

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

04/25/2002

8:00 P.M.

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

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Supervisor Holbrook declared the Town Board Meeting open. Assemblage saluted the flag. Supervisor opened the public portion of the meeting.

Appearance: Marvin Baum  
Phase I of Mountainview Condominiums

He is representing all Boards of Mountainview and they are in favor of Item 22 to purchase property on Mountainview Avenue in Central Nyack.

Appearance: Frank Hackett  
Valley Cottage

He supports Item 22 purchasing of the Land on Mountainview Avenue in Central Nyack. He also inquired as to the status of the transfer station and revitalization of Valley Cottage.

Appearance: Cora Bodkin  
New City

She referred to Item #6 saying she was uncomfortable and that it was inappropriate to have three (3) developers on the trip to New Jersey to look at the Senior Citizen Housing.

Appearance: Marion Maher  
Valley Cottage

She is in support of Item #22 and came to thank the Town Board for a job well done on the purchase of the property that would protect the Ridge.

Appearance: Steven Levine  
Congers

He inquired as to the status of the Goldberg property.

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RESOLUTION NO. (355-2002)

Town Board offered and Town Board seconded

WHEREAS, by resolution dated February 12, 2002, the Town Board authorized the appraisal of vacant property designated on the Clarkstown tax map as 59.20-1-8 formerly 135-D-22 reputedly owned by Afarian and Kazanjian, and

WHEREAS, a proposal has been made by Lucille Afarian, Jack Kazanjian and Lucille Damergy by their attorney Ronald H. Shaljian to sell said premises to the Town of Clarkstown to be acquired as open space pursuant to the Open Space Acquisition Program approved by the voters of the Town of Clarkstown at a referendum held on November 7, 2000, and

RESOLUTION NO. (355-2002) continued

WHEREAS, the offering price for the sale of the premises is \$248,000.00 which is consistent with the reasonable value established by appraisal, and

WHEREAS, acquisition of said premises would result in the protection of property located on or near the Palisades ridgeline in Central Nyack;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a contract in accordance with the proposal referred to herein in a form approved by the Town Attorney to purchase the subject property for the cash purchase price of \$248,000.00 plus tax adjustments, and be it

FURTHER RESOLVED, that for the purposes of New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review for property known as tax map 59.20-1-8, and be it

FURTHER RESOLVED, that in the event bonding is determined to be necessary for the purchase of this property, this resolution is hereby made subject to permissive referendum, and be it

FURTHER RESOLVED, that all expenses pursuant to this resolution shall be charged to Account No. H 8750-409-0-74-1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (356-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of April 9, 2002 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. (357-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a deed for a road widening strip has been tendered by Gloria B. Kraus and Margaret Kraus as required for minor subdivision approval of premises located

RESOLUTION NO. (357-2002) continued

at 23 Westview Avenue, Congers, New York (Tax Designation 44.11-1-43) and the Director of the Department of Environmental Control and the Town Attorney have reviewed same and recommend acceptance and recording of the conveyance;

NOW, THEREFORE, be it

RESOLVED, that a deed dated April 5, 2002 from Gloria B. Kraus and Margaret Kraus to the Town of Clarkstown is hereby accepted and ordered recorded 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. (358-2002)

Co. Lasker offered and Co. Smith seconded

WHEREAS, in accordance with the requirements of Town Board Resolution No. 173-2002, authorizing use of Town Law 280-a(2) on property known as MAP 64.8-1-38, Hillside Avenue, West Nyack, New York (Jay These Subdivision), Robert Ross, Joseph Zito and Regina Zito have provided the Town of Clarkstown with a Declaration of Covenant with respect to the construction of a single-family residence at Hillside Avenue, West Nyack, New York, and

WHEREAS, the Town Attorney has recommended acceptance and recording of said Covenant;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Declaration of Covenant from Robert Ross, Joseph Zito and Regina Zito with respect to the construction of a single-family residence at Hillside Avenue, West Nyack, New York and orders same recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 16, 2002.

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. (359-2002)

Co. Smith offered and Co. Maloney seconded

RESOLUTION NO. (359-2002) continued

WHEREAS, in accordance with the requirements of Town Board Resolution No. 610-2001, authorizing use of Town Law 280-a(2) on property known as MAP 52.8-2-56 12 Wisconsin Avenue, Congers, New York, Joseph Musorrafiti has provided the Town of Clarkstown with a Declaration and Conservation Easement with respect to the construction of a single-family residence at 12 Wisconsin Avenue, Congers, New York, and

WHEREAS, the Town Attorney has recommended acceptance of said Covenant and Conservation Easement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Declaration and Conservation Easement from Joseph Musorrafiti with respect to the construction of a single-family residence at 12 Wisconsin Avenue, Congers, New York..

