

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/21/02

7:30 PM

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

Supervisor Holbrook declared the Town Board Meeting open.

RESOLUTION NO. (467-2002)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to a subdivision known as MRM BUILDERS CORP., in the vicinity of Old Nyack Turnpike, Laurel Road and Division Street, Central Nyack, New York (65.07-5-59 & 60), MRM BUILDERS CORP., Ralph J. Ryan, Vice President, and COPPER BEECH REALTY CORP., Joseph B. Montana, President, have provided a drainage easement and two (2) deeds to the Town of Clarkstown for road widening purposes, and

WHEREAS, the Department of Environmental Control has recommended acceptance of said conveyances; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a drainage easement and two (2) deeds for road widening from MRM BUILDERS CORP. and COPPER BEECH REALTY CORP. in connection with MRM BUILDERS CORP. Subdivision (65.07-5-59 & 60), and be it

FURTHER RESOLVED, that said drainage easement and deeds are hereby ordered recorded in the Rockland County Clerk's Office, subject to receipt of the recording fees, and this resolution shall be retroactive to May 17, 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. (468-2002)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Captain William Sherwood of the Clarkstown Police Department and Robert Stritmater, Director of Automated Systems, have recommended that a lease be signed with Goosetown Communications in accordance with a proposal dated January 29, 2002 for Eventide Digital Recording Equipment for use by the Police Department;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to sign a five (5) year lease not to exceed \$66,000.00, in a form approved by the Town Attorney, with Goosetown Communications for the purpose of leasing Eventide Digital Recording Equipment for use by the Police Department, to be charged to Account No. 3120-230-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (469-2002)

Co. Mandia offered and Co. Smith seconded

WHEREAS, The Knights of Columbus Tournament through its representative, Mr. Frank Gemeinhardt, Lake Road, Valley Cottage, has requested use of the Town of Clarkstown ball fields at Lake Nanuet #1, Kings Park #1 & #12, Germonds #2 and #3 and Zukor Park #5 on July 5, 6 and 7, 2002 from 9:00 AM – 10:00 PM, for a tournament benefiting autistic children and other charities.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Knights of Columbus to use the Town of Clarkstown ball fields, subject to the provision of the necessary insurance policies;

AND FURTHER RESOLVED, that the Town Board hereby waives the fee for use of these ball fields.

On roll call the vote was as follows:

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

RESOLUTION NO. (470-2002)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways and the project engineer, Howard Lampert, PE, that

BID #30-2002 – 2002 ROADWAY RESURFACING PROGRAM

is hereby awarded to: EMERSON PAVING COMPANY, INC.
448 DEMAREST AVENUE
CLOSTER, NJ 07624

PRINCIPALS: JOHN GULINO
JOSEPH GULINO
MICHAEL GULINO

As per their proposed total project cost for Parts I, II and III of \$1,941,980.00, 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 Clause
- e) Certificate of Worker’s Compensation insurance coverage
- f) Certificate of Worker’s Disability Insurance coverage

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. (471-2001)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Knolls East Homeowners Association, Inc., has requested that the Town Board authorize direct billing with respect to six (6) 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 Knolls East Homeowners Association, Inc.;

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 October 20, 1995, by instrument drawn subject to the Town Attorney’s approval, which shall provide that annual maintenance charges for the six (6) fire hydrants located in the interior of the Knolls East Homeowners Association, Inc., 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

RESOLUTION NO. (472-2001)

Co. Mandia offered and Co. Lasker 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 "No Trucks" sign on the South side of Crusher Road, East of Ford Products Road, Valley Cottage per Sec. 215.3 of the NYS Manual of Uniform Traffic Control Devices, sign R5-10 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. (473-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Youth Bureau has created a Rockland Environmental Corps which is staffed with Americorps members to provide a litter patrol program for pickup of litter on Town roads and stream banks and it has proposed to provide Americorps members under the direction of the Superintendent of Highways to participate in a service, educational and environmentally beneficial program which will remove litter from Town roads and stream banks within the Town of Clarkstown, and

WHEREAS, Americorps members receive a minimal stipend while participating in the program which will be funded in part by the Town of Clarkstown, and

WHEREAS, the Superintendent of Highways has recommended this program for adoption in the Town of Clarkstown with the support of the CSEA;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a Rockland County Youth Bureau/Rockland Environmental Corps host site agreement for the calendar year ending December 31, 2002, in a form approved by the Town Attorney, to participate in the Rockland County Youth Bureau's litter patrol service program utilizing the service of not more than five (5) Americorps members for program total not to exceed 600 service hours for each member at a cost not to exceed \$11,000.00 to be charged to Account No. DB 5110-409-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (474-2002)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Vilma Morelli and Julia Brigandi, Co-Executrixes of the Estate of Luke Morelli, are the owners of property designated as tax lot 57.15-1-16 (formerly 7-A-3.4), commonly known as 21 N. Pascack Road, Nanuet, New York, and

WHEREAS, the property is improved with a one-family residence with an in-ground swimming pool constructed partially within the confines of a Town of Clarkstown sanitary sewer easement, which pool was apparently installed over twenty (20) years ago without benefit of a building permit, and

WHEREAS, the Deputy Director of the Department of Environmental Control has advised that the pool encroachment does not impair the operation of, or create increased risk of damage to the sewer line within the Town's sewer easement, and that the swimming pool may remain as located, provided a revocable license agreement in the form of a Declaration of Covenant running with the land is provided, subject to approval by the Town Attorney to protect the Town from liability, in the event the easement must be disturbed,

NOW, THEREFORE, be it

RESOLVED, that Vilma Morelli and Julia Brigandi, Co-Executrixes of the Estate of Luke Morelli, are hereby granted permission for the in-ground swimming pool to remain partially within the Town of Clarkstown sanitary sewer easement, provided they execute a Declaration of Covenant to run with the land providing for indemnity to the Town, in a form approved by the Town Attorney, acknowledging that they have a revocable license to maintain the swimming pool, but may be required to remove same if it becomes necessary to service the Town's sanitary sewer easement without liability on the part of the Town, and be it

FURTHER RESOLVED, that all other requirements for obtaining a building permit and certificate of occupancy must be complied with by the 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. (475-2002)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes the replacement of the existing fence on Rockland Ave, Congers, New York.

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Mandia, seconded by Co. Smith and unanimously adopted, the Town Board meeting was declared closed, time: 7:35 PM.

Respectfully Submitted,
Patricia Sheridan
Patricia Sheridan
Town Clerk