

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

07/23/2002

8:00 P.M.

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

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

Christopher Groth of Boy Scout Troop 33 was presented with an award for achieving the rank of Eagle Scout.

On motion of Co. Lasker seconded by Co. Mandia and unanimously adopted, the public hearing re: Proposal that portions of Old Mill Rd, West Nyack/Valley Cottage and South Mountain Rd. and Old Phillips Hill Rd, New City, be designated as Official Historic Roads was opened, 8:00 pm.

On motion of Co. Maloney seconded by Co. Mandia and unanimously adopted, the public hearing re: Proposal that portions of Old Mill Rd, West Nyack/Valley Cottage and South Mountain Rd. and Old Phillips Hill Rd, New City, be designated as Official Historic Roads was closed, 8:30 pm.

Supervisor Holbrook opened the public portion of the meeting.

Appearance: Alice Vancott
6 New Clarkstown Road
New City

She referred to Item 17A speaking about the heavy commercial traffic on New Clarkstown Road. She feels that the quality of life has diminished. She would like to see more done to remedy the problem.

Appearance: Michele Bermudez
21 New Clarkstown Road
New City

She referred to Item 17A saying that she is afraid to walk with her children or ride a bike on the road because of the heavy traffic.

Appearance: Melissa Matzke
12 New Clarkstown Road
New City

She referred to Item 17A saying that there are many accidents on the road and many problems with trying to turn into their driveway. There is heavy speeding on the road.

Appearance: Alexandra Berger
18 New Clarkstown Road
New City

She referred to Item 17A saying that she had to prohibit her mother from walking her children on the sidewalk. There are many accidents that are not reported where cars are hitting the mailboxes and poles. She also said that her father and husband had been in accidents while trying to turn into their driveway.

ABE545

Appearance; Lisa Pluchino
20 New Clarkstown Road
New City

She referred to Item 17A saying that she had to replace six (6) mailboxes in two and one-half (2 ½) years and two (2) light posts have been knocked down. She afraid to go out to get her mail.

Appearance: Robert Chin
25 New Clarkstown Road
New City

He referred to Item 17A and he thanks the Town Board for what they are doing to help remedy the problem. He suggests that speed bumps and guardrails would be helpful.

Appearance: Lou Schaffer
Amber Fields

He feels that a traffic light at the Hamlets would be helpful in slowing down traffic on New Clarkstown Road.

Appearance: Janet Burnett
Ramapo

She heard about the Historic Road preservation and she applauds the Board on this action.

Appearance: Renaldo Calone
4 New Clarkstown Road
New City

He referred to Item 17A saying that he moved from Yonkers and his children cannot walk in front of his home. On May 23, 4 am, he left for a trip and said that at 4:15 a car went through the front of his home. He feels that more has to be done to make the road safe.

Appearance: Lourdes Molina
15 New Clarkstown Road
New City

She referred to Item 17A saying that she also experienced an accident which damaged her car in her driveway. She said the sidewalk is too narrow and not safe for her children to wait for the school bus.

Appearance: Jim McCormick
6 New Clarkstown Road
New City

He referred to Item 17A asking if the Town will replace the light post that was knocked down in front of his house.

Appearance: Russell Trojan
Clarkstown

He spoke about the development of Balor Road saying that residents tried to stop the development. He also spoke about the flooding as a result of Friday's (7/19) storm. The Nanuet Fire House , back yards on Jerry's Ave. were flooded and rocks were washed down on Lawrence. He feels that this problem needs to be corrected.

Appearance: John Lodico
New City

He spoke about the sidewalks saying that the macadam sidewalks should be sprayed white in order to distinguish where the sidewalks end and the road begins.

RESOLUTION NO. (604-2002)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of July 9, 2002 are hereby accepted as submitted by the Town Clerk, and amended to include Mrs. Healy's comments.

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. (605-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Councilperson John R. Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

**"AMENDMENT TO CHAPTER 290 OF ZONING LOCAL LAW
OF THE TOWN OF CLARKSTOWN TO PROVIDE FOR
ADULT ENTERTAINMENT USES"**

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on August 13, 2002 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the Office of said Clerk, and be it

FURTHER RESOLVED, that the proposed local law is hereby referred to the Clarkstown Planning Board for its review and recommendations, 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 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.

