undertaken as part of the project.

RESOLUTION NO. (304-2001) continued

This project increases the contract amount by \$2,000,000.00 for a total contract amount not to exceed \$19,013,655.00. The term of this contract shall start on August 7, 1989 and shall end on June 30, 2001.

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. (305-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, CUMMINS METROPOWER, INC., has provided a proposal to perform power generator service work, including one (1) preventative maintenance service per year, and one (1) semi-annual site inspection per year; and

WHEREAS, said Agreement shall take effect March 1, 2001 for a term of twelve (12) months, ending February 28, 2002, at an annual rate of \$895.00; and

WHEREAS, the 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;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to renew the annual maintenance agreement with CUMMINS METROPOWER, INC., in a form satisfactory to the Town Attorney, for the emergency generator at Town Hal, and be it

FURTHER RESOLVED, that the fee for said services shall be charged to Account No. A-1680-438.

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. (306-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown entered into an agreement with the County of Rockland on April 3, 1995, and as subsequently extended between the parties for additional compensation, wherein the County of Rockland agreed to reimburse the Town of Clarkstown for compensation and overtime expenses actually incurred by the Town of Clarkstown's Police Department for any officer assigned to the Rockland County Narcotics Task Force, and

RESOLUTION NO. (306-2001) continued

WHEREAS, the parties hereto agree to extend these agreements for the period January 1, 2000 through December 31, 2000 in the amount stated hereafter;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an extension agreement with the County of Rockland, accepting financial assistance for the Town of Clarkstown's law enforcement activities, whereby the Town would provide the Rockland County Narcotics Task Force with a member of the Town of Clarkstown Police Department for drug fighting activities, and in return the County of Rockland would partially reimburse the Town for one police officer in the amount of \$25,000.00, and the sum of \$12,500.00 for partial reimbursement of overtime expenses for one police officer of the Town of Clarkstown assigned to the Rockland County Narcotics Task Force for the year 2000, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that all other terms and conditions of the agreement between the Town and the County dated April 3, 1995, as amended, remain in full force and effect.

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. (307-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Clarkstown Police Department has applied for a federal grant from the U.S. Department of Justice, Office of Community Policing, entitled "COPS MORE 2001," for the purpose of purchasing an Automated Booking System that would be installed at the Police Substation located at the Palisades Center Mall, and

WHEREAS, the U.S. Department of Justice will consider the grant application (No. NY04350) submitted by the Town of Clarkstown Police Department, for approval of the sum of \$40,753.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute all documents necessary to make application for a grant and to enter into any necessary agreement with the U.S. Department of Justice, to accept \$40,753.00, for the purpose of purchasing an Automated Booking System that would be installed at the Police Substation located at the Palisades Center Mall, should the grant be awarded, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to April 16, 2001, the deadline date for timely submission of the grant application.

RESOLUTION NO. (307-2001) 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. (308-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the New York State Thruway Authority has requested an extension of an agreement with the Town of Clarkstown for use of the Transfer Station for the period beginning January 1, 2001 and terminating on December 31, 2003;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized, on behalf of the Town of Clarkstown, to enter into an agreement with the New York State Thruway Authority in a form approved by the Town Attorney, to provide for the use of the Transfer Station for the period beginning January 1, 2001 and terminating December 31, 2003 for disposal of garbage and refuse at a cost of \$63.00 per ton for the calendar year 2001, and be it

FURTHER RESOLVED, that the New York State Thruway Authority will pay the cost of the per ton tipping fee as set by the Clarkstown Town Board for calendar years 2002 and 2003, and be it

FURTHER RESOLVED, that the New York State Thruway Authority will pay an additional fee for the disposal of its tires at the Transfer Station at the rate required by the Town, and be it

FURTHER RESOLVED, that said agreement shall require the New York State Thruway Authority to indemnify and save harmless the Town of Clarkstown with respect to any liability which may accrue against the Town of Clarkstown from its use of the Transfer Station and shall provide that the Town be named as an additional insured on any general liability policy it maintains in its regular course of business.

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. (309-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the County of Rockland, Department of Mental Health, has approved financing for the Substance Abuse Program at the Clarkstown Counseling Center pursuant to Article 25 of the Mental Hygiene Law, in the amount of \$112, 265.00, for the year 2001;

RESOLUTION NO. (309-2001) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form acceptable to the Town Attorney, with the County of Rockland, Department of Mental Health, to accept funds in the amount of \$112,265.00, for the purpose of financing the Substance Abuse Program at the Clarkstown Counseling Center, in the amount of \$112,265.00, for the year 2001.

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. (310-2001)

Co. Smith offered and Co Lasker seconded

RESOLVED, that Loretta Raimone, Receiver of Taxes and Dolores Daubitz, Deputy Tax Receiver, are hereby authorized to attend a seminar for Tax Collection Officers sponsored by the Associations of Towns of the State of New York Association of Tax Receivers and Collectors on June 10<sup>th</sup> through June 13<sup>th</sup>, 2001 at Lake Placid Hilton, Lake Placid, New York 12946, and be it

FURTHER RESOLVED, that the fees of \$75.00 for registration and \$418.00 per person for hotel rooms and meals provided by the hotel, and all other proper charges shall be charged against account number 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (311-2001)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes Marsha Coopersmith and Jessica Hauser, Deputy Town Attorneys, to attend a seminar on "Civil Practice Law and Rules," which is being given at the Rockland BOCES Conference Center, West Nyack, New York, on May 4, 2001, be it

FURTHER RESOLVED, that the total seminar cost of \$220.00, and any reasonable expenses for travel and food will be charged to Account No. A 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (312-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Councilwoman Shirley Lasker has requested permission to attend the National Preservation Conference being held on October 16-21, 2001, in Providence, Rhode Island;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes attendance by Councilwoman Shirley Lasker, to attend the National Preservation Conference on October 16-21, 2001 in Providence Rhode Island, and be it

FURTHER RESOLVED, that the conference fee of \$260.00, and any reasonable expenses for travel and meals will be charged to Account No. A 1010-414.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (313-2001)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes Paul Schofield, Deputy Town Attorney, to attend a seminar concerning "Suing and Defending Municipalities: Law, Procedures and Ethics," which is being given on April 27, 2001, in New York City, New York, and be it

FURTHER RESOLVED, that the seminar cost of \$130.00, and any reasonable expenses for travel and food will be charged to Account No. A 1010-414.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (314-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it has been determined by Wayne T. Ballard, Superintendent of Highways, and Howard Lampert, Traffic Consultant, that additional work is necessary on the Pipetown Hill Road Improvement Project (Bid #27-2000), and recommend that these Change Orders be approved by the Town Board;

NOW THEREFORE BE IT

RESOLUTION NO. (314-2001) continued

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to prepare Change Orders 1, 2, & 3 to Bid #27-2000 for the Pipetown Hill Road Improvement Project, which Change Orders shall increase the contractor's cost to a sum not to exceed \$230,673.08. Additionally, the design cost for this project is approximately \$10,000.00, bringing the total cost for this project to date, to \$240,673.08.

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. (315-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, to increase Appropriation Account A-7610-301 (Program for the Aging - Food) by \$592.50 and to increase Revenue Account 01-002001 (Park and Recreation Charges by \$592.50.

