

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/11/2001

8:00 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.

Supervisor Holbrook welcomed Mrs. Gnazzo, a teacher from Clarkstown North High School, and her Public Policy class. They are here to witness the Town Board Meeting.

Supervisor opened the public portion of the meeting.

Appearance: Russell Trojan
Clarkstown

Commended the Supervisor on his up-coming meeting regarding New Jersey Transit to try to find a safe means of crossing the railroad tracks in the Lawrence Street area. He asked the Town to explore the area of Drayton Ave. and the AAMCO Station on Route 59.

RESOLUTION NO. (933-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of November 27, 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

RESOLUTION NO. (934-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board meetings and the Town Board Workshop meetings, for the year 2002, shall be held at the Clarkstown Town Hall on Tuesday nights, except where noted, on the following days:

TOWN BOARD MEETINGS
8:00 P.M. - Auditorium

WORKSHOP MEETINGS
7:30 P.M. - Room 311

January 3 (Thursday-Organization)

January 15 - 22

RESOLUTION NO. (934-2001) continued

February 12 - 26	February 5
March 12	March 5 - 19
April 2 - 9 - 23	April 16
May 14 - 28	May 7 - 21
June 11 - 25	June 4 - 18
July 23	July 16
August 13	August 6
Sept. 10 - 24	Sept. 3 - 17
October 8 - 22	October 1 - 15
November 12 - 26	November 19
December 10 - 17	December 3

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. (935-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby reschedules the Town Board meeting of December 31, 2001 to December 28, 2001, at 12:00 noon, at the Clarkstown Town Hall Auditorium, 10 Maple Avenue, New City, 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

RESOLUTION NO. (936-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, WARD ASSOCIATES, P.C. has proposed to provide professional services for the design and coordination of a project to improve a certain recently acquired parcel of park property located in West Nyack to be known as the "West Nyack Hamlet Green," for a fee of 10% of the cost of construction, and has estimated that the construction costs of the project will be \$300,000.00, and

RESOLUTION NO. (936-2001) continued

WHEREAS, the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks have recommended acceptance of said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the proposal dated October 9, 2001, made by Ward Associates, P.C., for the design and coordination of the project to be known as "West Nyack Hamlet Green," at a fee not to exceed \$30,000.00, plus reimbursement expenses, without further authorization of the Town Board, and be it

FURTHER RESOLVED, that the professional services referred to herein shall be charged to H 8751-409-75-35.

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. (937-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Robert Stritmater, Directed of Automated Systems, has advised that the automatic fuel dispensing systems located at the Town Highway Department and the Town Hall are not compatible, and as a result not all Highway Department vehicles may refuel at the Town Hall location, and it has been recommended that the fuel dispensing system in use at the Highway Department be installed at Town Hall to make refueling of Town automobiles more efficient with the use of a single dispensing system, and

WHEREAS, a proposal has been obtained from RAPAC NETWORK INTERNATIONAL INC. to provide the hardware, software and installation services to update the fuel dispensing system at Town Hall at a negotiated price not to exceed \$12,500 including all software, hardware, installation, training, travel and accommodations, which has been recommended by Mr. Stritmater;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept the proposal of RAPAC NETWORK INTERNATIONAL INC. for the installation of the RNI Card Fuel Management System which is compatible with the system in use at the Town Highway Department, to be located at Town Hall, New City, New York, for a price not to exceed \$12,500 inclusive of all charges related to installation of said system and same to be charged to Account No. H 8751-409-0-75-37.

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. (938-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Nelson Perez has constructed plantings, stone work and a fountain display on the right-of-way, which is located adjacent to 17 Flower Lane, Valley, Cottage, more particularly described as Map 52.14-3-3.6, and

WHEREAS, the Superintendent of Highways has advised that the encroachment may remain subject to a revocable license agreement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the property owner granting a license agreement terminable on 10 days written notice, to authorize plantings, stone work and a fountain display which have already been constructed, to be maintained in the Town's right-of-way, located adjacent to 17 Flower Lane, Valley, Cottage, more particularly described as Map 52.14-3-3.6, and be it

FURTHER RESOLVED, that such agreement shall also provide that Nelson Perez shall indemnify the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, arising out of the authorized encroachment.