RESOLUTION NO. (605-2002) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (606-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

"A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 69, LAWS OF 2002 FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF CLARKSTOWN"

and

WHEREAS, this proposed local law is intended to provide for participation by the Town of Clarkstown in the early retirement program made available to local government employees pursuant to Chapter 69 of the Laws of 2002;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on August 13, 2002 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (607-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, HMS ROUTE 303, LLC, by Harry Soffer, Manager, has petitioned the Town Board of the Town of Clarkstown for a Special Permit to construct and operate a mini-warehouse facility pursuant to the provisions of the Zoning Ordinance of the Town of Clarkstown §290-15 and §290-17(S), for property located on the northeast side of Hemlock Drive and the west side of Route 9W, Congers, New York, which property is designated on the Clarkstown Tax Map as Map 35.20-1-6 of the Town of Clarkstown;

RESOLUTION NO. (607-2002) continued

NOW THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their review, and be it

FURTHER RESOLVED, that 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, and be it

FURTHER RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on September 24, 2002, at 8:00 p.m., or as soon thereafter as possible, to consider said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (608-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Maraia-Longo Subdivision (51.06-3-51), the Planning Board of the Town of Clarkstown requested a Declaration of Covenant for road maintenance, and

WHEREAS, the Deputy Director of the Department of Environmental Control has recommended acceptance of the Declaration of Covenant with the concurrence of the Superintendent of Highways, and the Town Attorney has advised that the document is in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a Declaration of Covenant between Nicholas A. Longo, Jr. and Joseph Maraia, dated April 12, 2002, provided however this acceptance is subject to receipt of proof of recording in the Rockland County Clerk's Office and payment of fees for recording.

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. (609-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board authorized the solicitation of proposals for an appraisal of property located at 224 South Route 303, West Nyack, New York and said property is designated on the Tax Map as 65.14-2-5, and

WHEREAS, the Town Attorney has received competitive proposals from appraisers and recommends hiring the firm of Blaise Appraisals & Consultants, Inc. to perform said appraisal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to hire the firm of Blaise Appraisals & Consultants, Inc., in accordance with its proposal of June 20, 2002, to appraise Town property known as 65.14-2-5, and be it

FURTHER RESOLVED, that the cost of \$1,000.00 for said appraisal shall be charged to Account No. A 1420 409, and this resolution shall be retroactive to June 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

RESOLUTION NO. (610-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Cornell Cooperative extension has requested use of the Town of Clarkstown's showmobile for their Rockland County 4-H Youth Fair on Sunday, July 28, 2002 from 8:00 AM - 6:00 PM.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to Cornell Cooperative Extension to use the Town of Clarkstown showmobile on Sunday, July 28, 2002 for the above purpose and 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 Sunday, July 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

RESOLUTION NO. (611-2002)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, to decrease Appropriation Account A-7410-407 (Equip. Repair) by \$1308.00 and to increase A-7140-222 (Parks & Rec. Equip) by \$1308.00.

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. (612-2002)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, to decrease Appropriation Account A-7620-114 (Part time) by \$1601.00 and to increase A-7180-410 (Photo ID Cards) by \$1601.00.

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. (613-2002)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Town Of Clarkstown has received \$10,000 from the NYS Hudson River Green Program, \$22,050 from Seized Property and \$94.00 from D.A.R.E. Donations,

THEREFORE BE IT,

RESOLVED, to increase revenue account #H 15 10 3891 0 (Donations-Congers Lake Trailway) and budgetary account #H8736-409-67-19 (Congers Lake Trailway Project) by \$10,000 and increase revenue account #A 01 11 4320 (Seized Property) and increase budgetary account A 3260-226 (Police-Computer Software) by \$22,050 and increase revenue account #A 01 9 2705 (Gifts & Donations) and budgetary account # A 3230-319 (D.A.R.E-Misc Supplies) by \$94.00 and

WHEREAS, various budgetary accounts need additional funding

THEREFORE BE IT,

RESOLVED, to decrease A 1990-505 (Contingency-Other Costs) by \$1,000 and increase budgetary account #A 1450-407 (Town Clerk-Equipment Repairs) by \$400 and increase budgetary account # A 1450-219 (Town Clerk-Misc Equipment) by \$600.

RESOLUTION NO. (613-2002) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (614-2002)

Co. Lasker offered and Co. Maloney seconded

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

BID #54-2002
REINFORCED CONCRETE CULVERT PIPE ,
CONCRETE CATCH BASIN, BLOCK, & BRICK

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 am on AUGUST 9, 2002 at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (615-2002)

Co. Lasker offered and Co. Maloney seconded

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

BID #56-2002
WEST NYACK HAMLET GREEN

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00a.m. on AUGUST 13, 2002 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 upon payment of the prescribed fee per set.

RESOLUTION NO. (615-2002) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (616-2002)

Co. Mandia offered and Co. Lasker seconded

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

BID #50-2002-
 COMPUTER AND WORD PROCESSING SUPPLIES

is hereby awarded to:

MANCHESTER EQUIPMENT CO
 160 OSER AVE
 HAUPPAUGE, NY 11788
 PRINCIPAL: BARRY STEINBERG

O.P.G. INDUSTRIES, INC
 P.O. BOX 140 BOX
 BROOKLYN, NY 11232
 PRINCIPAL: LARRY STERN

GLOBAL COMPUTER SUPPLIES
 11 HARBOR PARK DRIVE
 PORT WASHINGTON, NY 11050
 PRINCIPAL: RICHARD LEEDS

OFFICE COMMUNICATIONS
 80 RED SCHOOLHOUSE RD
 CHESTNUT RIDGE, NY 10977
 PRINCIPAL: CLINT HART
 THOMAS MURRAY

CORPORATE COMPUTER SYSTEMS
 55 HALSTEAD AVE
 HARRISON, NY 10528
 PRINCIPALS: ANN MARTINO
 LARRY GRIPP

On roll call the vote was as follows:

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

RESOLUTION NO. (617-2002)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Town Board of the Town of Clarkstown is desirous of constructing improvements along the watercourse hereafter referred to as the Strathmore Creek, running from West Clarkstown Road to Prince Street in New City; and

WHEREAS, the Town of Clarkstown via Town Board resolution #1020-2000 has previously retained the services of Tectonic Engineering Consultants, PC to perform a drainage analysis and prepare construction plans and specifications for said improvements; and

WHEREAS, Tectonic Engineering Consultants, PC has submitted plans and specifications for the Strathmore Creek Remediation project; and

WHEREAS, the Town of Clarkstown has advertised and received bid proposals based on these plans and specifications; and

WHEREAS, Tectonic Engineering Consultants, PC has reviewed the apparent low bid proposal and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED that, based upon the recommendation of the design consultant retained for this project, the Town Board hereby awards the contract for

Bid #27-2002 Strathmore Creek Remediation

to

Hudson Canyon Construction, Inc.
16 Schuman Road
Millwood, New York 10546

as per their proposal of \$844,021.00; and

BE IT FURTHER RESOLVED that said award is subject to the receipt by the Town of Clarkstown of all submittals required of the contractor (including, but not limited to, their most recent financial statement) in accordance with the contract specifications; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8749 409 0 73-22.

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. (618-2002)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the request of the Superintendent of Highways, the Town Board accepts the proposal of Goosetown Communications per Rockland County Bid #01-137 for Trunked Radio Repeater Service at a cost not to exceed \$1,800.00 per month, and be it

RESOLUTION NO. (618-2002) continued

FURTHER RESOLVED, that funds for same be charged to account 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. (619-2002)

Co. Maloney offered and Co. Mandia seconded

RESOLVED that based upon the request of the Supt of Highways, the Town Board accepts the proposal of Goosetown Communications per Rockland County Bid #01-131 for replacement and enhancement of the Communications System at the Clarkstown Highway Department at a cost not to exceed \$209,000.00, and be it

FURTHER RESOLVED, that funds for same be charged to account H 8752-409-0-76-18

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. (620-2002)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the request of the Supt. of Highways, the Town Board accepts a proposal from H.O. Penn Machinery, Inc. for one new Caterpillar Model IT28G Tool Carrier with Multi Purpose Bucket and accessories as per N.Y. State Contract PC 58361 for the total cost of \$102,794.00, and be it

FURTHER RESOLVED, that this sum be charged to account H 8752-400-409-76-18.

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. (621-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has heretofore adopted a City Watch System which provides for the wide telephonic dissemination of emergency information to the citizens of the Town of Clarkstown, and

WHEREAS, the City Watch System has proven to be an effective mechanism for alerting the residents of Clarkstown to important information, and

WHEREAS, Police Officer Gregory Tobin has informed the Town Board of the Town of Clarkstown that the system can be further improved by the acquisition and installation of four (4) new port cards;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$11,200.00 be authorized for the purchase of four (4) new port cards for the City Watch System and the sum of \$1,800.00 be authorized for the installation thereof, and said amounts shall be charged to Account No. A-3989-226.

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. (622-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown entered into a lease between Leif Bergstol and Milton B. Shapiro on November 18, 1992 for a period commencing February 1, 1993 and ending on January 31, 2003 for premises located on Route 303, Valley Cottage, New York for use as a warehouse, and

WHEREAS, pursuant to the lease, the Town of Clarkstown is obliged to provide the landlord notice of its intention to renew the lease by certified mail, return receipt requested, on or before August 1, 2002, and

WHEREAS, the Town Board has determined that it has no intention to renew the aforesaid lease for an additional ten (10) year term;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to direct a letter to the owners of the property (landlord) advising of the Town's intention not to renew the aforesaid lease for a ten (10) year term.

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. (623-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Section 22-2A of the Town Code of the Town of Clarkstown provides that permission may be granted by the Town Board to a family desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Parks Board and Recreation Commission has reviewed the request from the Raimone Family for permission pursuant to Section 22-2A of the Clarkstown Town Code and recommends approval of their request,

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby grants permission to the Raimone Family of 128 North Route 303, Unit 6, Congers to dispense beer and wine in accordance with and subject to Section 22-2A and 2B of the Town Code at Congers Lake Park Pavilion Section, Congers, New York on Tuesday, August 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

RESOLUTION NO. (624-2002)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Rudolph J. Yacyshyn, Vice Chairman of the Clarkstown Planning Board, to attend a New York Planning Federation Conference for September 29th - October 1, 2002, which is to be held in Saratoga Springs, New York and be it

FURTHER RESOLVED, that all reasonable expenses, including registration fee of \$75.00 and hotel registration fee of \$385.50, shall be charged to Account No. B 8020-4-404 & 414.

On roll call the vote was as follows:

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

RESOLUTION NO. (625-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Town Board resolution 1020-2000 authorized the Director of the Department of Environmental Control to retain the services of Tectonic Engineering Consultants, PC as the design consultant to perform a drainage analysis and prepare construction plans and specifications for the Strathmore Creek Remediation project; and

RESOLUTION NO. (625-2002) continued

WHEREAS, the design consultant performed work under the associated services section of the proposal accepted by the Town of Clarkstown for this project; and

WHEREAS, in accordance with the provisions of said proposal, compensation for this work is based on the hourly rates submitted as part of the proposal; and

WHEREAS, the design consultant has submitted an accounting of said charges for associated services to the Department of Environmental Control; and

WHEREAS, the Department of Environmental Control has reviewed said accounting in the amount of \$1,413.26 and found it to be acceptable; and

WHEREAS, in addition to the aforementioned associated services, a change order on contract was approved by the Department of Environmental Control as follows:

C.O. #1: Design of Cast-in-Place Concrete Vaults for the twin 60" diameter HDPE storm drain pipes Cost \$3,635.00

NOW, THEREFORE, BE IT RESOLVED that the total cost of associated services and change orders to date is \$5,048.26; and

BE IT FURTHER RESOLVED that the allowance for the design phase of this project be increased from the original proposal amount of \$42,500.00 to \$47,548.26 to reflect this cost; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8749 409 0 73-22.

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. (626-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Tax Assessor of the Town of Clarkstown has forwarded a certificate issued by the New York State Office of Real Property Services for adjusted base proportions pursuant to Article 19 of the RPTL for the year 2002 and has recommended adoption of said adjusted base proportions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the adjusted base proportions for the levy of taxes on the 2002 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for such proportions are attached.

RESOLUTION NO. (626-2002) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (627-2002)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Tax Assessor of the Town of Clarkstown has forwarded a certificate issued by the New York State Office of Real Property Services for base percentages and base proportions pursuant to Article 19 of the RPTL for the year 2002 and has recommended adoption of said certificate for base percentages and base proportions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 2002 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for percentages and proportions are attached.

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. (628-2002)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, Howard L. Lampert, P.E., the Town of Clarkstown Traffic Consultant, has reviewed traffic safety conditions on New Clarkstown Road, Nanuet in response to a complaint by a resident of the Town of Clarkstown, and

WHEREAS, Howard L. Lampert, P.E. has recommended that new signs be installed and an existing sign be relocated on New Clarkstown Road, Nanuet to help reduce the accident rate, and

WHEREAS, New Clarkstown Road is a Rockland County Road and said sign work should be performed by the Rockland County Highway Department;

NOW, THEREFORE, be it

RESOLUTION NO. (628-2002) continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests and authorizes the Rockland County Highway Department to install and relocate signs on New Clarkstown Road, Nanuet, pursuant to the recommendations, dated July 15, 2002, made by Howard L. Lampert, P.E., the Town of Clarkstown Traffic Consultant.

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. (629-2002)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, Stanley Teich has requested that one handicapped parking space be designated at 14 South Main Street, New City where his office is located, and

WHEREAS, Howard L. Lampert, P.E., the Town of Clarkstown Traffic Consultant, has reviewed and recommended designating one handicapped parking space at this location because there are presently no handicapped parking spaces on South Main Street;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby designates one handicapped parking space be installed at 14 South Main Street, New City directly to the south of the existing loading zone near this particular location, and hereby authorizes the Highway Superintendent to install the appropriate sign indicating the designation.