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. (316-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, to decrease Appropriation Account A 1410-314 (Comp. Sup.) by \$315.00 and to increase A1410-438 (Maint. Agmn.) by \$315.00.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (317-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has received \$2,000 from Hasty Hills Stable,

RESOLUTION NO. (317-2001) continued

THEREFORE BE IT,

RESOLVED, to increase Revenue Account No. H 15 5 2410 2 (Rent-Hasty Hills Stable) and Budgetary Account H 1942-409-0-58-2 (Golf Course-Bid & Specs) by \$2,000 and

WHEREAS, various departments need additional funding,

THEREFORE BE IT,

RESOLVED, to decrease A 1330-110 (Receiver of Taxes-Salaries) and increase A 1330-328 (Receiver of Taxes-Books/Publications) by \$150.00 and decrease A 885 (Dare-Reserve) and increase A 3230-319 (Dare-Misc Supplies) by \$1,440.

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. (318-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, MRS. CHRISTINE BORDAS, has requested a refund of Building Permit fees paid for premises located at 197 Massachusetts Avenue, Congers, New York, since the proposed construction on the property has been abandoned;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$174.00 to Mrs. Christine Bordas, as the permit was never issued due to a court challenge and the applicant withdrew her application.

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. (319-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Resolution No. 263-2001 adopted on March 27, 2001 which

RESOLUTION NO. (319-2001) continued

authorized the installation of a "No Left Turn" sign on Lake Road, Valley Cottage is hereby rescinded at the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant in his report dated April 16, 2001, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 17, 2001.

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. (320-2001)

Co. Maloney offered and Co. Lasker seconded

Whereas, the Town Board of the Town of Clarkstown has previously authorized the Department of Environmental Control to lease equipment with operators from Environmental Construction, Inc. of Stony Point, New York on a lump sum basis to perform work on Tena Place in Valley Cottage as part of the Tropical Storm Floyd Rebuilding Program (FEMA PW #416), by Resolution No. 195-2001, and

Whereas, said work was performed under the direct supervision of the Department of Environmental Control with all materials supplied by the Town of Clarkstown, and

Whereas, the existing storm drain line was found to be made up of different sizes and types of pipe of insufficient capacity to handle the volume of runoff; and

Whereas, the existing storm drain line was found to be improperly aligned between the existing drainage structures; and

Whereas, correction of these unforeseen conditions resulted in a significant change in the scope of the project, to wit, relocation of the affected storm drain line, installation of a new manhole, reconstruction of an existing catch basin and other work associated with these operations; and

Whereas, the costs associated with this additional work were not included in the original proposal from Environmental Construction Inc. for this project, and

Whereas, the Department of Environmental Control negotiated a price with Environmental Construction, Inc. to extend the existing lease agreement to provide additional equipment and operators sufficient for the Town personnel to supervise completion of the project,

Now, Therefore, Be It Resolved that Resolution No. 195-2001 be amended to reflect the amount authorized for this project to be increased to ~~\$30,615.00~~; and

Be It Further Resolved that this shall continue to be a proper charge to account number H 8748 409 0 72-1.

RESOLUTION NO. (320-2001) 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. (321-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #233-2001 authorized corrective drainage work in connection with the Tropical Storm Floyd Rebuilding Program at Pascack Road @ Blue Heron Drive, Nanuet, New York, and

WHEREAS, the amount allocated for funding by the Federal Emergency Management Agency (FEMA), \$21,139.50 is not sufficient to cover the cost of the work.

NOW, THEREFORE, BE IT

RESOLVED, that the amount for the corrective work be increased by \$1,760.50 for a total amount not to exceed \$22,900.00 and shall be a proper charge to account H 8748 409 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. (322-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #234-2001 authorized corrective drainage work in connection with the Tropical Storm Floyd Rebuilding Program at Pascack Road @ Culvert #305, Nanuet, New York, and

WHEREAS, the intended location for the corrective work was PW #311, Pascack Road @ Culvert #293, Nanuet, New York, and

WHEREAS, the amount allocated for funding by the Federal Emergency Management Agency (FEMA), \$11,995.00 is not sufficient to cover the cost of the work.

NOW, THEREFORE, BE IT

RESOLVED, that the location for the corrective drainage work is hereby corrected to PW #311, Pascack Road @ Culvert #293, Nanuet, New York, and

BE IT FURTHER RESOLVED, that the amount for the corrective work shall be increased by \$1,635.00 for a total amount not to exceed \$13,630.00 and shall be a proper charge to account H 8748 409 72 1.

RESOLUTION NO. (322-2001) 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. (323-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #235-2001 authorized corrective drainage work in connection with the Tropical Storm Floyd Rebuilding Program at Forman Road @ Culvert #292, Nanuet, New York, and

WHEREAS, the amount allocated for funding by the Federal Emergency Management Agency (FEMA), \$14,190.00 is not sufficient to cover the cost of the work.

NOW, THEREFORE, BE IT

RESOLVED, that the amount for the corrective work be increased by \$8,032.00 for a total amount not to exceed \$22,222.00 and shall be a proper charge to account H 8748 409 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. (324-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #236-2001 authorized corrective drainage work in connection with the Tropical Storm Floyd Rebuilding Program at Pascack Road @ Culvert #307, Nanuet, New York, and

WHEREAS, the intended location for the corrective work was PW #302, Pascack Road @ Culvert #307, Nanuet, New York, and

WHEREAS, the amount allocated for funding by the Federal Emergency Management Agency (FEMA), \$5,085.50, and

WHEREAS, the actual cost to perform the corrective work was \$4,200.00.

NOW, THEREFORE, BE IT

RESOLVED, that the location for the corrective drainage work is hereby corrected to PW #302, Pascack Road @ Culvert #307, Nanuet, New York, and

BE IT FURTHER RESOLVED, that the amount for the corrective work shall be corrected to \$4,200.00 and shall be a proper charge to account H 8748 409 72 1.

RESOLUTION NO. (324-2001) 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. (325-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #237-2001 authorized corrective drainage work in connection with the Tropical Storm Floyd Rebuilding Program at Pascack Road @ Culvert #305, Nanuet, New York, and

WHEREAS, the amount allocated for funding by the Federal Emergency Management Agency (FEMA), \$7,288.50, and

WHEREAS, the actual cost of to perform the corrective drainage work was \$6,760.00.