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. (939-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands; and

WHEREAS, Michael Marinelli, Owner of Circle Collision Center, 1 Orchard Street, Nanuet, New York 10954, wishes to enter into an agreement for a two-year period commencing December 11, 2001 and terminating December 12, 2003, to adopt a segment of Prospect Street, from intersection of Main Street to Grandview Avenue, Nanuet, New York, 10954, and,

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Circle Collision Center, will perform a public service in removing trash from above roadways which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment and install signs identifying the volunteer group adopting said segment, and to provide and coordinate services by Circle Collision Center, to remove trash from the roadways.

RESOLUTION NO. (939-2001) 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. (940-2001)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

RONALD FILERA LANDSCAPE CONTRACTORS, INC.
 85 Red Schoolhouse Road
 Chestnut Ridge, NY 10977
 Ronald Filera, President

RESOLVED, that the following Certificate of Registration be issued:
No. 01-29 RONALD FILERA LANDSCAPE CONTRACTORS, 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. (941-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Joseph Donovan, employee of the Town of Clarkstown, has been named individually in an action known as RAYMOND A. DeFOREST III v. MICHAEL ARANEO, INC. & JOE DONOVAN, Supreme Court of the State of New York, Index No. 6286/01, and

WHEREAS, Joseph Donovan has requested defense and indemnification as provided in Section 18 of the Public Officers Law, and has advised that the action arose out of and during his performance of duties as a Town employee;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the defense and indemnification of Joseph Donovan, as a named public employee/defendant in accordance with and subject to Section 18 of the Public Officers Law.

On roll call the vote was as follows:

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

RESOLUTION NO. (942-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the channel located within the existing drainage easement between #15 and #17 Green Avenue, Valley Cottage is occluded to the point where it can no longer function resulting in an adverse drainage condition; and

WHEREAS, the Department of Environmental Control has recommended that the Highway Department clean the existing channel and restore its function thus alleviating said adverse drainage condition; and

WHEREAS, the Highway Department has informed the Department of Environmental Control that they are unable to perform the work and that they recommend that a private contractor be hired to do it; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) private contractors qualified to perform the work; and

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

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

MRJ Excavating, Inc.
7 Beaver Court, New City, New York 10956

to restore the channel in accordance with the plan prepared by the Department of Environmental Control as per their proposal for an amount not to exceed \$9,800.00; and be it

FURTHER RESOLVED that this shall be a proper charge to account #H 8751 409 0 75-36.

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. (943-2001)

Co. Smith offered and Co. Maloney seconded

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

BID # 5-2002
JANITORIAL & MAINTENANCE SUPPLIES
is hereby awarded to:

E.A. MORSE & CO.
11-25 HARDING STREET
MIDDLETOWN, NY 10940
PRINCIPALS: WINIFRED V. MORSE
CARL D. MORSE
EMERSON A. MORSE III
THOMAS S. MORSE

CLEANING SYSTEMS
44A LECOR LANE
PELHAM MANOR, NY 10803
PRINCIPALS: JAMES TRISTER
BARBARA TRISTER

RESOLUTION NO. (943-2001) continued

CENTRAL POLY CORP
18 DONALDSON PLACE
LINDEN, NJ 07036
PRINCIPALS: ANDREW HOFFER
 AGNES SERHOFER

as per the item/price schedule on file in the Town Clerk's Office.

On roll call the vote was as follows:

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

RESOLUTION NO. (944-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, THE CHASE MANHATTAN BANK, N.A. v. THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW, Index No(s). 3781/98, 4268/99, 4066/00 and 4298/01, affecting parcel(s) designated as Map 51.18, Block 3, Lot 43 (f/k/a 35-A-7.2), for the year(s) 1998/99, 1999/00, 2000/01 and 2001/02, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, the Senior Deputy Town Attorney of the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 51.18, Block 3, Lot 43 (f/k/a 35-A-7.2) be reduced for the year(s) 1999/00 from \$400,000 to \$364,200 at a cost to the Town of \$527.89;
2. Reimbursement for the year(s) 1999/00 on the parcel described as Map 51.18, Block 3, Lot 43 (f/k/a 35-A-7.2), as stated above, be made within (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;
3. The proceedings commenced by the petitioner respecting Map 51.18, Block 3, Lot 43 (f/k/a 35-A-7.2) be discontinued for the year(s) 1998/99, 2000/01 and 2001/02;
4. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

