

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

05/28/2002

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.

The Graduation of the Thirtieth Class of Youth Court Members was held. Det. Eileen Malloy spoke about the youth court members here tonight who have successfully completed a 10 week training course and will now volunteer for the rest of their high school careers in the Youth Court. They are perfect examples of what is right with the youth of today. She thanked all of the graduates for their commitment. She thanked the Town Board, Chief Kilduff and Patricia Barad, Det. Elmendorf, and the Youth Court Steering Committee for their support. Chief Kilduff congratulated the graduates and their family and friends. He commended Det. Malloy and Mrs. Barad for their work and thanked the Town Board for their support.. The members of the Town Board offered their congratulations to the students and their parents and expressed their admiration and appreciation for what they do on the Youth Court.

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Supervisor Holbrook invited anyone wishing to speak about anything on the agenda to come forward.

Appearance: Karen Tarapata  
                              Upper Nyack

Spoke regarding Item #10, the purchase of property for open space near Old Stone Rd. and Sherry Dr., Valley Cottage. Felt the Board should vote yes on this.

Appearance: George Nugent  
                              Valley Cottage

Feels Valley Cottage property referred to above should be purchased by the Town.

Appearance: Mary Ann Hackett  
                              Valley Cottage

In favor of Town buying Valley Cottage property referred to in Item #10 for open space.

Appearance: Martin Bernstein  
                              New City

Asked how large the property in Item #10 was and how much was the purchase price. Spoke about Item #3, purchase of property on S. Mountain Rd., feels property purchased for open space should be in high density areas. Sorry he served on committee because he feels that instead of the Town going out and picking out properties for open space, people who want to sell their property are approaching the Town. Also spoke on Item #4, asked about fence in drainage easement. Spoke about Item #6, asked what the difference is between LO to PO.

Appearance: Dan Killanne  
                              Nanuet

Expressed concerns over a persistent drainage problem on Jerry's Avenue in Nanuet.

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RESOLUTION NO. (476-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of May 14, 2002 and May 21, 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. (477-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, The Summit School at Nyack, an educational treatment program for children with learning and adjustment difficulties, has proposed to provide students, beginning on July8, 2002 through August 16, 2002, to work in the Clarktown Highway facility, 12 Seeger Drive, Nanuet, New York, for the purpose of obtaining pre-vocational skills training at no cost to the Town of Clarkstown, and

WHEREAS, the Superintendent of Highways has advised that he would like to participate in this program, and believes that the students could provide valuable assistance to the Town Highway by obtaining on site meaningful pre-vocational work experience;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement approved by the Town Attorney, with The Summit School at Nyack, to provide for pre-vocational skills training at the Clarkstown Highway facility, 12 Seeger Drive, Nanuet, New York, for up to fifteen (15) students of this school, provided that the school agrees to indemnification to protect the Town from any liability and provide the necessary certificate of insurance naming the Town of Clarkstown as an additional insured, and supplies Supervisors to be present at all times when the students are present at the Clarkstown Highway 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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RESOLUTION NO. (478-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board authorized the solicitation of proposals for an appraisal of property located at 462 South Mountain Road, New City, New York and said property is designated on the Tax Map as 26.19-1-20, 20.1, 20.2 and 20.3, and

RESOLUTION NO. (478-2002) continued

WHEREAS, the Town Attorney has received competitive proposals from appraisers and recommends hiring the firm of Lawrence & Shedler to perform said appraisal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to hire the firm of Lawrence & Shedler, in accordance with its proposal of May 6, 2002, to appraise Town property known as 26.19-1-20, 20.1, 20.2 and 20.3, and be it

FURTHER RESOLVED, that the cost of \$1,500.00 for said appraisal shall be charged to Account No. H 8750 409-0-74-1, and this resolution shall be retroactive to May 20, 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. (479-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Councilwoman Ann Marie Smith has advised that premises commonly known as 327 South Mountain Road, New City, New York (Tax Map 26.18-1-3 f/k/a 44-A-8), consisting of approximately 20.84 acres, may be for sale by the property owner, B & H Photo, and that same may be suitable for inclusion in the Open Space Acquisition 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 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

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RESOLUTION NO. (480-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 341-2002 adopted on April 9, 2002, the Town Board authorized a revocable license agreement with Michael Coratolo and Paulette Coratolo who have provided a Declaration of Covenant to the Town of Clarkstown, in a form approved by the Town Attorney, with respect to maintaining a fence erected partially within a Town drainage easement at 29 Mesa Place, Nanuet, New York (63.11-1-2.3 f/k/a 4-A-12.4), and