NOW, THEREFORE, BE IT

RESOLVED, that the amount for the corrective work shall be corrected to \$6,760.00 and shall be a proper charge to account H 8748 409 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. (326-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town performed drainage improvement work per Resolution 466-1997 "Adele Road Drainage Improvements" and shrubs were removed along the property line of 27 Theresa Drive to perform improvements; and,

WHEREAS, it is necessary that these shrubs be replaced; and,

WHEREAS, the Director of the Department of Environmental Control has obtained competitive proposals to perform said landscaping work and, of these, the proposal from Coral Acres Nursery, 189 Strawtown Road, New City, New York is for the lowest amount;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to hire Coral Acres Nursery, 189 Strawtown Road, New City, New York to perform the necessary work in accordance with the requirements of the Department of Environmental Control; and

RESOLUTION NO. (326-2001) continued

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed \$600.00 and shall be a proper charge of H 7128 409 055 29

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. (327-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Councilwoman Shirley Lasker has proposed that a member of the Town Board become a member of the Main Street Network, which provides resources for revitalizing traditional downtown and neighborhood commercial districts;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Councilwoman Shirley Lasker to enroll as a member of the Main Street Network, and be it

FURTHER RESOLVED, that the membership fee of \$195.00 shall be charged to Account No. A 1010-423.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (328-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Councilwoman Shirley Lasker has proposed that a member of the Town Board become affiliated with the National Trust for Historic Preservation, to facilitate acquisition of information pertinent to local historic preservation efforts;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Councilwoman Shirley Lasker to enroll as a member of the National Trust for Historic Preservation, and be it

FURTHER RESOLVED, that the membership fee of \$20.00 shall be charged to Account No. A 1010-423.

RESOLUTION NO. (328-2001) 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. (329-2001)

Co. Maloney offered and Co. Lasker seconded

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

ENVIRONMENTAL CONSTRUCTION, INC.  
 73 Route 210  
 Stony Point, NY 10980  
 Susan Ramos, President

DANNY CLAPP LAWN & LANDSCAPING, INC.  
 59 Schriever Lane  
 New City, NY 10956  
 Daniel Clapp, President

RESOLVED, that the following Certificates of Registration be issued:

- No. 01-18 ENVIRONMENTAL CONSTRUCTION, INC.
- No. 01-23 DANNY CLAPP LAWN & LANDSCAPING, INC.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (330-2001)

Co. Maloney offered and Co. Lasker seconded

Whereas, an adverse drainage condition exists in the vicinity of #73 Buena Vista Road (now or formerly Quinn) in New City; and

Whereas, the Superintendent of Highways has requested the Department of Environmental Control to perform an inspection and recommend a course of action to alleviate said condition; and

Whereas, the Department of Environmental Control has forwarded recommendations to the Highway Department to perform corrective drainage work on lots 42.12-2-53, 42.12-2-54 and 42.12-2-55 (formerly 169-A-15.6, 169-A-16.2 and 169-A-16.0101) as shown on the current tax map of the Town of Clarkstown;

RESOLUTION NO. (330-2001) continued

Now, Therefore, Be It Resolved that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to have corrective drainage work performed on the above-designated lots in accordance with the recommendations prepared by the Department of Environmental Control; and

Be It Further Resolved that the Superintendent of Highways shall obtain any agreements necessary to perform these improvements from the owners of record of the above-designated lots.

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. (331-2001)

Co. Maloney offered and Co. Lasker seconded

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

A Guide rail along the property front of Number 9 Lexington Road, New City, NY

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. (332-2001)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, SNAKE HILL CORPORATION has petitioned the Town Board seeking a special permit to operate a recycling facility in an M zone, pursuant to Section 290-17R of the Zoning Local Law of the Town of Clarkstown, at property located on Snake Hill Road, West Nyack, New York 10994, known and designated on the Clarkstown Tax Map as 59.13-1-31 (formerly 90-A-7.1), and

WHEREAS, the petition has received the informal review of the Clarkstown Planning Board and the Technical Advisory Committee;

NOW, THEREFORE, be it

RESOLUTION NO. (332-2001) continued

RESOLVED, that a public hearing, pursuant to Section 264 and 265 of the Town Law, shall be held at the Town of Clarkstown Auditorium, 10 Maple Avenue, New City, Rockland County, New York, on May 22, 2001, at 8:00 p.m., or as soon thereafter as possible, relative to said application, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing, and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid, and file proof thereof in the office of the Town Clerk, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning pursuant to Sections 239-L and 239-M of the General Municipal Law for report, and the Clarkstown Planning Board for its formal review and recommendations, and be it

FURTHER RESOLVED, that 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 K. Luke Kalarickal, P.E., Director of Environmental Control, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

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. (333-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, based on the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the Bid #16-2001, Arts & Craft Supplies is hereby awarded to the following low bidders who have met the specifications:

1. B & B CRAFTS, INC., 175 Allen Blvd., Farmingdale, NY 11735  
(516) 420-4220 -Principals: Daniel Benson & Marsha Benson  
For items # 12, 21, 27, 52, 61, 87, 88, 89, 90, 91, 92, 100, 172, 191, 250, 252A, 254, 262, 276, 288, 298, 313, 354, 359, 363, 368, 369, 379, 380, 389, 413, 420, 431, 439, 444, 445, 448, 451A, 453, 458, 462, 465, 480, 483, 484, 495, 501, 505, 508, 510, 513, 515, 516, 517, 518, 526, 528, 529, 531, 534, 541, 542, 543, 544, 545, 546, 548, 559, 566, 570, 585, 586, 587, 591, 598, as per specifications at a net bid price of \$3,127.50.
2. CERAMIC SUPPLY OF NEW JERSEY, 7 Route 46, West Lodi, NJ 07644 -  
(201) 340-3005 – Principals: Miriam Vogelmann, Irwin Vogelmann & Judy Noe  
For items #620, 621, 621A, 622, 626, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 648A, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, at a net bid price of \$999.82
3. CREATIVE CRAFTS INTERNATIONAL, 16 Plains Rd., Essex, CN 06426 -  
(203) 767-2101 - Principals: Paul Siegel and Henry Siegel  
For items # 7, 36, 114, 154, 269, 286, 287, 290, 292, 293, 294, 295, 297, 307, 352, 395, 398, 401, 403, 404, 411, 414, 423, 469, 471, 519, 535, 606, 608, 614 as per specifications at a net price of \$1,308.63.

RESOLUTION NO. (333-2001) continued

4. ECONOMY HANDICRAFTS, 50-21 69th Street, Woodside, NY 11377 -  
 (718) 426-1600 - Principals: Laurie Korobkin & David Korobkin.  
 For items # 68, 72, 74, 78, 86, 93, 108, 132, 158, 164, 178, 195, 218, 219, 236, 278, 291,  
 299, 314, 351, 367, 371, 372, 378, 407, 424, 428, 430, 434, 435, 455, 456, 457, 459,  
 459A, 460, 468, 474, 478, 481, 486, 488, 492, 520, 523, 554, 555, 557, 558, 560, 593,  
 597, 602, 618, as per specifications at a net price of \$2,868.87.