RESOLUTION NO. (944-2001) continued

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

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. (945-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Resolutions No. 844-2001 and No. 845-2001, adopted by the Town Board on October 23, 2001, indicated an intent to purchase premises known and described on the Clarkstown Tax Map as 34.8-1-8 (formerly 81-A-6) for Open Space in accordance with the recommendations of the Citizens Advisory Committee for Clarkstown for the Open Space Protection Initiative, and

WHEREAS, Robert Geneslaw, as Planning Consultant, was authorized to act as agent for the Town Board with respect to SEQRA review of the aforesaid property, and has filed his report indicating that the action under consideration is an unlisted item, that due consideration has been given to the environmental consequence of purchasing said land and that same shall not result in a negative environmental impact;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines that there will be no significant environmental impact with respect to acquisition of the property known and described on the Clarkstown Tax Map as 34.8-1-8 (formerly 81-A-6) for the purchase price of \$600,000 by accepting assignment of an option to purchase presently held by the The Trust for Pubic Land, and the Town Attorney is hereby authorized and directed to take all necessary steps to research title and complete the purchase, and be it

FURTHER RESOLVED, that the Town Comptroller is hereby authorized and directed to take all steps necessary to arrange for financing to complete this transaction no later than January 31, 2002.

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. (946-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

RESOLUTION NO. (946-2001) continued

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator,

NOW, THEREFORE, be it

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

Sequoia Drive, Valley Cottage
(Install one (1) 5800 lumen sodium vapor street light – existing utility pole number 60591/40905)

Congers road, New City
(Install one (1) 27500 lumen sodium vapor street light - existing utility pole number 59460/41806)
(Remove one (1) 16000 lumen sodium vapor street light - existing utility pole number 59872/41807)
(Install one (1) 27500 lumen sodium vapor street light - existing utility pole number 59872/41807)

FURTHER RESOLVED, that the installation of these municipal street lights shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery; which charge shall include maintenance of this street lighting equipment, will be at \$112.44 for the 5800 lumen sodium vapor fixture, and \$179.06 for the 27500 lumen sodium vapor fixture which shall be charged to Account No. SL 5182 461.

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. (947-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Town Board Resolution #648-2001 awarded Bid #39-2001; Stream NJ1-12-3-1 Improvements to Danny Clapp Landscaping, Inc.; and

WHEREAS, six change orders on contract have been approved to date by the Department of Environmental Control as follows:

- C.O. #1: change in the material used in approximately 400 linear feet of the open channel bed from topsoil to stone fill (rip-rap) due to ground water conditions encountered during construction Cost - \$23,500.00
- C.O. #2: removal of three (3) additional trees not included in the original plan found to be in conflict with the open channel improvements Cost - \$2,200.00
- C.O. #3: plantings and stair construction at #14 Courtney Drive (n/f Stoller) to allow resident access to the rear portion of their lot; negotiated with resident Cost - \$13,050.00
- C.O. #4: plantings at #16 Courtney Drive (n/f Pinto) creating "natural barrier" to improved channel; negotiated with resident Cost - \$3,400.00

RESOLUTION NO. (947-2001) continued

C.O. #5: remove and replace existing 24" diameter storm drain line running from Courtney Drive to the improved open channel (existing drainage easement through #18 Courtney Drive n/f Bernstein) not included in the original plan found to be in state of disrepair Cost - \$15,750.00

C.O. #6: Remove and replace existing 48" storm drain pipe running from Windmill Lane to the north limit of project within existing drainage easement due to unforeseen subsurface alignment problem Cost - \$31,770.00

NOW, THEREFORE, be It Resolved that the total approved costs of change orders for this project to date is \$89,670.00; and be it

FURTHER RESOLVED that the current allowance for this project be increased from the original bid amount of \$204,710.00 to \$294,380.00 to reflect the additional cost of the change orders; and be it

FURTHER RESOLVED that this shall be a proper charge to account #H 8751 409 0 75-15.

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. (948-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Philip J. Valenza, 3 Lt. Funcheon Drive, Stony Point, New York, Solid Waste Facility Attendant, Solid Waste Facility is hereby accepted, effective December 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. (949-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Jerome O'Connor, 4 Elyse Drive, New City, New York, Bus Driver, Mini Trans Department is hereby accepted, effective and retroactive to October 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. (950-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Lisa M. Kloenne, 1 Cavalry Drive East, New City, New York, Part-time Counselor, Clarkstown Counseling Center is hereby accepted., Effective and retroactive to November 20, 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. (951-2001)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on November 9, 2001 that the position of Senior Stenographer #0505 can be reclassified to the position of Senior Clerk Typist, Police Department.

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Stenographer #0505 is hereby reclassified to the position of Senior Clerk Typist.

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. (952-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Joan A. Derella, 93 South Conger Avenue, Congers, New York, Real Property Data Collector, Assessor Office is hereby accepted. Effective and retroactive to November 15, 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. (953-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Mary Charmaine Kurisko, 7 Florus Crum Court, Stony Point, New York is hereby appointed to the position of (Provisional) Real Property Data Collector, Assessor's Office at the current annual salary of \$27,805.00. Effective December 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. (954-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Nicholas Profenna, 3 Harold Street, Nanuet, New York, Highway Maintenance Supervisor I, Highway Department is hereby accepted. Effective December 22, 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. (955-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Louis J. Caglione, 26 Whitman Street, Congers, New York, Automotive Mechanic I, Body Repairer, Clarkstown Highway Department is hereby accepted. Effective December 29, 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. (956-2001)

Co. Lasker offered and Co. Smith seconded

WHEREAS, the Department of Environmental Control has received a complaint related to the channel running through an existing drainage easement at 252 New Hempstead Road in New City; and

WHEREAS, an inspection was performed by the Department of Environmental Control and the channel was found to be occluded with accumulated sediment from the outlet of the culvert on New Hempstead Road north for approximately 130 linear feet and that erosion of the west channel embankment was also evident at the culvert outlet; and

WHEREAS, a plan formulated by the Deputy Director of the Department of Environmental Control to remove the sediment and stabilize the west channel embankment was forwarded to the Highway Department for action; and

WHEREAS, the Highway Department has informed the Department of Environmental Control that they are unable to perform the work; and

WHEREAS, the Department of Environmental Control has solicited proposals from four (4) private contractors qualified to perform the work; and

WHEREAS, the Department of Environmental Control has reviewed the three (3) responses to its solicitation and found them to be acceptable;

NOW, THEREFORE, be it

RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain the services of

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

to restore the channel and stabilize the embankment in accordance with the plan prepared by the Department of Environmental Control as per their proposal for an amount not to exceed \$5,555.00; and be it

FURTHER RESOLVED that this shall be a proper charge to account #H 8751 409 0 75-38.

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. (957-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Kevin Ryan and Theresa Ryan are in the process of building, or have completed the installation of a rock wall along South Mountain Road, which is within the Town's right-of-way adjacent to 584 South Mountain Road, New City, New York, which premises is designated on the Tax Map as parcel 34.8-1-21 (formerly 81-B-1), and

WHEREAS, the Superintendent of Highways has advised that the encroachment can remain subject to a revocable license agreement that will require the removal of the encroachment should the Superintendent of Highways require such removal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the property owner granting a license agreement terminable on 10 days written notice, to authorize the rock wall which is or is to be constructed, to remain in the Town's right-of-way located adjacent to the above described premises, and be it

RESOLUTION NO. (957-2001) continued

FURTHER RESOLVED, that such agreement shall also provide that Kevin Ryan and Theresa Ryan shall indemnify the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, which may arise as a result of the encroachment.

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. (958-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Resolution No. 644-2001, adopted by the Town Board on August 14, 2001, the Town Board accepted the roads and improvements in the Scotland Hill Subdivision, identified as 63.11-1-3+ (f/k/a 4-A-11+), subject to certain conditions, and

WHEREAS, the lineal footage of Stonlea Court was incorrectly stated as 35 L.F., rather than 135 L.F.;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 644-2001 is hereby amended to correct the lineal footage of Stonlea Court to 135 L.F.

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. (959-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, improper use of the right-of-way at Route 304 and Ridge Road has created an unsafe condition resulting from vehicles offered for sale being parked within the State right-of-way, and

WHEREAS, this condition could be corrected by the installation of a guard rail;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests the New York State Department of Transportation to install a guard rail to protect the State right-of-way in the vicinity of Route 304 and Ridge Road, New City, New York, and be it

FURTHER RESOLVED, that the Superintendent of Highway is hereby authorized and directed to confer with State officials regarding the location and need for said guard rail.

RESOLUTION NO. (959-2001) 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. (960-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Jerry Gershon and Paul Pizzutello, Voting Machine Custodians, have advised that due to State regulations there is a need to purchase additional voting machines which may be obtained from a sole source vendor, and they have also requested an increase in their rate of compensation for custodial services with respect to maintaining the Town's voting machines from a rate of compensation of \$50.00 to \$60.00 per machine, and

WHEREAS, the Town Board is aware of the need to purchase additional voting machines, and believes the custodians request for additional compensation is reasonable;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized and directed to purchase four (4) additional voting machines with payment to be made from unencumbered funds in the current calendar year, and to plan for the purchase of additional machines in the year 2002, subject to all legal requirements for the purchase of same, and be it

FURTHER RESOLVED, that expenditures for voting machines to be purchased shall be charged to Account No. A 1450-219, and be it

FURTHER RESOLVED, that the Town Board agrees to consider the request for increased compensation at such time as the 2002 salary schedule is adopted in January 2002.

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. (961-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Clerk of the Works has reported that the windows in the now vacant portion of the Town Hall, 10 Maple Avenue, New City, New York, which formerly served as the location of the Justice Court and the Police Department are in need of replacement, and

RESOLUTION NO. (961-2001) continued

WHEREAS, the Town Board plans to renovate the space and to occupy same to met the increased office needs for Town government;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized and directed to solicit proposals and/or prepare bid specifications, as necessary, to purchase and install replacement windows for the original portion of Town Hall described herein, and be it

FURTHER RESOLVED, if public bidding is required for this purchase, publication of notice of bid should be made as soon as practicable.

On roll call the vote was as follows:

- Councilwoman LaskerYes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor HolbrookYes

RESOLUTION NO. (962-2001)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 918-2001 adopted by the Town Board on November 27, 2001, with respect to an inter-municipal agreement to purchase a Blue Bird bus from the County of Rockland, contained a clerical error, and is hereby RESCINDED.

On roll call the vote was as follows:

- Councilwoman LaskerYes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor HolbrookYes

RESOLUTION NO. (963-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a Town of Clarkstown Mini-Trans Blue Bird bus was damaged by casualty on August 15, 2001, and declared a total loss, and

WHEREAS, the County of Rockland has a surplus similar vehicle in inventory;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute an agreement with the County of Rockland, in a form approved by the Town Attorney, to purchase a surplus Blue Bird bus from the County of Rockland, and be it

FURTHER RESOLVED, that the purchase price of the Blue Bird bus shall not exceed the lesser of the reasonable market price of the replacement vehicle, or the net insurance proceeds which the Town of Clarkstown may receive as an insurance settlement for the bus which was destroyed by the casualty referred to herein.

RESOLUTION NO. (963-2001) 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. (964-2001)

Co. Lasker offered and Co. Maloney seconded

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

A "Stop" sign and Stop Line on Plains Drive at
The intersection of Deerfield Drive, New City

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. (965-2001)

Co. Smith offered and Co. Maloney seconded

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

BID #7-2002
GROUNDSKEEPING & LANDSCAPING SUPPLIES

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

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

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. (966 -2001)

Co. Smith offered and Co. Maloney seconded

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

BID #8-2002

PRINTING OF RECREATION BROCHURES

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

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

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. (967 -2001)

Co. Smith offered and Co. Maloney seconded

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

BID #9-2002

HANDTOOLS AND MISC MAINTENANCE SUPPLIES

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

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

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. (968-2001)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Town Board has indicated an intent to purchase, for municipal purposes, property known as 47 Burnside Avenue, Congers, New York, comprising the Congers Railroad Station property, and

WHEREAS, the Town Board has yet to finalize negotiations with the property owner, but it expects to do so and, in that event, will be seeking funding for the restoration of the historic train station located at said site;

NOW, THEREFORE, be it

RESOLVED, that Sylvia A. Welch, who has been retained as a grant writer for the Town, is hereby authorized to search out funding sources and to prepare grant application(s) for the restoration of such railroad station, to be compensated in accordance with her regular hourly rate, and be it

FURTHER RESOLVED, that this Resolution shall not become effective until the Town Board has entered into a binding contract to purchase said premises.

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. (969-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on September 21, 2001 that the position of Litter Control Agent, Clarkstown Highway Department can be created,

NOW, THEREFORE BE IT RESOLVED, that the position of Litter Control Agent – Clarkstown Highway Department – is hereby created – effective and retroactive to October 15, 2001, and be it

FURTHER RESOLVED, that the grade for the position of Litter Control Agent is hereby established at a Grade 24, and be it

FURTHER RESOLVED, that this resolution is contingent upon the words “and issues violations” being added under the section “Performs Inspections, “ and that same section being changed from 5% to 10 % of the working time of this position in the Job Classification Description.

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. (970-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Robert Caggiano, 122 Kings Highway, Congers, New York is hereby appointed to the position of Litter Control Agent - Clarkstown Highway Department - at the current annual salary of \$50,782., effective and retroactive to October 15, 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. (971 -2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Timothy Conway has requested a leave of absence, without pay, and

WHEREAS, Timothy Conway has supplied a satisfactory reason for his request, and

WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement provides for a leave of absence without pay,

NOW, THEREFORE, be it

RESOLVED, Timothy Conway, 6 Tempo Road, New City, New York, Solid Waste Facility Attendant, Solid Waste Facility is hereby granted a leave of absence, without pay, effective December 28, 2001 thru December 30, 2001 (3 days), and be it,

FURTHER RESOLVED, that consistent with prior and pending decisions of the Town Board, should Timothy Conway hold any other remunerated employment during the leave period, this resolution shall be automatically deemed rescinded without further action of the Town Board.

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. (972-2001)

Co. Smith offered and Co. Mandia seconded

WHEREAS, John Sarna, P. E., traffic engineer, who was retained by the Town to study the impact on traffic conditions resulting from full occupancy of the Palisades Center Mall, has reported on same to the Town Board and to the Planning Board, and

WHEREAS, the information contained in said report, the Board has determined that the traffic impact of the Palisades Center Mall requires improvements to traffic

RESOLUTION NO. (972-2001) continued

control and signalization on Route 303 in West Nyack/Valley Cottage, New York, north of the New York State Thruway interchange, and

WHEREAS, it has been recommended that the median in Route 303 in the vicinity of Casper Hill Road be used to create a left turn stacking lane for vehicles presently waiting in the north bound traffic lane to make a left turn into Casper Hill Road, and it is also the belief of the Town Board that improved road alignment and a traffic signal is required at the intersection of Storms Road and Route 303, to assist vehicles traveling on Storms Road to access Route 303 or to cross-route Route 303 during peak traffic times, and

WHEREAS, the Town Board proposes to utilize funds that have been held pursuant to the Palisades Center Mall Site Plan approval to pay for the cost of these traffic improvements;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs Robert Geneslaw, Planning Consultant for the Town of Clarkstown, and Luke Kalarickal, Director of the Department of Environmental control, to seek a permit from the New York State Department of Transportation for the installation of a left turn stacking lane on north bound Route 303 at the intersection with Casper Hill Road, and the improvement of road alignment and the installation of a traffic signal at the intersection of Route 303 and Storms Road, with the cost for same to be charged to the traffic study and improvement fund established pursuant to the site plan approval by EklecCo, the developer of the Palisades Center Mall.

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. (973-2001)

Co. Maloney offered and Co. Smith seconded

WHEREAS, JAY THEISE has petitioned the Town Board for permission to apply Town Law 280-a(2) to obtain access to premises known as 64.8-1-38 (formerly 71-C-27.1), and

WHEREAS, the Town Board has determined to schedule a public hearing on notice to adjacent property owners;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby schedules a public hearing for January 22, 2002, at 8:00 p.m., or as soon thereafter as possible, at the Town Hall Auditorium, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the applicant shall adhere to the notice requirements pursuant to Section 290-33 (C) of the Zoning Local Law of the Town Code, and provide proof of mailing said notice to property owners within five hundred feet of affected property on or before the date of the public hearing, and be it

RESOLUTION NO. (973-2001) continued

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, the Clarkstown Planning Board, the Clarkstown Director of Environmental Control and the Clarkstown Building Inspector for review and recommendation.

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. (974-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board adopted an Order extending the Clarkstown Consolidate Water Supply District #1 on April 24, 2001, which Order was deficient in that it did not reference the money to be spent for said improvement;

NOW, THEREFORE, be it

RESOLVED, that said Order is hereby rescinded and a corrected Order dated December 11, 2001 is substituted for same.

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. (975-2001)

Co. Smith 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 \$67,800.00, 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

RESOLUTION NO. (975-2001) continued

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, as described herein as Schedule "A," and be it

FURTHER RESOLVED, that the extension of the Clarkstown Consolidated Water Supply District #1, in the area of SHERIDAN AVENUE and WELLS AVENUE, Congers, New York is hereby subject to receipt of appropriate easements and rights of way in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the construction costs for the proposed improvements shall be financed by taxation upon the properties within the extension of the Clarkstown Consolidated Water Supply District #1, and be it

FURTHER RESOLVED, that this Resolution is subject to a Permissive Referendum in the manner provided in Article Seven of the Town Law and Subdivision of Section 209-e of the Town Law.

On roll call the vote was as follows:

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

RESOLUTION NO. (976-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board has authority pursuant to Town Law Sections 64 and 261 to establish fees to amend same from time to time, and

WHEREAS, the Town Board, Zoning Board of Appeals, Planning Board and other boards and agencies of Town government have various fees for applications but

RESOLUTION NO. (976-2001) continued

there has been no consolidated schedule of fees available for inspection by the public, and

WHEREAS, the Town Attorney has recommended the adoption of a standard schedule of existing fees, as well as recommended establishment of fees for other matters regularly attended to by the Town Board and other boards and agencies of Town government which provide services related to zoning, planning or development, as well as other matters;

NOW, THEREFORE, be it

RESOLVED, that the Schedule of Fees attached hereto as Exhibit "A" shall be kept on file in the Town Clerk's Office to be available for public inspection and for use by all town boards and agencies effective January 1, 2002, and be it

FURTHER RESOLVED, that the Town Board reserves the right to supplement, amend or modify the fee schedule from time to time as required by law, and be it

FURTHER RESOLVED, that nothing herein is intended to alter or change any fees hereto charged by the Building Department, the Highway Department, the Department of Environmental Control, the Recreation and Parks Department, or any other department or agency whose fees are not addressed in the standard schedule established hereby.

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. (977-2001)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has been advised by the Hudson River Valley Greenway Communities Council that a \$10,000.00 matching grant has been proposed for the Town of Clarkstown to assist in funding a trail-way located in the Congers Memorial Park;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to accept, on behalf of the Town of Clarkstown, a matching grant of \$10,000.00 from the Hudson River Valley Greenway Communities Council, and to execute the Memorandum of Understanding associated therewith, dated November 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. (978-2001)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, the Town Board hereby authorizes attendance at the 2002 New World Systems Executive Customer Conference by Charles E. Holbrook, Supervisor, and Robert Stritmater, Director of Automated Systems, in Hilton Head, South Carolina, on April 21, 2002 through April 24, 2002, and be it

FURTHER RESOLVED, that the total cost of \$798.00 for both persons at such conference, and other reasonable expenses for tolls, travel, lodging and meals shall 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. (979-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Clarkstown Planning Board has designated Rudolph Yacyshyn as Vice Chairman for the calendar year 2001, and

WHEREAS, the salary schedule for the year 2001 provides for additional compensation for the Planning board Vice Chairman;

NOW, THEREFORE, be it

RESOLVED, that the Town Comptroller is hereby authorized to make payment of the stipend provided in the salary schedule to Planning Board Vice Chairman Rudolph Yacyshyn.

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. (980-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Charles E. Holbrook, Supervisor of the Town of Clarkstown, has been named individually in an action known as MICHAEL ARANEO v. TOWN BOARD FOR THE TOWN OF CLARKSTOWN and CHARLES HOLBROOK, Individually and as Supervisor of the Town of Clarkstown, to be heard in the Supreme Court of the State of New York, Index No. 7450/01, and

RESOLUTION NO. (980-2001) continued

WHEREAS, Charles E. Holbrook has requested defense and indemnification as provided in Section 18 of the Public Officers Law, and has advised that the action arose out of and during his performance of duties as Town Supervisor;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the defense and indemnification of Charles E. Holbrook, Supervisor, as a named public employee in accordance with and subject to Section 18 of the Public Officers Law.

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: 8:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk