

TOWN OF CLARKSTOWN  
SPECIAL TOWN BOARD MEETING

Town Hall

6/5/2001

7:30 P.M.

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

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

Co Mandia stated that he and Councilwoman Lasker were at the opening of the Barn at St. Agatha's. They accepted a plaque on behalf of the Town Board from the Children of Promise.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing Re: Proposed Local Law: "Amendment to Chapter 117 (Circuses and Carnivals)" was opened, time: 7:35 PM.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing Re: Proposed Local Law: "Amendment to Chapter 117 (Circuses and Carnivals)" was closed,, time: 8:44 PM.

\*\*\*\*\*

RESOLUTION NO. (465-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a proposed local law entitled,

"AMENDMENT TO CHAPTER 117 (CIRCUSES AND CARNIVALS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, TO AUTHORIZE THE BUILDING INSPECTOR TO ISSUE AN EXTENDED PERMIT TO THE BIG APPLE CIRCUS"

was introduced by Councilwoman Smith, at a Town Board meeting held on May 22, 2001, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 22, 2001, directed that a public hearing be held on June 5, at 7:30 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 May 27, 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 May 22, 2001, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June 5, 2001;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5 - 2001 entitled:

RESOLUTION NO. (465-2001 Continued)

**"AMENDMENT TO CHAPTER II7 (CIRCUSES AND CARNIVALS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, TO AUTHORIZE THE**

**BUILDING INSPECTOR TO ISSUE AN EXTENDED PERMIT TO THE BIG APPLE CIRCUS"**

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:

- Charles E. Holbrook, Supervisor . . . Yes
- John R. Maloney, Councilman . . . . . Yes
- Ralph F. Mandia, Councilman . . . . . Yes
- Ann Marie Smith, Councilwoman . . . . . Yes
- Shirley Lasker, Councilwoman . . . . . Yes

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. (466-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the placing of a full page advertisement for the Town of Clarkstown in the 2001 Rockland Community Guide Section of the *Journal News* on June 24, 2001, and be it

FURTHER RESOLVED, that the fee for such advertisement shall not exceed the sum of \$2470.00, which shall be a proper charge to Account No. A-6410-405.

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. (467-2001)

Co. Lasker offered and Co. Maloney seconded

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

WHEREAS, the Federal Emergency Management Agency (FEMA) has made funding available for this work, and

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

WHEREAS, the condition of the Svahn Drive culvert has deteriorated and must be immediately addressed.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to lease equipment with operators to perform the required work from

Calmart Enterprises  
357A Route 59  
West Nyack, New York

on daily basis, with all activities to be under the direct supervision of personnel from Clarkstown DEC, in accordance with its proposal for a daily rental cost of \$5,564.00 per 8 hour day, and

BE IT FURTHER RESOLVED, that the required work shall be completed within 2 (two) working days for a total cost not to exceed \$11,128.00, and

BE IT FURTHER RESOLVED, that all materials required to complete the required work shall be provided by the Town of Clarkstown, and

BE IT FURTHER RESOLVED, that only a lease agreement is contemplated and therefore all work will be performed under the direct supervision and control of the Department of Environmental Control, and

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

On roll call the vote was as follows:

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

\*\*\*\*\*

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Maloney seconded by Co. Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:40 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

6/5/2001

7:35 P.M.

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

RE: Proposed Local Law: "Amendment to Chapter 117 (Circuses and Carnivals) of the Clarkstown Town Code to Authorize Building Inspector to issue an Extended Permit To the Big Apple Circus"

---

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

John Costa, Town Attorney, explained that our present Town Code does not permit a permit to be issued for more than fourteen days. The event that would be affected by this change in the Local Law needs a permit for a longer period of time. This is a specific Local Law amending Chapter 117 to allow for an extra long permit.

Co. Mandia asked if this would permanently change the law. Mr. Costa replied, only for this one occasion for this one circus. It is for twenty-two days.

There being no one wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:39 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

RESOLUTION NO. (465-2001) adopted