5. J & A HANDY-CRAFTS, INC. 165 S. Pennsylvania Ave., Lindenhurst, NY  
 11757 (516)226-2400 - Principals: Paul Siegelman, Joanne Siegelman.  
 For items # 3, 6, 10, 14, 16, 56, 69, 77, 96, 99, 109, 110, 117, 130, 146, 170, 233, 251,  
 256, 260, 265, 277, 280, 305, 308, 312, 350, 355, 357, 358, 364, 385, 386, 436, 441, 442,  
 461, 463, 466, 479, 504, 506, 507, 509, 522, 549, 550, 561, 562, 563, 564, 565, 569, 571,  
 572, 582, 583, 594, 595, 596, 609, 610, 611, as per specifications at a net bid price of  
 \$3,981.50

6. SCHOOL SPECIALTY, 129 M. Gaither Dr., Mt. Laurel, NJ 08054. (1-800) 305-  
 0174 For items #2, 4, 5, 9, 17, 18, 19, 23, 28, 29, 33, 35, 37, 39, 41, 42, 44, 45, 47, 48,  
 53, 54, 57, 59, 60, 73, 75, 76, 82, 83, 84, 85, 95, 98, 101, 102, 103, 104, 105, 111, 112,  
 113, 115, 119, 121, 122, 125, 127, 128, 133, 135, 136, 138, 140, 143, 147, 148, 149, 150,  
 151, 152, 153, 157, 159, 161, 162, 166, 168, 169, 181, 182, 183, 184, 185, 186, 189, 190,  
 192, 193, 194, 196, 197, 198, 200, 202, 204, 205, 206, 207, 210, 211, 212, 215, 216, 220,  
 223, 224, 226, 227, 228, 229, 230, 231, 232, 246, 271, 279, 281, 282, 283, 301, 304, 309,  
 310, 311, 316, 317, 318, 319, 320, 321, 322, 327, 332, 333, 334, 335, 339, 341, 348, 375,  
 381, 383, 396, 417, 422, 426, 432, 451, 475, 514, 524, 525, 551, 573, 574, 576, 577, 578,  
 588, 589, 590, 605, 615, 623, 624, 625, 627, as per specifications at a net bid price of  
 \$5,700.80.

7. S & S ARTS & CRAFTS, 17 Mill St., Colchester, CT. 06415 - (1-800) 243-9232  
 Principal: Stephen Schwartz. For items #1, 8, 11, 13, 15, 20, 22, 24, 30, 31, 32,  
 34, 40, 46, 49, 50, 51, 55, 58, 62, 63, 64, 65, 66, 67, 70, 71, 79, 80, 81, 94, 106, 107, 116,  
 118, 120, 123, 124, 126, 129, 131, 134, 137, 139, 141, 142, 144, 145, 155, 156, 160, 163,  
 165, 167, 171, 173, 174, 175, 176, 177, 180, 187, 188, 199, 201, 203, 208, 209, 213, 214,  
 217, 221, 222, 234, 235, 237, 238, 239, 240, 241, 242, 243, 244, 245, 247, 248, 249, 253,  
 255, 257, 258, 259, 261, 263, 264, 266, 268, 270, 272, 273, 274, 275, 284, 285, 289, 300,  
 302, 303, 306, 323, 324, 326, 328, 329, 330, 331, 336, 337, 338, 340, 342, 343, 345, 346,  
 347, 349, 353, 356, 360, 361, 362, 365, 366, 370, 373, 374, 376, 377, 382, 384, 387, 388,  
 390, 391, 392, 393, 394, 397, 399, 400, 402, 405, 406, 409, 410, 412, 415, 416, 418, 419,  
 421, 425, 427, 429, 433, 437, 440, 443, 447, 449, 450, 452, 454, 464, 467, 472, 473, 476,  
 477, 482, 485, 487, 489, 490, 491, 493, 494, 496, 497, 498, 499, 500, 502, 503, 511, 512,  
 521, 527, 530, 532, 533, 536, 537, 538, 539, 540, 547, 552, 553, 556, 568, 579, 580, 581,  
 592, 599, 600, 601, 603, 604, 607, 612, 617, 619, as per specifications at a net bid price  
 of \$8,673.03.

Gross Total of all items: \$26,660.15,

and be it

FURTHER RESOLVED, that this amount be charged against accounts:

7310 - 329	\$ 14,121.71
7141 - 329	\$ 8,725.42
7610 - 329	\$ 3,813.02

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. (334-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board is desirous of implementing the Mosquito Control Program for the purpose of applying larvicide in designated areas of standing water in the Town of Clarkstown for 2001; and

WHEREAS, the Director of Purchasing has authorized and obtained competitive bids based on specifications prepared by the Department of Environmental Control for said program; and

WHEREAS, the Department of Environmental Control has reviewed said competitive bids for conformity to said specifications;

NOW, THEREFORE, BE IT RESOLVED that, based upon the recommendation of the Director of the Department of Environmental Control, the Town Board hereby awards the contract for

Bid #27-2001 Mosquito Control Program

to:

Danny Clapp Landscaping, Inc.  
59 Schreiver Lane  
New City, New York 10956

as per their low bid proposal of \$220.00 per acre; and

BE IT FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of all submittals required in accordance with the contract specifications.

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. (335-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #33-2001 – RE-STRIPING OF TOWN OF CLARKSTOWN  
COMMUTER PARKING LOTS

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. (P.M.) on TO BE DETERMINED at which time bids will be opened and read, and be it

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

RESOLUTION NO. (335-2001) 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. (336-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #34-2001 – 2001 CONCRETE CURB & SIDEWALK REPLACEMENT PROGRAM

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. (P.M.) on TO BE DETERMINED at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (337-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #35-2001 – 2001 ROADWAY RESURFACING PROGRAM

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. (P.M.) on TO BE DETERMINED at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (338-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #36-2001 -CONSTRUCTION OF A PARKING LOT EXTENSION - ROUTE 59 - NANUET

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M.) (P.M.) on TO BE DETERMINED at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (339-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #37-2001 - JERRY'S AVENUE DRAINAGE

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: TO BE DETERMINED at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (340-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #38-2001 - SOUTH CRANFORD ROAD DRAINAGE

RESOLUTION NO. (340-2001) continued

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: TO BE DETERMINED at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (341-2001)

Co. Maloney offered and Co. Lasker seconded

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

BID #39-2001 - NJ1-12-3-1 STREAM IMPROVEMENTS

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: TO BE DETERMINED at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (342-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, adverse drainage conditions exist in certain municipal storm drain lines at various locations throughout the Town of Clarkstown, and

WHEREAS, video inspection of the affected storm drain lines is necessary in order to determine the required corrective action, and

WHEREAS, the Department of Environmental Control has obtained a proposal to perform the video inspection of the affected storm drain lines on a daily basis, and

WHEREAS, it is anticipated that video inspections will be completed in approximately five (5) working days.

RESOLUTION NO. (342-2001) continued

NOW, THEREFORE, BE IT

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

General Sewer Service  
P.O. Box 81  
Hackensack, New Jersey 07602

To perform the video inspections in accordance with their proposal dated April 19, 2001, for a daily rate of \$900.00, and

BE IT FURTHER RESOLVED, that the cost for the work shall not exceed \$4,500.00 and shall be a proper charge to account H 8751 409 0 75 6.

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. (343-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, TILCON MINERALS, INC. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as 35.10-2-1 (formerly known as 98-A-9.1) and 35.10-2-2 (formerly known as 115-A-5) for the year(s) 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 Scott Shedler 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

\*\*\*\*\*

RESOLUTION NO. (344-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, an adverse drainage condition exists in the vicinity of 95 Maple Avenue, New City, New York, and

RESOLUTION NO. (344-2001) continued

WHEREAS, the Department of Environmental Control has investigated the problem and recommended the installation of an additional catch basin, and

WHEREAS, the Department of Environmental Control has obtained proposals to perform the corrective drainage work.

NOW, THEREFORE, BE IT

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

Environmental Construction, Inc.  
P.O. Box 563  
Stony Point, New York 10980

To perform the corrective drainage work in accordance with their proposal dated April 19, 2001, and

BE IT FURTHER RESOLVED, that the cost for the work shall not exceed \$6,599.00 and shall be a proper charge to account H 8736 409 0 67 7.

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. (345-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Johnny L. Jemison, 18 S. Route 303, Congers, New York, to the position of (Provisional) Custodian II – Parks Board and Recreation Commission – at the current annual salary of \$44,604., effective and retroactive to April 9, 2001.

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. (346-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has Furnished Certification of Eligibles #01116 Principal Clerk Typist (NCP/T&E) which contains the name of Carol O'Boyle

RESOLUTION NO. (346-2001) continued

Now, therefore, be it

RESOLVED, that Carol O'Boyle, 38 Beechwood Drive, Congers, New York is hereby appointed to the position of Principal Clerk Typist – Department of Environmental Control – at the current annual salary of \$44,604., effective and retroactive to April 16, 2001.

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. (347-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the resignation of Teresa A. Fortier, 3 Maplewood Lane, New City, New York – (Seasonal) Clerk Typist – Receiver of Taxes – is hereby accepted – effective and retroactive to March 30, 2001 – at the close of the business day.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (348-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that Joseph Maggino, 3 Esquire Road, New City, New York, is hereby reappointed to the position of (Temporary) Transfer Station Monitor – Solid Waste Facility – at the current annual salary of \$28,463., effective May 2, 2001 – for a period not to exceed 30 days.

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. (349-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION NO. (349-2001) continued

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Jeffrey J. Signorile, 347 Country Club Lane, Pomona, New York, to the position of Motor Equipment Operator I – Town of Clarkstown Highway Department – at the current 2001 salary of \$34,506., effective and retroactive to March 26, 2001.

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. (350-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Thomas J. Rickli, 51 Basswood Court, Bardonia, New York to the position of Motor Equipment Operator I – Town of Clarkstown Highway Department – at the current 2001 salary of \$34,506., effective and retroactive to March 26, 2001.

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. (351-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Peter J. Cook, 53 Endicott Street, Congers, New York, to the position of Motor Equipment Operator I – Town of Clarkstown Highway Department – at the current 2001 salary of \$33,055. effective and retroactive to March 26, 2001.

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. (352-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on March 30, 2001 that the position of Assistant Automotive Mechanic – Town Highway Department – can be created,

Now, therefore, be it

RESOLVED, that the position of Assistant Automotive Mechanic – Town Highway Department – is hereby created – effective April 25, 2001.

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. (353-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Mark A. Mondelli, 6 Durant Road, New City, New York, to the position of Assistant Automotive Mechanic – Town Highway Department –at the current annual salary of \$36,071, effective April 30, 2001.

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. (354-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the resignation (by retirement) of John Burgio, 20 Oak Street, Congers, New York – Motor Equipment Operator II – Town of Clarkstown Highway Department – is hereby accepted – effective and retroactive to April 1, 2001.

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. (355-2001) (FAILED)

Supervisor Holbrook offered and Co. Lasker seconded

RESOLVED, that Edwin J. Day, 2 Capral Lane, New City, New York is hereby appointed to the position of Member – Planning Board – (to fill the un-expired term of William Nest), at the current annual salary of \$5,665.00, term effective April 24, 2001 and to expire on February 1, 2004..

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (356-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Catherine M. Nowicki, 149 Middletown Road, Nanuet, New York is hereby appointed to the position of Member – Planning Board – (to fill the un-expired term of William Nest), at the current annual salary of \$5,665.00, term effective April 24, 2001 and to expire on February 1, 2004.

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. (357-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Robert Stritmater, Director of Automated Systems, has advised that certain old computer and office equipment without salvage value can be disposed of by using the services of Rochester Computer Recycling and Recovery, LLC, pursuant to New York State Contract No. OGSC402;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby declares said computer and office equipment, as described on Schedule "A," which is on file in the Town Clerk's Office, as surplus property having no salvage value, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes Robert Stritmater, Director of Automated Systems, to dispose of said surplus equipment, and grants permission to use Rochester Computer Recycling and Recovery, LLC, pursuant to New York State Contract No. OGSC402, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$1,888.40, and shall be charged to Account No. A 1680-409.

RESOLUTION NO. (357-2001) 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. (358-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby amends Resolution No. 45-2001, adopted by the Town Board on January 9, 2001, to read as follows:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Rev. David Lothrop, in a form satisfactory to the Town Attorney, whereby Rev. Lothrop agrees to provide spiritual counseling services to the Clarkstown Police Department as the Police Chaplain, for the period from January 1, 2001 to December 31, 2001, and be it

FURTHER RESOLVED, that the agreement may be renewed on January 1st of each year for a period of up to one year with the approval of the Police Commission and the Town Board, and be it

FURTHER RESOLVED, that the 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, and be it

FURTHER RESOLVED, that the fee for said services shall be \$1,500 per year, plus reimbursement not to exceed \$232.00 for the annual premium for required insurance coverage, and shall be charged to Account No. A 3120-409, and be it

FURTHER RESOLVED, that payments shall be paid on a quarterly basis.

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. (359-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 1014-2000 adopted on December 27, 2000 which authorized the installation of a "Dead End" sign on Worthington Court at Elrod Drive, West Nyack, is hereby rescinded at the recommendation of the Clarkstown Traffic and Traffic Fire Safety Advisory Board in their letter dated April 21, 2001.

On roll call the vote was as follows:

RESOLUTION NO. (359-2001) continued

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

\*\*\*\*\*

RESOLUTION NO. (360-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, John Coyle Safety Manager, recommends the hiring of HARRY BAKER & ASSOCIATES (HBA), in accordance with its proposal dated April 21, 2001, to provide a sight distance/safety analysis of property known as 64.8-1-8 (formerly known as 71-C-42.2);

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with HARRY BAKER & ASSOCIATES (HBA), in a form approved by the Town Attorney, to provide a sight distance/safety analysis of property at 61 Demarest Avenue, West Nyack, New York, more particularly known as 64.8-1-8 (formerly known as 71-C-42.2), and be it

FURTHER RESOLVED, that the cost for said services shall not exceed the sum of \$50.00 per hour for a total of not more than six (6) hours, which be charged to Account No. A 3010-409.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (361-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes John Coyle, Safety Manager, to attend a conference being conducted by PERMA, which will be held on May 17-18, 2001, at Lake George, New York, and be it

FURTHER RESOLVED, that the cost of the conference will be borne by PERMA, and the cost for travel shall be paid by the Town, and shall 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. (362-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Ronald Tarigo, 5 Cross Creek Lane, Stony Point, New York – Highway Maintenance Supervisor I – Highway Department – is hereby accepted – effective and retroactive to April 21, 2001.

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. (363-2001)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on April 24, 2001 that the position of Personnel Administrator – Personnel Office – can be created,

Now, therefore, be it

RESOLVED, that the position of Personnel Administrator – Personnel Office – is hereby created – effective April 25, 2001.