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. (630-2002)

Co. Lasker offered and Co. Maloney

WHEREAS, the Town Board of the Town of Clarkstown is desirous of constructing an asphalt sidewalk on the south side of McCarthy Way from Marten Drive to Woodcrest Court; and

WHEREAS, the Department of Environmental Control has prepared a plan for the construction of said sidewalk; and

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

RESOLUTION NO. (630-2002) continued

WHEREAS, the Department of Environmental Control has received three responses to its solicitation; and

WHEREAS, the Department of Environmental has reviewed the lowest proposal submitted and found it to be acceptable;

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

*DRC Contracting, Inc.
59 Schriever Lane
New City, New York 10956*

to perform said work as per the aforementioned plan in accordance with their proposal in the amount of \$19,990.00; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8752 409 0 76-17.

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. (631-2002)

Co. Maloney offered and Co. Mandia seconded

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

WHEREAS, subsequent Town Board resolutions have amended the budget allowance for this project to reflect the change orders on contract approved to date 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:

C.O. #4: Installation of additional catch basin, 150 linear feet +/- of 15" HDPE underdrain (two locations), 100 linear feet +/- 6" PVC and stairwell drain and related work
Cost \$31,175.00

NOW, THEREFORE, BE IT RESOLVED that the budget allowance for this project be increased to \$184,547.95 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. (631-2002) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (632-2002)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on May 15, 2002 that the position of Recreation Supervisor #0612 – can be reclassified to the position of Senior Recreation Supervisor – Parks Board and Recreation Commission,

Now, therefore, be it

RESOLVED, that the position of Senior Recreation Supervisor – Parks Board and Recreation Commission – is hereby established – effective and retroactive to July 22, 2002.

And be it

FURTHER RESOLVED, that the grade for the position of Senior Recreation Supervisor is hereby established at a grade 29.

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. (633-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Elaine L. Apfelbaum, 3 Alan Court, New City, New York, to the position of (Provisional) Senior Recreation Supervisor – Parks Board and Recreation Commission – at the current 2002 annual salary of \$67,015., effective and retroactive to July 22, 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. (634-2002)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on July 3, 2002 that the position of Insurance and Claims Manager – Insurance Department can be created,

Now, therefore, be it

RESOLVED, that the position of Insurance and Claims Manager – Insurance Department – is hereby created – effective and retroactive to July 15, 2002 – and be it

FURTHER RESOLVED – that the grade for the position of Insurance and Claims Manager is hereby established at a grade 31.

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. (635-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Robert S. Berdy, 52 Foltim Way, Congers, New York, is hereby appointed to the position of (Provisional) Insurance and Claims Manager – Insurance Department – at the current 2002 annual salary of \$55,857., effective August 12, 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. (636-2002)

Co. Mandia offered and Co. Maloney seconded

RESLOVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Rosemary Sanfratello, 3 Cygnet Lane, Valley Cottage, New York – Paralegal Specialist I – Town Attorney’s Office – is hereby granted a Sick Leave of Absence – at one-half pay – effective and retroactive to July 12, 2002 to August 12, 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. (637-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Maureen T. O'Connor, 4 Elyse Drive, New City, New York, is hereby reappointed to the position of (temporary) Legal Stenographer – Town Attorney's Office – at the current hourly rate of \$25.00 – effective and retroactive to July 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. (638-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Gertrude Baslow, 6 Woodland Road, New City, New York, is hereby appointed to the position of (temporary) Principal Clerk Stenographer – Town Attorney's Office – at the current hourly rate of \$25.00 – effective July 24, 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. (639-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Father Edward J. Weber, St. Francis of Assisi Church, 128 Parrott Road, West Nyack, New York, is hereby reappointed to the position of Member – Board of Ethics – at the current 2002 annual salary of \$1,803., term effective and retroactive to June 10, 2002 and to expire on June 9, 2007.

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. (640-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLUTION NO. (640-2002) continued

RESOLVED, that Rabbi David Fass, 61 Susan Drive, New City, New York, is hereby reappointed to the position of Member – Board of Ethics – at the current 2002 annual salary of \$1,803., term effective and retroactive to June 23, 2002 and to expire on June 22, 2007.

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. (641-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Francis M. Marotta, 55 Morton Street, Garnerville, New York – Automotive Mechanic I and Body Repairer – Highway Department – is hereby accepted – effective and retroactive to June 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

RESOLUTION NO. (642-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Dina M. Eigenlaub, 88 Wisconsin Avenue, Congers, New York – Clerk (Part-time) Highway Department – is hereby accepted – effective and retroactive to June 21, 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. (643-2002)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Joseph A. Donovan has requested a leave of absence, without pay and

RESOLUTION NO. (643-2002) continued

WHEREAS, Joseph A. Donovan has supplied a satisfactory reason for his request, and

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

Now, therefore, be it

RESOLVED, that Joseph A. Donovan, 5 Bull Run, West Nyack, New York, Motor Equipment Operator II – Solid Waste Facility – is hereby granted a leave of absence, without pay, effective July 29, 2002 to August 3, 2002, a total of five work days, and

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

On roll call the vote was as follows:

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

RESOLUTION NO. (644-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies a side letter of agreement with the Town of Clarkstown Unit of the Civil Service Employees Association with regard to the position of Assistant to the Comptroller retroactive to June 11, 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. (645-2002)

Co. Lasker offered and Co. Mandia seconded

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

BID #55-2002 –
DEBRIS REMOVAL @ 139 MASSACHUSETTS AVE,
CONGERS

RESOLUTION NO. (645-2002) 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 LaskerYes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor HolbrookYes

RESOLUTION NO. (646-2002)

Co. Lasker offered and Co. Mandia seconded

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

BID #61-2002
SNEDECKER AVENUE DRAINAGE IMPROVEMENTS

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 Environmental Control upon payment of the prescribed fee per set.

On roll call the vote was as follows:

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

RESOLUTION NO. (647-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, James Cropsey and Patricia Cropsey have provided an Owner's Performance Bond secured by a Letter of Credit in the amount of \$188,000.00 to cover public improvements as shown of the final plat of Cropsey Estates (51.09-1-49), which was filed in the Rockland County Clerk's Office on February 22, 2002, and

WHEREAS, Sidney Schulson, developer, has requested to substitute said Performance Bond with a Developer's Performance Bond secured by a Certificate of Deposit in the amount of \$187,000.00, which amount is required by the Deputy Director of the Department of Environmental Control to cover the public improvements in said subdivision, and

RESOLUTION NO. (647-2002) continued

WHEREAS, Philip B. Fogel, Senior Deputy Town Attorney, has recommended accepting this substitution subject to certain conditions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Letter of Credit provided by James Cropsey and Patricia Cropsey in the amount of \$188,000.00 be released, subject to the receipt of a Developer's Performance Bond signed by Sidney Schulson secured by a Certificate of Deposit in the amount of \$187,000.00, in a form approved by the Town Attorney.

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. (648-2002)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the U. S. Department of Justice, under the Office of Justice Programs, has appropriated Local Law Enforcement Block Grant (Grant Award No. 2002-LB-BX-0515), in the amount of \$29,211.00 for the Town of Clarkstown Police Department for the purpose of conducting the Operation Safe Shopper Program at the Palisades Center Mall during the upcoming holiday season, and

WHEREAS, said agreement shall cover the period October 1, 2001 through September 30, 2003;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the U.S. Department of Justice, in a form approved by the Town Attorney, to accept a grant award of \$29,211.00 for the purpose of conducting the Operation Safe Shopper Program at the Palisades Center Mall, for the period covering October 1, 2001 through September 30, 2003.

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. (649-2002)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Section 18(b) of the Transportation Law of the State of New York, provides for the appropriation of funds for the operation of bus transportation systems, and

RESOLUTION NO. (649-2002) continued

WHEREAS, pursuant to Section 119-r of the General Municipal Law and Local Law No. 9-1974, the County of Rockland is authorized to contract for mass transportation services to be rendered to the people of the County of Rockland by a municipality for a fair and reasonable consideration;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland for the period April 1, 2002 to March 31, 2003, in a form satisfactory to the Town Attorney, to provide for the operation of public transportation routes within the Town of Clarkstown (MINI TRANS), and be it

FURTHER RESOLVED, that this resolution is retroactive to April 1, 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. (650-2002)

Co. Mandia offered and Co. Maloney seconded

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

BID # 24-2002
CULVERT 334 and 334A
REPLACEMENT PHILLIPS HILL ROAD, NEW CITY

is hereby awarded to: DANNY CLAPP LANDSCAPING, INC
59 SCHREIVER LANE
NEW CITY, NY 10956
PRINCIPAL: DANIEL R. CLAPP

as per their proposed project cost of \$159,999 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
- 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.

RESOLUTION NO. (650-2002) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (651-2002)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Receiver of Taxes and the Director of Automated Systems that

BID #53-2002
 TAX RECEIVING AND BILLING SOFTWARE

is hereby awarded to: SOFTWARE CONSULTING ASSOCIATES
 74 ROKEBY ROAD
 RED HOOK, NY 12572
 PRINCIPALS: ARTHUR CRANE
 JAY GREENBLATT

as per their proposed cost of \$28,490.00.

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. (652-2002)

Co. Mandia offered and Co. Maloney seconded

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

BID #36A-2002 STRAWTOWN ROAD ASPHALT
 SIDEWALK IMPROVEMENT

is hereby awarded to: CONSERV CONSTRUCTION
 17 WASHINGTON AVENUE
 SUFFERN, NY 10901

PRINCIPALS: TIMOTHY GULLA
 DON BRENNAN, JR.

as per their proposed project cost of \$66,350.00 and be it

RESOLUTION NO. (652-2002) continued

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. (653-2002)

Co. Mandia offered and Co. Maloney seconded

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

BID #51-2002 OLD PHILLIPS HILL ROAD
RETAINING WALL

is hereby awarded to: DANNY CLAPP LANDSCAPING
 59 SCHREIVER LANE
 NEW CITY, NY 10956
 PRINCIPALS: DANIEL R. CLAPP

as per their proposed project cost of \$150,740.00 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. (654-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Supervisor Charles E. Holbrook, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

"A LOCAL LAW TO PROVIDE FOR COMPENSATION FOR MEMBERS OF THE CLARKSTOWN POLICE COMMISSION"

and

WHEREAS, this proposed local law is intended to provide for compensation for members of the Police Commission of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on August 13, 2002 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (655-2002)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a drainage condition exists at the westerly end of Quarry Drive where run-off from upper elevations erodes soils resulting in sedimentation of the pavement of Quarry Drive, and

WHEREAS, the Town Board is desirous of eliminating the described condition, and

WHEREAS, the Department of Environmental Control has prepared a plan for work to be performed, including installation of approximately 200 feet of drainage pipe and the installation of two field inlets which will intercept the run-off before it reaches the ROW of Quarry Drive, and estimates the cost of such work to be approximately \$6000.00, and

WHEREAS, the Owner of the property bordering Quarry Drive has agreed to allow the Town to perform said work and grant an easement to the Town at the completion of the work, and

NOW THEREFORE, BE IT RESOLVED that the Department of Environmental Control is directed to solicit proposals from qualified contractors to perform work in accordance with the plan developed, at a maximum cost of \$6,000.00, and



RESOLUTION NO. (655-2002) continued

BE IT FURTHER RESOLVED that the Director of Environmental Control is authorized to hire the qualified Contractor who submits the lowest cost to perform the work as proposed, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8752-409-0-76-19, and

BE IT FURTHER RESOLVED that this resolution is subject to the Department of Environmental Control obtaining rights of entry and permanent easements for future maintenance from the property Owner as necessary.

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 and no one further wishing to be heard, on motion of Co. Lasker, seconded by Co. Maloney and unanimously adopted the Town Board Meeting was closed, time: 9:25 pm.

Respectfully submitted,

Patricia Sheridan

Patricia Sheridan
Town Clerk



**TOWN OF CLARKSTOWN
PUBLIC HEARING**

Town Hall

07/23/2002

8:00 PM

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

Re: Proposal from the Historical Review board that portions of Old Mill Road, West Nyack/Valley Cottage and South Mountain Road and Old Phillips Hill Road, New City be designated as Official Historic Roads

On Motion of Co. Lasker, seconded by Co. Mandia and unanimously adopted, the Public Hearing was declared open. The Town Clerk read the Notice of Hearing.

Supervisor Holbrook explained that this Public Hearing was recommended by the Historical Review Board. He further explained that the roads are part of a parcel of the Town master plan to work on historic designations which include many roads in the Town.

Supervisor Holbrook opened the meeting for public comment.

Appearance: Joseph Schlimer
Phillips Hill Rd.
New City

He stated that there is one correction in regard to So. Mountain Road as it must start at the border of Ramapo going to Old Route 304. Co. Mandia asked Mr. Schlimer what the elements and aspects are to bring forth a recommendation from the Commission to declare a road as historic. Mr. Schlimer said that one aspect would be the history along the road, and the aesthetics of the road. He referred to So. Mountain Road and Old Mill Road as examples.

Supervisor Holbrook referred to two letters received, one from Karl Muller and one from Frank Squeo stating that they are in favor of the proposed resolution as long as the setbacks are not affected.

Mr. Schlimer also invited the community to attend the Historical Review Board meetings and to write letters to let them know about some of the roads and homes that could be designated as historical preservation.

Appearance: Robert Knight
Town Historian

He referred to a letter he received from Joseph Flahive who owns the Southside Garage and the Deli on Old Route 304 at Phillips Hill Rd. who favored the plan. He also received phone calls from George Robertson, Old Route 304, and Muriel Wooley, Phillips Hill Road who are both in favor. He also said that he received several other calls and letters from residents who had questions and who favored the plan after he explained it to them. He further explained that any changes on the road or its shoulder cannot be done without permission from the Historical Review Board.

Co. Mandia raised the question of historic home preservation, specifically in regard to what the consequences would be if someone made major changes to the home. Supervisor Holbrook replied that a permit would be needed before making any renovations. The permit would have to be reviewed by the Historic Review Board.

Co. Lasker asked what penalties there would be if someone took down a stone wall on an historical site. Mr. Knight replied that someone would have to report it to the Historical Review Board.

PH: Proposal Designating Historical Roads

7/23/02

Page 2

Appearance: Terry Thal
So. Mountain Road

She received calls from her neighbors who asked her to thank the Board and to say how happy they are that So. Mountain Rd. is going to be protected. She also congratulated the Board and said that So. Mountain Rd. is one of the important places in the community.

Appearance: Don Distonte
United Water New York

He is seeking clarification on what historic designation means for the Water company's facilities on Old Mill Road. He asked what impact this would have on their work and facilities along that road. Supervisor Holbrook replied that the purpose is to preserve the historic roadway and that there should not be any problem if the Water Company needs to do work in the road.

Appearance: Jean Marie Grahn
So. Mountain Road

She said that So. Mountain Road is unique and it is important to keep So. Mountain Road as it is.

Appearance: Dale Robertson
So. Mountain Road

He is in favor of So. Mountain Road being preserved as historic.

Appearance: Joe Avaras
So. Mountain Road

He had a question on the first paragraph where it states that "it will exercise over the architectural design, construction, alteration of all buildings." He asked what the road had to do with the buildings and construction. Supervisor Holbrook referred the question to Deputy Town Attorney Marsha Coopersmith.

Ms. Coopersmith replied that normal procedures would be followed if any changes were to be made to the house. Only the road is preserved. He was assured that he would not have to go before the Historical Review Board.

Appearance: Joan Rosen
So. Mountain Road

She is in favor of the historical preservation.

Appearance: Judith Katzman
So. Mountain Road
New City

She is in favor of preserving the road and she wants to maintain the culture of the county.

Appearance: Martus Granier
President of West Branch Conservation

He is in favor of preserving the roads and feels that this would apply to many more roads in Clarkstown.

PH: Proposal Designating Historical Roads

7/23/02

Page 3

Appearance: Edward Erickson
284 Ridge Road
New City

He asked for clarification on the extent of So. Mountain Road. He also said that he would pay for half of the expense of placing an historic marker. Supervisor Holbrook assured him that Ridge Road would not be affected by this.

Appearance: Ralph Cassiere
436 So. Mountain Road
New City

He referred to the restoration of the railing opposite the Hi Tor State Park and asked if it could be restored to the original stone wall structure.

Appearance: Mary Colletta
Strawtown Road

She spoke about the heavy traffic on Strawtown Road and asked about the impact on her property. Supervisor Holbrook assured her that a traffic light will not be installed there.

Supervisor Holbrook asked Town Attorney John Costa to read into the record a memo from Robert Geneslaw, Planning Consultant. Mr. Costa informed all that Mr. Geneslaw was appointed as the Agent for the Town to conduct the Environmental Quality Review procedures. The memo, dated July 22, 2002, to Supervisor Holbrook and members of the Town Board, subject stated as "Nominations for Historic Roads," was read as follows:

The Town Board designated us as staff for the conduct of the environmental review and set the Public Hearing for July 23, 2002. We are in the process of collecting information for the review, much of which will be part of the support for the nominations including description of designated historic buildings and sites along each of the roads, presence of stone walls, roadside streams and visual quality elements, and the extent to which the road corridors have been altered or modified over the years. We believe it is also important to receive the comments of the public before concluding the environmental review. Therefore, we suggest the Town Board hold a Public Hearing and adjourn it so that the information offered at the Public Hearing can be evaluated.

There being no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Public Hearing was adjourned at 8:30 PM to August 13, 2002.

Respectfully Submitted


Patricia Sheridan
Town Clerk