On roll call the vote was as follows:

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

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RESOLUTION NO. (360-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control and the Highway Superintendent of the Town of Clarkstown, Performance Bond furnished to the Town by F.B. Nanuet, LLC in the amount of \$395,567.00, in connection with the F.B. Nanuet Site Plan, designated on the Clarkstown Tax Map as Map 57.20, Block 1, Lot 5.1+ (f/k/a 163-A-3+) may be released, subject to posting of additional escrow funds in the amount of \$13,960.00 to guarantee the completion of unfinished punch list work as determined by the Department of Environmental Control and remedial work as required by the Highway Department.

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. (361-2002)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Town Board members, Planning Board members and Senior Housing Committee members to visit a senior citizen housing complex in New Jersey, and be it

FURTHER RESOLVED, that the total cost for travel, tolls, and meals shall be reimbursed for said trip and this resolution shall be retroactive to April 9, 2002, and be it

RESOLUTION NO. (361-2002) continued

FURTHER RESOLVED, that said cost shall be charged to Account No. A 1010 414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (362-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, a portion of sidewalk located between 292 and 298 South Middletown Road, Nanuet, New York within the Town right-of-way is in disrepair, an adjacent homeowner has requested removal of this portion of the sidewalk and Howard L. Lampert, P.E., the Town's Traffic Consultant, has stated that said sidewalk serves no Town purpose;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is authorized to remove said sidewalk in the interest of public safety.

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. (363-2002)

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:

An advisory speed panel to read 15MPH beneath the curve sign in the vicinity of the Girl Scout Club House on Red Hill Rd., 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

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RESOLUTION NO. (364-2002)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, P.E., the Town of Clarkstown Traffic Consultant, the Superintendent of Highways is hereby authorized to install "Bridle Path Crossing Ahead" symbol signs on eastbound Phillips Hill Road, 200 feet west of the easterly side of Ungava Drive and on westbound Phillips Hill Road, 200 feet east of the easterly side of Ungava Drive, New City in the interest of public safety.

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. (365-2002)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Deputy Supervisor Penny Leonard is hereby authorized to attend the 20<sup>th</sup> Annual PERMA Conference on May 9, 2002, and May 10, 2002 at Lake George, New York, and

BE IT FURTHER RESOLVED, that the actual cost of the conference will be borne by PERMA, with all other necessary charges to be charged to Appropriation Account A 1010-414 (Schools and Conferences)

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. (366-2002)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Deputy Supervisor Penny Leonard is hereby authorized to attend the Second Annual Town Finance and Management School from May 15, 2002 through May 17, 2002 at Saratoga Springs, New York, and

BE IT FURTHER RESOLVED, that all necessary charges, including the registration fee of \$150.00, be charged to Appropriation Account A 1010-414 (Schools and Conferences).

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. (367-2002)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Town Attorney, John A. Costa and Deputy Town Attorneys, Philip B. Fogel, Richard A. Glickel, Jeffrey T. Millman, Daniel N. Kraushaar, Jessica A. Hauser, Paul K. Schofield and Marsha F. Coopersmith are hereby authorized to attend a Continuing Legal Education Seminar sponsored by the Rockland County Bar Association on April 26, 2002 at the Rockland BOCES Conference Center, 65 Parrot Road, West Nyack, New York at a cost of \$95.00 for members and \$125.00 for non-members, and be it

FURTHER RESOLVED, that said cost 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

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RESOLUTION NO. (368-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Amber Fields Condominium Homeowners' Association has requested that the Town Board authorize direct billing with respect to five (5) fire hydrants located on association property for which annual charges are billed through the Town and reimbursed with a 10% handling charge in accordance with a covenant which was a condition of site plan approval, and

WHEREAS, United Water is willing to bill for said charges directly to the Amber Fields Condominium Homeowners' Association;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a modification of the Declaration of Covenant recorded in the Rockland County Clerk's Office on February 20, 1996, by instrument drawn subject to the Town Attorney's approval, which shall provide that annual maintenance charges for the five (5) hydrants located in the interior of the Amber Fields Homeowners' Association development may be billed directly to said association, provided further that United Water agrees to notify the Town if payment is not made and if service is interrupted or required maintenance is unreasonably deferred.