On roll call the vote was as follows:

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

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RESOLUTION NO. (364-2001)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Mary G. Loeffler, 15 Oak Road, New City, New York, is hereby appointed to the position of (Provisional) Personnel Administrator – Personnel Office – at the current salary of \$75,563., effective April 25, 2001.

On roll call the vote was as follows:

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

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RESOLUTION NO. (365-2001)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Ann Daino, 15 Fersch Lane, Congers, New York, is hereby appointed to the position of (Temporary) Senior Clerk Typist – Receiver of Taxes Office – at the current annual salary of \$34,506., effective date pending Rockland County Personnel Office approval.

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. (366-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its crime intelligence gathering and drug law enforcement activities, and

WHEREAS, the Town of Clarkstown wishes to provide the Rockland County Joint Intelligence Task Force with two members of its Police Department for crime fighting activities, and

WHEREAS, the County of Rockland has appropriated funds for the purpose of reimbursement of compensation for two Clarkstown Police Officers and for reimbursement of overtime expenses for said law enforcement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, to accept financial assistance for the purpose of reimbursement of compensation for two Clarkstown Police Officers assigned to the Rockland County Joint Intelligence Task Force, in a sum not to exceed \$65,000.00 per officer, and for reimbursement of overtime expenses not to exceed \$10,000.00, for the period ending December 31, 2001.

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. (367-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways that

RESOLUTION NO. (367-2001) continued

BID #30-2001 - FOUR (4) SELF PROPELLED, ARTICULATED VIBRATORY PAVEMENT ROLLERS WITH TRAILER AND RAMPS

is hereby awarded as follows:

Rollers awarded to: STILLWELL EQUIPMENT CORP.  
233 TARRYTOWN ROAD  
ELMSFORD, NY 10523  
PRINCIPALS: ROBERT CONFORTI  
VINCENT CONFORTI  
WILLIAM CONFORTI

Offering stone manufacturing model wolfpac 3100 at the cost of \$10,149 each

Trailer/Ramps awarded to: ADMAR SUPPLY CO.  
1950 BRIGHTON-HENRIETTA TOWNLINE ROAD  
ROCHESTER, NY 14623

Offering cam trailer model 3 cam 12SP at the cost of \$2,475 each

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. (368-2001)

Co. Maloney offered and Co. Mandia seconded

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

BID # 31-2001 - WASHED SAND & GRAVEL

is hereby awarded to: TILCON, NEW YORK  
162 OLD MILL ROAD  
WEST NYACK, NY 10994  
PRINCIPAL: A PUBLIC CORPORATION

E. TETZ & SONS  
299 CRYSTAL RUN ROAD  
MIDDLETOWN, NY 10941  
PRINCIPALS: DENISE STITT  
CORINNE TETZ  
ED TETZ, JR.  
GARY TETZ, SR.

WARD PAVEMENTS  
PO BOX 427  
GOSHEN, NY 10924  
PRINCIPALS: WILLIAM D. LEO  
JAMES B. LEO

RESOLUTION NO. (368-2001) continued

ISLIP BUSINESS CORP  
45 SOUTH 4<sup>TH</sup> STREET  
BAYSHORE, NY 11706  
PRINCIPAL: GEORGE HEINLEIN

as per the item/price schedule.

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. (369-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Town's Highway and Traffic Engineering Consultant that

BID #26-2001 - TRAFFIC SIGNAL RECONSTRUCTION  
MIDDLETOWN ROAD @ WEST CLARKSTOWN ROAD, NANUET

is hereby awarded to: VERDE ELECTRIC CORP.  
89 EDISON AVENUE  
MT. VERNON, NY 10550  
PRINCIPALS: GIULIO C. MONACO, JR.

as per their proposed low bid of \$28,982 and be it

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

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

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (370-2001)

Co. Mandia offered and Co. Maloney seconded

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

BID #40-2001 - REPAIR OF ELEVATOR IN OLD POLICE/COURT BUILDING - 10 MAPLE AVENUE

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: 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. (371-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby recommends to the Rockland County Legislature that it support the efforts of Gordon Wren, Director for the Rockland County Office of Fire and Emergency Services, to centralize 911 service for all communities in Rockland County.

On roll call the vote was as follows:

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

\*\*\*\*\*

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Smith and unanimously adopted the Town Board Meeting was closed, time 11:35 P.M.

Respectfully submitted,

*Kathleen Carleo*

KATHLEEN CARLEO  
Deputy Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

04/24/2001

8:15 P.M.

Present: Supervisor Holbrook  
Council Members Lasker, Maloney, Mandia & Smith  
John Costa, Town Attorney  
Kathleen Carleo, Deputy Town Clerk

Re: Proposed water main extension on Sheridan Ave and Wells Ave, Congers

---

On motion of Co Mandia, seconded by Co. Maloney and unanimously adopted, the Public Hearing was declared open. The Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor asked if there was anyone present wishing to be heard. No one appeared.

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, time 8:16 P.M.

Respectfully submitted,



KATHLEEN CARLEO  
Deputy Town Clerk

RESOLUTION NO. (293-2001) ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/24/2001

8:17 P.M.

Present: Supervisor Holbrook  
Council Members Lasker, Maloney, Mandia & Smith  
John Costa, Town Attorney  
Kathleen Carleo, Deputy Town

Re: Adoption of Local Law No. 3-2001 - Amendment to chapter 146 (Flood Damage Prevention) of the Town code of the Town of Clarkstown

On motion of Councilman Mandia, seconded by Councilwoman Lasker and unanimously adopted, the public hearing was declared open. Deputy Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Luke Kalarickal, Director of Environmental Control stated that basically there was a bench mark by FEMA and they are correcting that on the map. The only difference is the date on the map index. Everything else is the same.

Supervisor asked if there was anyone wishing to speak relative to this public hearing. No one appeared.

There being no one wishing to be heard, on motion of Councilman Mandia, seconded by Councilwoman Lasker and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:20 P.M.

Respectfully submitted,



KATHLEEN CARLEO,  
Deputy Town Clerk

RESOLUTION NO. (294-2001) ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/24/2001

8:21 P.M.

Present:                   Supervisor Holbrook  
                              Council Members Lasker, Maloney, Mandia & Smith  
                              John Costa, Town Attorney  
                              Kathleen Carleo, Deputy Town Clerk

Re: Proposed Local Law – Historical Road Preservation

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On motion of Councilman Mandia, seconded by Councilwoman Lasker and unanimously adopted, the public hearing was declared open,. Deputy Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor asked Marsha Coopersmith, Deputy Town Attorney to explain the law and the provisions thereof.

Marsha .Coopersmith respectfully offered to give the podium to the chair of the Historic Board, Robert Knight. Ms. Coopersmith had drafted this law in 1992 for the Town of Orangetown to preserve the historic characteristics of roads in the Town of Orangetown. Chairman Knight wanted to have a similar law drafted for the Town of Clarkstown.

Robert Knight, Chairman Historical Review Board, stated that this law is identical to the law Orangetown adopted about a decade ago. They have been very happy with it. He spoke with Jim Dean, Superintendent of Highways in Orangetown, and Mr. Dean has said that it has worked well. They have only designated one road in the ten years that they have had the ordinance. Basically, it protects some of the more historic roads from having their scenic, historic and aesthetic values destroyed by any road projects that might be undertaken for sewer or highway work. The basic thrust of it is if a historic road has a stone wall along the side of it, typically if some sort of work was done, digging a trench for a sewer line or widening it, the stone wall would be tossed away. This ordinance would require that it be rebuilt so that the eventual appearance of the road after an improvement is made is that it would appear as it did before. Rockland County is in the process of adopting a similar ordinance to cover County roads. This ordinance would cover roads owned by the Town of Clarkstown. It would essentially cover everything except State Highways.

Co. Mandia said that he was concerned about a couple of the roads on the possible list, Old Mill Road in Valley Cottage; So. Mountain Road in New City, etc. There have been some accidents on Old Mill Road. Remedial work has been done. On So. Mountain Road , we have had some flooding problems, landslides and accidents. We do what we can to fix those things. When declaring a road historic, does that prevent us from doing remedial work?

Mr. Knight responded, no. The only adverse effect it might have on a project is that it might slow it down slightly to go through a separate review process. The different agencies involved in giving that authority based on recommendations from the Historical Review Board allows for the work to be done. There would be certain guidelines set on how it would be done.

Supervisor stated that we got a memo from our Planning Board asking for a little more time to review this and it should be given to them. He suggested that after this particular public hearing, we recess it to the next Town Board Meeting.

Mr. Knight stated that he had been contacted by Howard Lampert to get input on guardrails on South Mountain Road because he wants to put up something that would be appropriate for the road.

Co. Lasker stated that she agreed with the law but is concerned about when you talk about the certificate of appropriateness it might slow down the process of emergency repair work given that the Review Board only meets twice a month.

Supervisor Holbrook asked if there was anyone present who wished to speak on this.

Appearance: Russel Trojan  
Clarkstown

In favor of historic road preservation and hopes in the future in Nanuet, that Old Middletown Road, Convent and Pascack can also be considered. Old Middletown and Convent have stone walls worthy of protecting and restoring. Safety improvements hopefully will be stimulated on some of these roads in advance of the historic preservation. I hope this will give a closer look at some of these roads in the process of historic preservation. Some of the roads that will be considered now and in the future have railroad grade crossings on them; Convent Road in Nanuet, Gilcrest Road, Kings Highway in Valley Cottage and Congers Road in Congers. The legislation should not be used to impede the elimination of railroad grade crossings. That should take priority over this legislation. If there is some way to modify this legislation to show that intent that if ever we can get the elimination of some of these railroad grade crossing, we shouldn't get bogged down in the historic road preservation program. It would be inappropriate to preserve the grade crossing at Gilcrest Road, it would be better in honor of the people we lost to have a bridge over that crossing. That is the only modification I would like to see in the legislation.

Appearance: John Lodico  
New City

When they come up against a law that is being proposed, probably 99% of the people here have not read it. I am not opposed to naming a road historically, however, if it has one iota of depriving a property owner of his right to develop the property on that road, change the color of the siding, that is what the Orangetown law says because they have an historical district and you can't put plastic siding on your house, etc., and if this is just going to be to name it because there is a stone wall, that really has no significance, but if there is one point in this proposed local law that takes away one item of a property owner's right to develop his property, I think you are taking away the basic element of private property ownership and the right to develop within their rights as a homeowner.

Appearance: Donald Tracey, Esq.  
25 Georgetown Oval

There is a problem in this local law, this does a lot more than just protect the road, it freezes the zoning, it prevents anything which in the opinion of the reviewing authority would impact on the character of the road, whether on the road or in what they define as the road corridor, it is restricted. My argument is one of due process, the notice requirement under this law provides it will be noticed for a Town Board hearing. It also provides in this law that if any portion of the road is designated as a historic road, the entire road from terminus to terminus is so designated. If you would picture that we have some 75,000 residents in Town who theoretically have notice of what is going on here tonight but actually don't have notice of what is going on here tonight, and one fellow down at one end of a 5 mile road comes in and make a petition before the Board to designate it historic, and it sails through and it's a good project, and then the fellow up at the other end of the road wants to put up 2 concrete pillars at the end of his driveway to make it aesthetically pleasing and light it up. He's told he can't, because he is on an historic road. Well, how did I get an historic road, what notice did I have? My suggestion is that rather than just the notice provision as contained in this law, that it be noticed at a Town Board meeting that the property owners on a road proposed for designation be given the same type of notification that property owners are required to receive for a zone change or a special permit application.

PH: Proposed LL: Historic Road Preservation  
4/24/01

Page 3

There being no one further wishing to be heard, on motion of Co. Smith seconded by Co. Maloney and unanimously adopted, the public hearing was declared recessed to the next Town Board Meeting, time: 8:35 PM.

Respectfully submitted,



KATHLEEN CARLEO  
Deputy Town Clerk

**TOWN OF CLARKSTOWN  
INFORMATIONAL MEETING**

Town Hall

4/24/01

8:35 PM

**Present:** Supervisor Charles E. Holbrook  
Council Members Lasker, Maloney, Mandia and Smith  
John Costa, Town Attorney  
Kathleen Carleo, Deputy Town Clerk

**RE: CRANFORD DRIVE FLOOD AMELIORATION PROJECT**

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Supervisor opened the information session of the Cranford Drive Flood Amelioration Project. He asked Ralph Lauria of the Department of Environmental Control to make a presentation relative to this project.

Ralph Lauria explained what the Town was proposing. The errors in flood insurance maps have been corrected and they now show there are a number of houses within the flood plain that weren't there when they were originally built. Town Board has hired a consultant to prepare plans for an amelioration project that will correct the situation. The intent is to realign and reconstruct the Demarest Kill from Old Rte 304 to the south end of Cranford Drive. The intent is to contain it within an existing Town drainage easement so that the 100 year flood can be contained within a channel within an easement and not cause flooding damage to the residents there. When that is completed the flood maps would be revised again and those properties that are within the flood plain would be removed from the flood plain. This project has all the necessary permits in place, Army Corp of Engineers permit, NYS DEC permit, it had a Rockland County drainage permit but due to time lapses it has expired and that is now back underway with the Rockland County Drainage Agency for an extension which we expect to get. Subsequent to that was a study by a private consultant that the Town hired, Rocky Powell who evaluated the existing conditions on the Demarest Kill and the plan the Town had prepared and he prepared a report and recommendations. He offered three alternatives that could be considered there. We gave a copy of that to our consultant, John Kozma, and we evaluated them and determined that given the constraints of what we have on Cranford Drive, we cannot accomplish what Mr. Powell has recommended. There were suggestions in the report to create retention areas, but there is not enough land available to create a pond big enough to retain that water. What the Town sees as the best course of action for everyone to take is to try to redefine the Demarest Kill to contain the 100 year flood within its banks.

**Appearance:** Geraldine Corletta  
13 River Rise Road

Asked what was proposed for River Rise Road, was it include in these plans. Presently, there is no creek in her backyard, there is a lot of debris there, it is becoming a dump area because the water can not come through. Asked when they would know when the project would be started. Asked about a meeting to be held on May 8 by the County Legislature.

Supervisor Holbrook stated that if the project goes forward, it would be included. The May 8 meeting held by the Legislature is more of a generic meeting about all sorts of issues.

**Appearance:** Jeff Schonbrun  
Bush Ct.

Feels people are not notified properly about these meetings. Asked what happened with the FEMA funds for this area. He also asked about the cost of the project.

Asked about the time frame for this project. Asked that the residents who are impacted be notified in a timely matter.

Supervisor Holbrook explained that we applied for funding but were unable to acquire it. Basically the project will be funded by the Town. The question before us today is do we move forward with this project. He asked Mr. Lauria to explain what happened with FEMA. As far as time frame, if the Town Board indicates from what the public says tonight to move forward with this, we then would attempt to get the County Drainage Agency to extend the permit and then we can be in a position to go out to bid. Basically what we are looking here for tonight if for the public to let us know what direction they want the Town to take.

Mr. Lauria explained what happened with the FEMA funds. He stated the cost of the entire project would be about \$2 million.

Appearance: Eric Wughalter  
Cranford Drive

There has only been 2 floods on Cranford Drive, one back in 1972 and the other during Hurricane Floyd. When the County cleaned up that riverbed the stream flowed like it never flowed before. You can clean up the bush and take out small trees, you change some of the route that the stream takes but you have three passageways at Old Rte 304, anything done before that point will result in a damn at that point. Thinks the project is unnecessary and will change the character of neighborhood. Afraid it will turn area into catch basin side property with metal wire basket, rodents, etc. His house is in the flood plain but he is not in favor of this project.

Appearance: Steven Segall  
41 Cranford Dr.

Supports this project. Disagreed with prior speaker about number of floods, his home has flooded 14 times in 7 years. This project will bring homes out of 100 year flood plan and increase the value of them. Spoke regarding a petition that was circulated which was not given to him or any of his neighbors. Feels this petition was underhanded. Spoke with Mr. Hill about the project and he felt the Town had exhausted every other possible alternative before coming to the conclusion that Mr. Kozma's proposed project had to go forward. There are many petitioners whose homes are not affected by the stream or by a loss of trees and they really have no axe to grind whatever. The stream affects a minority as opposed to a majority but those people who are affected and have to constantly worry about water and losing their possessions have to be supported.

Appearance: Gene Fleischer  
51 Cranford Drive

All of us who live on the southern portion of Cranford desire peace of mind and safety. He explained many of the problems on the southern portion of the creek which prevent water from flowing and cause flooding. Supports the project which will lower the flood plain. Also suggested a moratorium on construction along Demarest Kill.

Appearance: Robert Levy  
Cypress Street

Feels the Town wants to take his property. Looked at the situation very carefully before he bought his house. Doesn't feel people should not be helped just because they were not as astute as he was when they bought their house. Spoke about the possibility of his high ground being lowered and his trees being torn down. Doesn't think this plan reflects the whole picture. Spoke about due process, and proper notification by the Town.

Appearance: Bill McKinstry  
54 Cranford Drive

In favor of this project. There are other homes on Ridgefield and Bush that are affected. Roads can become impassable for emergency vehicles, spoke about safety issues. Recommends the Board strongly consider this project.

Appearance: Sharon Reiner  
7 Cranford Drive

Questioned why the county couldn't take over this tributary. If this is a storm sewer holding area, this needs to be addressed.

Appearance: Andrew Kimler  
34 Cypress Street

Asked for clarification about why the Town rejected Mr. Powell's recommendations. Agrees something must be done but feels there may be proposals that are less onerous than those being proposed by Mr. Kozma. Stated Mr. Kozma's project may create more problems. We need something done that will satisfy everyone.

Supervisor Holbrook stated that we are not averse to modifying or looking at some of the things in terms of impact on the vegetation if we can and that is where the County fits in and we can work with them.

Appearance: Bruce Gebhardt  
53 Cranford Drive

Supports the project. Asked who decides whether or not to go ahead with this project and what is the criteria that is going to be used for making the decision.

Supervisor Holbrook stated it was need and public benefit.

Co. Smith stated that the desire was to achieve what needs to be achieved at the least impact of destroying the area.

Appearance: Kenneth Rowan  
29 Cranford Drive

Town has not acted on past promises. Spoke about problems with culverts on Rte 304 with regard to silt removal. Asked why Mr. Powell's report was not provided to residents. Asked if taxes were going to go up and how the restoration will go. Is not sure this major correction is necessary, some intermediate steps can be taken.

Appearance: Ruth Wughalter  
21 Cranford Drive

She brought her property because of the property and nothing could replace what she has now. She despises this proposal and is adamantly opposed. People should not worry about property values, cited recent home sale on Cranford for \$519,000.

Appearance: Dan Steinberg  
45 Cranford Drive

We should act as a community and go through with this project. Tired of looking out the window every time it rains. Asked the Town Board for help.

Appearance: Phil Samuels  
56 Cranford Drive

Something has to be done; he is worried about the safety of his family.

Appearance: Diane Basso  
9 Bush Court

She is worried about her property value but also about the safety of her family. No one is asking for anyone's property to be destroyed we just want to rectify a difficult situation. She approves of the proposal.

Appearance: Jeff King  
12 Termekey Drive

Opposed to such and aggressive move to destroy property. Has asked to have Demarest Kill cleaned out but there is still a lot of debris there. Doesn't want sewer in his back yard.

Appearance: Barry Hoffman  
Bush Court

Stated that people needed help and he asked the Board to do that.

Appearance: Rita Vogel  
17 Termekey Drive

Choose her home because it was near a stream. Feels there is no clear information on what is being proposed. Enjoys the stream and wants to continue to protect the environment. Would like a resolution that is acceptable to all.

Appearance: Helen Yun  
5 Cranford Drive

She has sympathy for people getting flooded. Asked if cleaning out under bridge would relieve the problem. Is concerned about this happening again after the project is done. Doesn't feel we need such drastic measures.

Appearance: Sandy King  
12 Termekey Drive

Doesn't support proposal because past promises have not been kept. She likes the brook and feels there should be further discussion. Would like an explanation in consumer friendly language about what the other alternatives are. She doesn't understand what the engineers are talking about.

Appearance: Bart Silverman  
43 Cranford Drive

Doesn't agree that property values are unaffected, home only worth \$250,000 because of his flood insurance. He has lived through 16 floods and his family has lost many things. Thinks it is terrible that neighbors are concerned about trees rather than neighbors who are suffering.

Appearance: Angel Hernandez  
1 Bush Court

Worries every time it rains. Doesn't want to move, doesn't want kids to leave their friends, their school etc. The good of the whole must be considered, something has to be done.

Supervisor Holbrook stated that there is a situation out there that needs to be addressed and we will try to do that in as surgical a way as we can. Submitted a resolution to the Board for consideration to request an extension of the permit from the Rockland County Drainage Agency so that we can proceed with this project, keeping in mind the concerns of the property owners that we do as much as we can to minimize any damages and that we take every measure possible to make proper restoration.

There being no one further wishing to be heard, the informational meeting was closed, time: 10:20 PM.

Respectfully submitted,



KATHLEEN CARLEO  
Deputy Town Clerk

RESOLUTION NO. 295-2001 ADOPTED