WHEREAS, the Town Attorney has recommended acceptance and recording of said Declaration of Covenant provided by the property owners;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Declaration of Covenant from Michael Coratolo and Paulette Coratolo with respect to erecting a fence partially within a Town drainage easement located at 29 Mesa Place, Nanuet, New York (63.11-1-2.3 f/k/a 4-A-12.4) and orders same recorded in the Rockland County Clerk's Office, subject to payment of the recording fees 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

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RESOLUTION NO. (481-2002)

Co. Lasker 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

Whereas, subsequent Town Board resolutions (most recently 389-2002) have amended the budget allowance for this project to reflect eleven change orders on contract approved 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. #12: Substitute subbase material (NYSDOT Item 304.02) as backfill for the new culvert on Third Street as directed by the Superintendent of Highways; removal and disposal of unsuitable material excavated for extension of drain lines DR-6P and DR-7P on the south side of Third Street; transport and installation of suitable fill material for drain lines DR-6P and DR-7P. Cost - \$19,914.08
- C.O. #13: Installation of new Drainage Manhole required to allow realignment of existing storm drain line DR-10 Cost - \$2,185.00

Now, Therefore, Be It Resolved that the total approved cost of these change orders on contract is \$22,099.08; and

Be It Further Resolved that the current budget allowance for this project be increased to \$400,912.08 to reflect the additional cost of these change orders on contract; and

RESOLUTION NO. (481-2002) continued

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. (482-2002)

Co. Lasker offered and Co. Maloney seconded

Whereas, Town Board resolution #398-2002 authorized the Director of the Department of Environmental Control to retain the services of J.S. Katt Paving of Bardonia, New York to install a new asphalt wearing course on the driveway at 53 East Street, West Nyack (now or formerly Paladino); and

Whereas, the original proposal received from J.S. Katt Paving for this work was in the amount of \$2,350.00; and

Whereas, the scope of the work was increased to include an area not covered under the original proposal; and

Whereas, J.S. Katt Paving provided a proposal of \$300.00 to cover the cost of this additional work; and

Whereas, the Department of Environmental Control reviewed this proposal and found it to be acceptable;

Now, Therefore, Be It Resolved that the total amount allotted for this project be increased to \$2,650.00; and

Be It Further Resolved that this amount shall continue to 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  
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RESOLUTION NO. (483-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Chabad Lubavitch of Rockland, owner of premises known and designated on the Clarkstown Tax Map as 34.19-1-15 and 34.19-1-13, has petitioned the Town Board of the Town of Clarkstown requesting that the property referred to herein be rezoned from an LO Zone to a PO Zone, and

WHEREAS, the Town Board wishes to refer this request for review and recommendation by the Clarkstown Planning Board and the Rockland County Commissioner of Planning;

RESOLUTION NO. (483-2002) continued

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

On roll call the vote was as follows:

- Councilwoman Lasker . . . . . Yes
  - Councilman Maloney . . . . . Yes
  - Councilman Mandia . . . . . Yes
  - Councilwoman Smith . . . . . Yes
  - Supervisor Holbrook . . . . . Yes
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Co. Mandia asked if an item B could be added to this agenda item in order to consider a zone change for a piece of property located north of the Bradlees shopping center. He would like this site to be considered for senior housing.

RESOLUTION NO. (484-2002)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board, on its own motion, shall consider amending the Zoning Ordinance of the Town by redistricting property, known and designated on the Clarkstown Tax Map as 43.7-1-16 f/k/a 59-A-1, from an R-15 Zone to an MF-2 Zone, and

WHEREAS, the Town Board wishes to refer this matter for review and recommendation by the Clarkstown Planning Board and the Rockland County Commissioner of Planning;

NOW, THEREFORE, be it

RESOLVED, that this Resolution is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

On roll call the vote was as follows:

- Councilwoman Lasker . . . . . Yes
  - Councilman Maloney . . . . . Yes
  - Councilman Mandia . . . . . Yes
  - Councilwoman Smith . . . . . Yes
  - Supervisor Holbrook . . . . . No
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RESOLUTION NO. (485-2002)

Co. Maloney offered and Co. Mandia 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:

J. D. BACKHOE AND TRUCKING  
JOE D'AURIA D/B/A  
P.O. Box 342  
Sparkill, NY 10976  
Joe D'Auria, President

RESOLVED, that the following Certificate of Registration be issued:

No. 02-24 J. D. BACKHOE AND TRUCKING  
JOE D'AURIA D/B/A

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. (486-2002)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Nicholas Longo, Town Assessor, and members of the Board of Assessment Review have requested a review and increase in compensation paid to members for their service, and

WHEREAS, the Town Board has conducted a review and obtained information regarding compensation provided by other municipalities to members of their various boards of assessment review and believes that an increase is warranted for the chairman and members of the Town of Clarkstown Board of Assessment Review,

NOW, THEREFORE, be it

RESOLVED, that compensation paid to the chairman and members of the Board of Assessment Review shall be increased effective as of May 21, 2002, from \$100 per day to \$140 per day that the Board meets, and be it

FURTHER RESOLVED, that the compensation paid pursuant to this resolution would be charged to Account #A-1356-114.

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. (487-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received funds for Seized Property in the amount of \$39,777.43

THEREFORE, BE IT,RESOLVED, to decrease A 890 (Reserve for Seized Property) and increase:

- A 3120-293 (Police-Law Enforcement Equipment) by \$26,300
- A 3120-438 (Police-Maintenance Agreements) by \$13,477.43

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. (488-2002)

Co. Smith offered and Co. Maloney seconded

RESOLVED, to decrease Appropriation Account A-7020-301 (Food) by \$9.20 and to increase A-7020-201 (Furn./Fix) by \$9.20 and to decrease Account A-7141-222 (Parks Equip.) by \$830.00 and to increase Account A-7020-438 (Maint. Agmn.) by \$830.00.

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. (489-2002)

Co. Lasker offered and Co. Smith seconded

WHEREAS, by resolutions dated respectively March 11, 2001 and March 12, 2002, the Town Board authorized the appraisal of vacant property designated on the Clarkstown tax map as 59.8-1-31 and 59.8-1-19, Valley Cottage, reputedly owned by Mary Mazzucca, and

WHEREAS, a proposal has been made by the real estate agent for the property owner to sell a portion of the premises referred to herein 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

WHEREAS, said proposal would require a minor subdivision of the premises so as to separate out an existing dwelling with the minimum required lot area from the balance of the property with all engineering/design costs to be incurred by the Town so that the remaining property consisting of approximately 20 ± acres of unimproved vacant land may be acquired as open space, and

RESOLUTION NO. (490-2002) continued

BID #43-2002  
CAST IRON CURB INLET, CATCH BASINS, FRAMES & GRATES

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

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RESOLUTION NO. (491-2002)

Co. Maloney offered and Co. Smith seconded

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

BID #44-2002  
SALE OF SURPLUS VEHICLES

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

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RESOLUTION NO. (492-2002)

Co. Maloney offered and Co. Smith seconded

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

BID #45-2002  
ATHLETIC FIELD CONDITIONER

RESOLUTION NO. (489-2002) continued

WHEREAS, the offering price for the sale of the premises is \$925,000 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 western Palisades ridgeline in Valley Cottage;

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 subject property for the cash purchase price of \$925,000 plus tax adjustments, applicable transfer tax and seller's counsel fees not to exceed \$2000, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall pursuant to such contract of sale, with the consent of the property owner, take all reasonable steps to obtain a minor subdivision of the premises with Clarkstown Planning Board approval to separate the open space from an existing one family dwelling having a lot size equivalent to the minimum lot acre required in the applicable zone, 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 59.8-1-31 and 59.8-1-19 and, be it ,

FURTHER RESOLVED, that this resolution is hereby made subject to permissive referendum , and be it,

FURTHER RESOLVED, that the Town Attorney is hereby authorized to obtain the services of a licensed land surveyor and P.E. for the purposes of laying out the subdivision referred to herein and taking all necessary steps to obtain Planning Board approval, and, be it,

FURTHER RESOLVED, that all reasonable and necessary expenses pursuant to this resolution 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. (490-2002)

Co. Maloney offered and Co. Smith seconded

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

RESOLUTION NO. (492-2002) continued

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

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RESOLUTION NO. (493-2002)

Co. Maloney offered and Co. Mandia seconded

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

BID #46-2002  
 SELF CONTAINED LEAF COLLECTOR AND TRAILER

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

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RESOLUTION NO. (494-2002)

Co. Maloney offered and Co. Mandia seconded

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

BID #47-2002  
 401 PHILLIPS HILL ROAD DRAINAGE IMPROVEMENT

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

RESOLUTION NO. (494-2002) continued

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (495-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, PALLOTTA TEAMWORKS, 1525 Crossroads of the World, Los Angeles, CA 90028, and 16 West 36<sup>th</sup> Street, 10<sup>th</sup> Floor, New York, NY 10018, as sponsor of the NATIONAL AIDS VACCINE 3-DAY fund raising walk, has advised the Clarkstown Town Board that a fund raising event for NATIONAL AIDS VACCINE will take place in Rockland County on July 19 through July 21, 2002, and that the event will consist of a 60 miles three-day walk beginning at North Rockland High School, Thiells, New York, and ending in New York City, with the participants planning to pass through Clarkstown on July 19 and July 20, 2002, including an overnight stay at Rockland State Park on Friday, July 19, 2002, and

WHEREAS, the Town Board wishes to recognize this event and to grant permission for same to occur in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to PALLOTTA TEAMWORKS, as sponsor of the NATIONAL AIDS VACCINE 3-DAY fund raising walk scheduled for July 19 thorough July 21, 2002, to recognize the participants that walk through Clarkstown, subject to receipt and approval by the Town Attorney of the following:

1. Certificate of Insurance naming the Town as an additional insured.
2. Hold Harmless and Indemnification Agreement.
3. Written permission of the Clarkstown Chief of Police approving the event from a public safety point of view.

and be it

FURTHER RESOLVED, that the Town Clerk shall provide PALLOTTA TEAMWORKS with a certified copy of this resolution.

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. (496-2002)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Rockland Personnel Office has furnished Certification of Eligibles #00220 Police Officer which contains the name of Brian C. Michel,

Now, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Brian C. Michel, 11 Kings Highway, New City, New York, to the position of (permanent) Police Officer – Police Department – at the current annual salary of \$49,851., effective and retroactive to May 13, 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. (497-2002)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #00220 Police Officer which contains the name of Brian K. Quinn,

Now, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Brian K. Quinn, 21 Colonial Drive, New City, New York, to the position of (permanent) Police Officer – Police Department – at the current annual salary of \$49,351., effective and retroactive to May 13, 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. (498-2002)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #00220 Police Officer which contains the name of Kevin M. Quinn,

Now, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the police commission of Kevin M. Quinn, 21 Colonial Drive, New City, New York, to the position of (permanent) Police Officer – Police Department – at the current annual salary of \$49,851., effective and retroactive to May 13, 2002.

RESOLUTION NO. (498-2002) 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. (499-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Candyce Draper, 20 Endicott Street, Congers, New York, is hereby appointed to the position of (Provisional) Assistant Court Clerk – Town Justice Department – at the current annual salary of \$52,009., effective and retroactive to May 27, 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. (500-2002)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Alice K. DeForest, 22 Old Brick Road, New City, New York, is hereby appointed to the position of (temporary) Senior Clerk Typist – Personnel Office – at the current hourly rate of \$23.00 – effective and retroactive to May 16, 2002 thru June 21, 2002.

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

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RESOLUTION NO. (501-2002)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #01068 Real Property Data Collector (from Real Property Data Collector II) which contains the name of Kathleen T. Kiernan,

Now, therefore, be it

RESOLUTION NO. (501-2002) continued

RESOLVED, that Kathleen T. Kiernan, 13 N. Rockland Ave. #2, Congers, New York, is hereby appointed to the contingent-permanent position of Real Property Data Collector – Assessor’s Office – at the current annual salary of \$26,029., effective and retroactive to May 28, 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. (502-2002)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #01068 Real Property Data Collector (from Real Property Data Collector II) which contains the name of Mary C. Kurisko,

Now, therefore, be it

RESOLVED, that Mary C. Kurisko, 7 Florus Crom Court, Stony Point, New York, is hereby appointed to the permanent position of Real Property Data Collector – Assessor’s Office – at the current annual salary of \$28,917., effective and retroactive to May 28, 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. (503-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Director of the Department of Environmental Control received a proposal from Lawler, Matusky & Skelly, LLP, dated May 21, 2002, to extend their agreement with the Town of Clarkstown for a period of two (2) years for professional services in connection with the Clarkstown Sanitary Landfill, and

WHEREAS, the Director of the Department of Environmental Control recommends acceptance of said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to extend the agreement with Lawler, Matusky & Skelly, LLP, in a form approved by the Town Attorney, for a period of two (2) years at a fee of \$49,440.00 for the year June 27, 2002 to June 26,2003 and a fee of \$50,923.00 for the year June 27, 2003 to June 26, 2004, and be it

RESOLUTION NO. (503-2002) continued

FURTHER RESOLVED, that said amounts shall be charged to Account No. SR 8160 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

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RESOLUTION NO. (504-2002)

Co. Smith offered and Co. Lasker seconded

WHEREAS, an adverse drainage condition exists along a portion of Lawrence Street adjacent to the New Jersey Transit Railroad Line, Spring valley Section, and

WHEREAS, Town Board Resolution No. 639-2001 authorized the Director of the Department of Environmental Control to hire M.G. McLaren, P.C., Consulting Engineers, 100 Snake Hill Road, West Nyack, New York 10994 to prepare the plans and specifications to ameliorate the adverse condition, and

WHEREAS, the Town Board is desirous of widening Lawrence Street and installing sidewalks from Valley Drive east to Pascack Road, and

WHEREAS, the Director of the Department of Environmental Control has obtained a proposal from M.G. McLaren, Consulting Engineers to perform the additional work.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board Resolution No. 639-2001 is hereby amended to include the additional engineering services associated with the widening of and installation of sidewalks along Lawrence Street from Valley Drive to Pascack Road, Spring Valley Section, and

BE IT FURTHER RESOLVED, that M.G. McLaren, Consulting Engineers, 100 Snake Hill Road, West Nyack, New York 10994 shall perform the additional engineering services in accordance with their proposal dated May 16, 2002. and

BE IT FURTHER RESOLVED, that the additional cost shall not exceed \$40,000.00, and

BE IT FURTHER RESOLVED, that the total cost of the engineering services shall not exceed \$77,000.00 and shall be a proper charge to account H 8751 409 0 75 14.

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. (505-2002)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Town Board Resolution 827-1996 authorized the Supervisor of the Town of Clarkstown to enter into a five (5) year agreement to lease a crusher for the Solid Waste Facility for the purpose recycling waste concrete, masonry, and asphalt for use as a substitute for virgin aggregate to the benefit of the environment, and

WHEREAS, the lease terminates on May 31, 2002. and

WHEREAS, the Solid Waste Facility currently has replacement parts adequate to support the operation of the crusher for an additional six (6) months, and

WHEREAS, American Capital has agreed to continue the lease for the current monthly rate of \$6,725.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor may extend the lease for the crusher at the Solid Waste Facility in accordance with the correspondence from American Capital, 2015 Ogden Avenue, Suite 400, Lisle, Il. 60532 dated May 28, 2002 for the monthly rate of \$6,725.00, and

BE IT FURTHER RESOLVED, that the extension shall terminate on December 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

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RESOLUTION NO. (506-2002)

Co. Smith offered and Co. Maloney seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept and record an additional sewer easement for premises located at 5 Kakiak Court, New City, New York having a Tax Map designation of Map 43, Block E, Lots 3, 4 and 5, tendered by 519 57<sup>th</sup> Street Associates, Inc., Philip Neuman, President, and Eva Kochowski;

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown is authorized to accept and record a sewer easement referred to herein, in a form approved by the Town Attorney, for premises located at 5 Kakiak Court, New City, New York having a Tax Map designation of Map 43, Block E, Lots 3, 4 and 5, tendered by 519 57<sup>th</sup> Street Associates, Inc., and Eva Kochowski, subject to receipt of proof of payment for title insurance and recording fees.

RESOLUTION NO. (506-2002) 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. (507-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, a veteran organization has requested monetary assistance from the Town of Clarkstown to defray rent costs, provide funds for parades, memorial services, and other activities;

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750 (\$500 for leasing or rental, and maintenance of meeting facility, \$250 for patriotic observance) to the following veteran organization for the year 2002:

Clarkstown Memorial Post, New City - Post 851 - \$750.00

and be it

FURTHER RESOLVED, that claims for such sums shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 2002 Account No. A 6510-401.

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. Smith and unanimously adopted the Town Board Meeting was closed, time 8:55 pm.

Respectfully submitted,



Patricia Sheridan  
Town Clerk