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. (369-2002)

Co. Maloney offered and Co. Smith seconded

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

W. HARRIS & SON, INC.  
37 West Washington Avenue  
Pearl River, NY 10965  
Tim Harris, Vice President

SCAFFIDI'S PAVING & DRAINAGE, INC.  
34 Route 9W  
West Haverstraw, NY 10993  
William Scaffidi, President

VICTOR P. ZUGIBE, INC.  
66 Railroad Avenue  
Garnerville, NY 10923  
Victor P. Zugibe, President

RESOLVED, that the following Certificates of Registration be issued:

- No. 02-15 W. HARRIS & SON, INC.
- No. 02-21 SCAFFIDI'S PAVING & DRAINAGE, INC.
- No. 02-22 VICTOR P. ZUGIBE, INC.

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. (370-2002)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Recreation and Parks that

BID #32-2002 – SECURITY GUARD SERVICE – TOWN PARKS

is hereby awarded to:

ACCURATE SECURITY CO.  
84 SOUTH LIBERTY DRIVE  
STONY POINT, NY 10980

PRINCIPAL: JOHN SCHASSLER

as per their proposed cost of \$10.00 per guard per hour and be it

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

RESOLUTION NO. (370-2002) continued

- 1. Certificate of Contractor's Liability, in the amount of one million dollars, including coverage for errors and omissions
- 2. Certificate of Worker's Compensation insurance coverage
- 3. 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. (371-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has been advised by the New York State Thruway Authority that the installation of noise abatement barrier on the New York State Thruway in the Town of Clarkstown between Milepost 21.65 and Milepost 22.05 is being constructed, and

WHEREAS, the Town of Clarkstown, by Resolution adopted on June 9, 1998, has agreed to contribute \$10,000 towards the cost of this installation;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs the Town Comptroller to remit the sum of \$10,000 to the New York State Thruway Authority, as agreed upon contribution, for the noise barrier erected or to be erected between Milepost 21.65 and Milepost 22.05, in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the amount stated herein shall be charged to Account No. H 8751-409-75-19.

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. (372-2002)

Co. Maloney offered and Co. Smith seconded

WHEREAS, various accounts need additional funding,

THEREFORE BE IT,

RESOLUTION NO. (372-2002) continued

RESOLVED, to decrease account A 1990-505 (Contingency-Other Costs) and increase A 1430-319 (Personnel-Misc Supplies) by \$1,000 and decrease account A 885 (Reserve-D.A.R.E) and increase A 3230-319 (D.A.R.E.-Misc Supplies) by \$6,985.19.

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. (373-2002)

Co. Maloney offered and Co. Smith seconded

Whereas, the Town Board of the Town of Clarkstown declares itself as the lead agency for the 2002 Mosquito Control Service Program; and

Whereas, the Department of Environmental Control, acting as staff for the lead agency pursuant to SEQRA, has completed its review of the Full Environmental Assessment Form for the subject program; and

Whereas, the Department of Environmental Control has determined that the proposed action under consideration is an unlisted action that will not result in a negative impact on the environment;

Now, Therefore, Be It Resolved that the Town Board as lead agency hereby determines that there will be no significant environmental impact with respect to the 2002 Mosquito Control Service Program and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required.

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. (374-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Town Board Resolution No. 832-2001 authorized KJS Hauling & Home Improvements, 95 Maple Avenue, New City, New York to perform maintenance work along the drainageway within the bed of Allen Street, Congers, and

WHEREAS, an affected resident has requested additional work in an area of the project including the removal of several white pines and the reshaping of the channel, and

RESOLUTION NO. (374-2002) continued

WHEREAS, the Department of Environmental Control has reviewed the requested change and determined that the additional work will not be adverse to the drainage system in the bed of Allen Street.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 832-2001 is hereby amended and KJS Hauling & Home Improvements is hereby authorized to perform the additional work at a cost not to exceed \$850.00; and

BE IT FURTHER RESOLVED, that the amount shall be a proper charge to account number H8751 409 0 75-27, and

BE IT FURTHER RESOLVED, that this authorization shall be retroactive to 3/12/02.

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. (375-2002)

Co. Lasker offered and Co. Maloney seconded

Whereas, Town Board resolution #707-2001 awarded Bid #56-2001 – Pleasant Hill Drive Drainage Improvements to Hudson Canyon Construction, Inc.; and

Whereas, Town Board resolution #212-2002 amended the cost of this project to reflect two change orders on contract approved by the Department of Environmental Control; and

Whereas, an additional change order on contract has been approved by the Department of Environmental Control as follows:

- 1. C.O. #3: Place an additional 875 cubic yards of acceptable fill material to better facilitate the surface drainage pattern throughout the project site  
Cost \$15,093.75

and

- Install additional drain pipe to tie the existing leader drains at lot 34.13-1-8 (n/f Tobias) into the new storm drain system  
Cost \$1,228.20

Now, Therefore, Be It Resolved that the total approved cost for this change order on contract is \$16,321.95; and

Be It Further Resolved that the current allowance for this project be increased to \$153,372.95 to reflect the additional cost of this change order on contract; and

Be It Further Resolved that this shall be a proper charge to account #H 8749 409 0 73 31.

RESOLUTION NO. (375-2002) 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. (376-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Clarkstown South High School has requested use of the Town of Clarkstown showmobile on Friday, May 3, 2002 for a SPRINGFEST to be held at the Clarkstown South High School, West Nyack, New York;

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Clarkstown South High School to use the Town of Clarkstown showmobile on Friday, May 2, 2002 for a SPRINGFEST, subject to the provision of the necessary insurance policies.

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of the town of Clarkstown Showmobile.

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. (377-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on February 22, 2002 that the position of Clerk #0838 – Police Department – can be reclassified to the position of Records Clerk (Law Enforcement),

Now, therefore, be it

RESOLVED, that the position of Records Clerk (Law Enforcement) – Police Department – is hereby created – effective and retroactive to April 8, 2002.

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. (378-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Linda E. Willows, 12 Susan Drive, New City, New York, to the position of (Provisional) Records Clerk (Law Enforcement) – Police Department – at the current 2002 annual salary of \$29,602., effective and retroactive to April 8, 2002.

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. (379-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Maureen T. O'Connor, 4 Elyse Drive, New City, New York, is hereby appointed to the position of (temporary) Legal Stenographer – Town Attorney's Office – at the current hourly rate of \$25.00 – effective and retroactive to April 17, 2002 – for a period not to exceed 3 months.

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. (380-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Karen Dowling, 4 Summit Place, Nanuet, New York, is hereby appointed to the position of (temporary) Data Entry Operator I – Town Justice Department – at the current annual salary of \$28, 917., effective and retroactive a to April 21, 2002 – for a period not to exceed 3 months.

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. (381-2002)

Co. Smith offered and Co. Maloney seconded

RESOLUTION NO. (381-2002) continued

RESOLVED, that in accordance with Article XVIII, Section 3 (1) of the Labor agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Kenneth Rooney, 9 Old County Road, Pomona, New York – Storekeeper – Highway department – is hereby granted an extension of his Sick Leave of Absence – at one-half pay – effective and retroactive to April 19, 2002 to May 19, 2002.

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. (382-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office will certify on April 29, 2002 that the position of Municipal Bus Driver – Clarkstown Mini Trans – can be created,

Now, therefore, be it

RESOLVED, that the position of Municipal Bus Driver – Clarkstown Mini Trans – is hereby created – effective April 30, 2002.

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. (383-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Michael Garbellano, 6 Fenner Lane, Nanuet, New York, is hereby appointed to the position of (Part-time) Municipal Bus Driver – Clarkstown Mini Trans Department – at the current 2002 hourly rate of \$14.19 – effective date pending results of pre-employment physical examination and drug testing clearance.

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. (384-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown wishes to have an historical marker placed at the Congers Elementary School, 9 Lake Road, Congers, New York, and

WHEREAS, The Historical Society of Rockland County shall perform research to determine the appropriate location for the marker, and shall erect said marker, if approved;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the installation of an historical marker at the Congers Elementary School, 9 Lake Road, Congers, New York, and be it

FURTHER RESOLVED, that the fee for said marker shall not exceed the sum of \$995.00, and be it

FURTHER RESOLVED, that the fee for an historical marker shall be charged to Account No. A-7520-419.

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. (385-2002)

Co. Lasker offered and Co. Maloney seconded

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 Hall;

WHEREAS, CUMMINS METROPOWER, INC., will 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 May 1, 2002 for a term of twelve (12) months, ending April 30, 2003, 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, and be it

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

RESOLUTION NO. (385-2002) 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. (386-2002)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the organizations listed on the attached Schedule "A" have requested Economic Assistance for the fiscal year 2002, and

WHEREAS, the requests have been reviewed by the Town Attorney who has advised that each of the organizations provide services which are beneficial to residents of the Town of Clarkstown and qualify for assistance,

NOW, THEREFORE BE IT

RESOLVED, that the organizations set forth in the attached Schedule "A" are hereby approved for Economic Assistance subject to execution of a contract in a form approved by the Town Attorney which assures that services will be provided to residents of the Town of Clarkstown in accordance with the purposes of each organization, and be it

FURTHER RESOLVED, that the appropriations herein made shall be charged to Account No. A-8840-4024.

SCHEDULE A  
 ECONOMIC ASSISTANCE 2002

NAME	AMOUNT OF GRANT 2002
Albertus Magnus	\$1,000.
Association Visually Impaired	\$1,000.
Big Brothers/Big Sisters	\$1,000.
Camp Venture	\$5,000. (Co. Lasker Abstained)
CANDLE	\$35,000.
Clarkstown Baseball Association	\$3,050.
Clarkstown Community Task Force	\$10,000.
Clarkstown Garden Club	\$1,000.
Clarkstown HS South	\$2,500.
Foster Grandparent Program	\$1,000.
Friends of Nyacks	\$1,000.
Home Aids of Rockland, Inc.	\$1,400.
Hudson Valley Children's Museum	\$2,500.
Jawonio, Inc.	\$250.
JCC-Y	\$1,500.
Literacy Volunteers of Rockland	\$1,000.
Meals on Wheels	\$12,500.
Nanuet HS PTSA	\$2,500.
Nyack HS PTSA	\$2,000.
Rockland Center for Arts	\$10,000.
Rockland Center for Holocaust Studies	\$1,500.

RESOLUTION NO. (386-2002) continued

RCC Senior Citizens	\$5,500.	
Rockland Family Shelter	\$1,000.	
RSVP	\$1,500.	
Rockland Youth Philharmonic	\$1,500.	
TOUCH	\$4,000.	(Co. Maloney abstained)
VCS	\$1,000.	

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. (387-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board of The Town of Clarkstown by Resolution No. 850-2001, adopted on October 23, 2001, provided salary continuation for those employees of the Town called to service of their country in response to the attacks of September 11, 2001; and

WHEREAS, the previous Resolution was effective for a period of six (6) months; and

WHEREAS, the Town Board wishes to extend the coverage provided in the previous Resolution;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby amends Resolution No. 850-2001 to extend the expiration date for a period of six (6) months until October 23, 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. (388-2002)

Co. Smith offered and Co. Maloney seconded

Whereas, Town Board resolution 267-2002 adjusted the budgeted allowance for the subject project to reflect the change orders on contract approved by the Department of Environmental Control up to that point in time; and

Whereas, while the adjusted allowance is correct, an error was made in the breakdown of the change orders on contract approved up to that point in time;

RESOLUTION NO. (388-2002) continued

Now, Therefore, Be It Resolved that said resolution shall be amended to read as follows:

“Whereas, Town Board resolution #648-2001 awarded Bid #39-2001; Stream NJ 1-12-3-1 Improvements to Danny Clapp Landscaping, Inc.; and

Whereas, Town Board resolution #947-2001 amended the original cost of this project to reflect the six change orders on contract approved by the Department of Environmental Control up to that point in time; and

Whereas, three additional change orders on contract have been approved by the Departmental of Environmental Control as follows:

- C.O. #7: plantings at #28 Windmill Lane (n/f O'Connor) to replace plantings removed during the installation of the new storm drain lines; negotiated with resident  
Cost - \$4,880.00
- C.O. #8: Remove the existing 38" x 60" CMPA storm drain line located within the existing drainage easement on lands n/f of Pike and replace it by extending the new twin 34" x 53" HERCP storm drain lines approximately 165 linear feet each. This work is necessitated by the poor condition of the existing storm drainpipe and is being performed to alleviate the flooding conditions experienced in the vicinity of the lands n/f of Pike.  
Cost - \$62,000.00
- C.O. #9: Abandon the existing 18" CMP storm drain line located within the right-of-way on the south side of Third Street running from Fernwood Drive to the existing culvert. Replace this storm drain line with approximately 200 linear feet of 18" HDPE corrugated plastic storm drain line to be located within the right-of-way on the north side of Third Street.  
Cost - \$13,300.00

Now, Therefore, Be It Resolved that the total approved cost of these change orders on contract is \$80,180.00; and

Be It Further Resolved that the current allowance for this project be increased to \$374,560.00 to reflect the additional cost of these change orders on contract; 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

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RESOLUTION NO. (389-2002)

Co. Smith offered and Co. Maloney seconded

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

RESOLUTION NO. (389-2002) continued

WHEREAS, the budget allowance for this project has been amended by Town Board resolutions 947-2001 and 267-2002 to reflect the nine change orders on contract approved to date by the Department of Environmental Control; and

WHEREAS, two additional change orders on contract have been approved by the Department of Environmental Control as follows:

- C.O. #10: plantings at #26 Windmill Lane (n/f Lediger) to replace plantings removed during the installation of the new storm drain lines; at homeowners request :  
Cost - \$2,000.00
- C.O. #11: Installation of two new field inlet drains (adjacent to new drainage structure DS-5P and in Pike rear yard) to pick up surface runoff: Cost - \$2,253.00

NOW, THEREFORE, BE IT RESOLVED that the total approved cost of these change orders on contract is \$4,253.00; and

BE IT FURTHER RESOLVED that the current budget allowance for this project be increased to \$378,813.00 to reflect the additional cost of these change orders on contract; 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

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RESOLUTION NO. (390-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, trees were transplanted as part of the sidewalk improvement project, and;

WHEREAS, one of the trees has died and part of the agreement with town and the homeowners was to replace trees which died as a result of transplanting, and,

WHEREAS, The Department of Environmental Control recommended the removal and replanting of the tree, and;

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

NOW, THEREFORE BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire

K.J.S. Hauling and Home Improvements  
 95 Maple Avenue  
 New City, New York

RESOLUTION NO. (390-2002) continued

in accordance with their proposal received April 19, 2002, and

BE IT FURTHER RESOLVED, that the cost of the work shall not exceed \$390.00 and shall be a proper charge to account H 8749-409-0-73-20

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. (391-2002)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes funding in the amount of \$2,500.00 to the Citizens' Advisory Board on Housing, to cover the cost for the preparation of a survey and mailing with regard to housing needs for young adults in the Town of Clarkstown, and be it

FURTHER RESOLVED, that all necessary and reasonable costs shall be charged to Account No. A-1670-411.

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. (392-2002)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Robert Stritmater, Director of Automated Systems, has advised that there is a need for temporary data entry work in his department, to process data from the Citizens' Advisory Board on Housing which has been gathered with respect to housing needs for young adults, and

WHEREAS, competitive proposals have been received and Robert Stritmater has recommended acceptance of a proposal by R. J. Staffing to provide temporary personnel for the project referred to herein;

NOW, THEREFORE, be it

RESOLVED, that the Director of Automated Systems is hereby authorized to accept the proposal from R. J. Staffing to provide the necessary temporary data entry personnel to input data in connection with the subject young adult housing needs survey, and be it

RESOLUTION NO. (392-2002) continued

FURTHER RESOLVED, that the cost for such temporary data entry personnel shall be charged to Account No. A 1681-10.

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. (393-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Superintendent of Recreation and Parks has reported that there are light outages at three ball field locations in the Town of Clarkstown and has requested competitive proposals for replacement of the out lights and recommended acceptance of the lowest proposal made by Lucas Electric,

NOW, THEREFORE BE IT

RESOLVED, that Lucas Electric is hereby authorized to replace the out lights in accordance with the low bid proposal for a cost not to exceed \$10,000 and to be charged to Account No. H-8752-409-76-6.

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. (394-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Superintendent of Recreation and Parks has solicited competitive proposals for required landscape work at Congers Lake Memorial Park in-line hockey rink and has recommended the acceptance of a proposal by New City Lawn and Landscape, Inc.,

NOW, THEREFORE BE IT

RESOLVED, that New City Lawn and Landscape, Inc., is hereby authorized to install landscaping in accordance with the low bid proposal for a cost not to exceed \$14,000 and to be charged to Account No. H-8749-409-73-7.

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. (395-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Parks Board and Recreation Commission is requesting that two (2) positions of Groundskeeper and one (1) position of Senior Groundswoker be established by the Town Board, and

WHEREAS, the Parks Board and Recreation Commission will be filling these three (3) positions on a promotional basis,

Now, therefore, be it

RESOLVED, that upon the promotion of three employees, presently working for the Parks Board and Recreation Commission, their former positions will be abolished, in accordance with the Rockland County Civil Services Rules and Regulations.

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. (396-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Supervisor Charles E. Holbrook, has been advised that premises commonly known as 101 Old Route 304, New City, New York (Tax Map 34.16-1-52) consisting of approximately 32 acres adjacent to Town owned property and other premises owned by the United Water Company, may be available for purchase from the Estate of Jessie Keesler, and

WHEREAS, the Director of the Department of Environmental Control and the Town's Planning consultant have recommended that this parcel be considered for inclusion in the Town of Clarkstown open space initiative.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to solicit competitive proposals from qualified real property appraisers and to obtain an appraisal of the subject premises, and be it

FURTHER RESOLVED, the Town Attorney is authorized to enter into preliminary discussions with the representative of the Estate to determine the availability of the premises, and be it

FURTHER RESOLVED, that the Town Board, as lead agency, hereby designates Robert Geneslaw, Planning Consultant, as its agent for the purposes of New York State Environmental Quality Review Act (SEQRA) compliance.

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. (397-2002)

Co. Mandia offered and Co. Maloney seconded

Whereas, the Department of Environmental Control has determined that an existing storm drain line running from a catch basin located on Lake Drive through the lots at #35 Lake Drive (n/f Gysel) and #37 Lake Drive (n/f Landau) to an existing watercourse at the rear of these properties is deteriorated to the point that it represents a hazardous condition; and

Whereas, the Department of Environmental Control recommends that the existing storm drain line be replaced in its entirety; and

Whereas, the affected property owners have agreed, or are about to agree, to grant gratuitous right-of-entry and permanent drainage easements to the Town; and

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

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

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

the provider of the low proposal to perform said work in accordance with their proposal for a cost not to exceed \$8,800.00; and

Be It Further Resolved, that this amount shall be a proper charge to account # H 8752-409-0-76-7; and

Be It Further Resolved, that the award of this work is subject to the Director of the Department of Environmental Control receiving right-of-entry agreements and permanent drainage easement agreements from the two (2) affected property owners.

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. (398-2002)

Co. Mandia offered and Co. Maloney seconded

Whereas, the Town Board, via resolution 157-2002, authorized the Department of Environmental Control to solicit proposals from qualified paving contractors to install an asphalt cap on the driveway at 53 East Street, West Nyack (n/f Paladino); which runs over a 15 foot wide Town drainage easement, and

Whereas, the Department of Environmental Control solicited proposals from three (3) qualified paving contractors and received two (2) responses; and

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

RESOLUTION NO. (398-2002) continued

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

J. S. Katt Paving  
62 Basswood Court  
Bardonia, New York 10954

to perform the paving of the subject driveway in accordance with their proposal for an amount not to exceed \$2,350.00; and

Be It Further Resolved that this amount shall be a proper charge to account # H 8752-409-0-76-8.

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. (399-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control and the Town Attorney, to accept and record a Conservation and Drainage Easement for premises owned by Lawrence Kigler, located at 45 North Little Tor Road, New City, New York having a Tax Map designation of 43.14-1-12 (formerly 39-C-6.01), which has been tendered in accordance with Planning Board approval for a minor subdivision known as "Lawrence Kigler";

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts and orders recording of a Conservation and Drainage Easement, in the form approved by the Town Attorney, for premises owned by Lawrence Kigler located at 45 North Little Tor Road, New City, New York having a Tax Map designation of 43.14-1-12 (formerly 39-C-6.01) and said easement is hereby ordered recorded in the Rockland County Clerk's Office, subject to payment of the recording fee and all other required fees by the property owner.

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. (400-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Supt of Highways and The Project Engineer that

RESOLUTION NO. (400-2002) continued

BID #31-2002 – CONCRETE CURB AND SIDEWALK - 2002

is hereby awarded to:

BELLAVISTA CONSTRUCTION CORP  
P.O. BOX 753  
ARDSLEY, NY 10502  
PRINCIPALS: YOLANDA DE SANTIS  
JOSEPH DE SANTIS

as per their low bid proposal of \$177,600.00 and be it

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

- a) Performance Bond - 100% of project cost
- b) Certificate of Contractor's Liability, Property Damage Coverage, including a Save Harmless Agreement
- c) Certificate of Automobile Liability Insurance
- d) Certificate of Worker's Compensation insurance coverage
- e) 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

\*\*\*\*\*

RESOLUTION NO. (401-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Supt of Highways and The Project Engineer that

BID #36-2002

ASPHALT SIDEWALK IMPROVEMENT STRAWTOWN ROAD, WEST NYACK

is hereby awarded to:

UPSTATE CONCRETE & MASONRY CONTR, INC  
P.O. BOX 598  
HARRIMAN, NY 10926  
PRINCIPALS: ANGELO TONDO

as per their low bid proposal of \$48,525.00 and be it

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

RESOLUTION NO. (401-2002) continued

- a) Performance Bond - 100% of project cost
- b) Certificate of Contractor's Liability, Property Damage Coverage, including a Save Harmless Agreement
- c) Certificate of Automobile Liability Insurance
- d) Certificate of Worker's Compensation insurance coverage
- e) 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  
 \*\*\*\*\*

RESOLUTION NO. (402-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Supt. of Recreation & Parks and the Project Engineer that

BID #38-2002  
 CONSTRUCTION OF BUILDING EGRESS AT CONGERS COMMUNITY CENTER

is hereby awarded to: CAL MART ENTERPRISES, INC  
 357A ROUTE 59  
 WEST NYACK, NY 10994  
 PRINCIPALS: CARL WORTENDYKE  
 MARTIN WORTENDYKE  
 PETER WORTENDYKE

as per their proposed project cost of \$ 55,555, 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
- f) Certificate of Worker's Disability Coverage

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

On roll call the vote was as follows:

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

RESOLUTION NO. (403-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Deputy Director of Environmental Control that

BID #26-2002  
MISCELLANEOUS SEWER IMPROVEMENTS

is hereby awarded to: RONALD FILERA LANDSCAPE CONTRACTORS, INC.  
85 RED SCHOOLHOUSE ROAD  
CHESTNUT RIDGE, NY 10977

as per their proposed project cost of \$5,945 and be it

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

- 1. Certificate of Contractor's Liability Insurance coverage
- 2. Certificate of Worker's Compensation insurance coverage
- 3. 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

\*\*\*\*\*

RESOLUTION NO. (404-2002)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, by Resolution No. 560-2000, dated July 11, 2000, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated as 35.9-2-31 (formerly known as 98-A-9.68) to remove or rectify violations which were unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, by Resolution No. 578-2000, dated August 8, 2000, and Resolution No. 434-2001, dated May 22, 2001, the Building Inspector and the Superintendent of Highways were authorized and directed to take certain corrective measures regarding said premises, and to continue to take such corrective steps as necessary, and

WHEREAS, it has been reported that the prior conditions which require follow-up remediation have persisted and the premises are again in violation of Town Code Chapter 216, in that the yard has once again been allowed to become overgrown with vegetation in violation of Town Code Chapter 216;

NOW, THEREFORE, be it

RESOLUTION NO. (404-2002) continued

RESOLVED, that the Building Inspector and Superintendent of Highways are hereby authorized to take whatever corrective measures are necessary to maintain said premises and to bring it into compliance with the Town Code, so as not to pose a threat to the health, safety and welfare of the community, and to continue to take such corrective measures, as necessary, for a period of 6 months commencing April 1, 2002, and be it

FURTHER RESOLVED, that the Town Board authorizes payment of reasonable costs incurred for said corrective measures, and be it

FURTHER RESOLVED, that a statement for the costs incurred shall be sent to the property owner, and in the event the property owner does not reimburse the Town for said corrective measures, that any sums expended shall be levied against the premises known and designated as 35.9-2-31 on the next Town tax bill.

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. (405-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, an existing storm sewer in the vicinity of 702 South Mountain Road is occluded and in need of cleaning, and

WHEREAS, the existing storm sewer drains a portion of South Mountain Road, and

NOW, THEREFORE BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Roby's Sweeping, Inc., Rosman Road, Thiells, New York to perform the necessary cleaning of the storm sewer, and

BE IT FURTHER RESOLVED, that the cost for the cleaning shall not exceed \$1,200.00 and shall be proper charge to account H 8752 409 0 76 9.

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. (406-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Councilwoman Annemarie Smith, has been advised that premises commonly known as 462 South Mountain Road, New City, New York (Tax Map 26.19, 20.1, 20.2 and 20.3) consisting of approximately 24.6 acres, may be available for purchase from the property owner, Martin Horwitz,

RESOLUTION NO. (406-2002) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to solicit competitive proposals from qualified real property appraisers and to obtain an appraisal of the subject premises, and be it

FURTHER RESOLVED, the Town Attorney is authorized to enter into preliminary discussions with the representative of the property owner to determine the availability of the premises, and be it

FURTHER RESOLVED, that the Town Board, as lead agency, hereby designates Robert Geneslaw, Planning Consultant, as its agent for the purposes of New York State Environmental Quality Review Act (SEQRA) compliance.

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. (407-2002)

Co. Maloney offered and Co. Lasker

RESOLVED, that the Town Attorney is hereby authorized and directed to file a Notice of Appeal in the Matter of Snake Hill Corp. vs. the Town Board, concerning the Town Board's denial of a Special Permit to conduct a recycling facility.

On roll call the vote was as follows:

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

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There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted the Town Board Meeting was closed, time 8:30 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk