

**TOWN OF CLARKSTOWN  
TOWN BOARD MEETING**

Town Hall

06/10/2003

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.

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Supervisor Holbrook and members of the Town Board presented a Certificate of Award on behalf of the Town to Gregory Sullivan of Troop 46 for achieving the Rank of Eagle Scout. They congratulated him and his family.

Supervisor introduced Detective Eileen Malloy, Director of Youth Court to present the 32<sup>nd</sup> Graduating Class. Detective Malloy gave an explanation of the Youth Court program, and gave praise to the following graduates:

Brett Albert, Rebecca Ast, Arielle Baker, Brian Bernstein, Nicholas Capone, Michele Cilurzo, Eric Feinsilber, Evan Gusler, Keri Horan, Alex Greenspan, Allison Janell, Daniel Maher, Brendt Mendelblatt, Wesley Miasnik, Govind Magubandi, Katie Osterlitz, Mallory Schwartz, Cheryl Silverbrand, Jaryd Solomon, Rees Solomon, Jordana Turkel, Matthew Wilchock

Detective Sergeant James Doyle represented Chief Sherwood of the Clarkstown Police Department. Supervisor Holbrook and the Town Board congratulated the graduates and their families.

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**Appearance:** Floyd Lapp  
New City

He presented a petition regarding the group home on 29 Hempton Road. He said that the R-15 zone – one-third acre does not include group homes in the zoning. He also said that New City has a disproportionate share of group homes in Clarkstown and, similarly, Clarkstown has a disproportionate share of group homes in Rockland County. He suggested a site visit by the Town and ARC, and the possibility of alternate sites. (He submitted Petition to Supervisor Holbrook)

**Appearance:** Peter Kaufmann  
New City

He presented the Town Board with a Scatter Map and list of addresses showing the residential facilities located in the New City area. He explained the map.

**Appearance:** Jim Yarmus  
New City

He said he has been a licensed planner since 1983 and a licensed professional engineer since 1969. He said that 57% of the group homes in the county of Rockland are concentrated within four miles of 29 Hempton Rd. (He presented the GIS map to the Town Attorney).

Appearance: Leah Baker  
New City

She said she has reviewed the application and said that the "reasonable accessibility" claim is a misrepresentation. She asked on behalf of the Hemptor Acres Association for one member of the Board meet with Floyd Lapp and Helene Yarmus, our Association reps tomorrow.

Appearance: Karer. Londin  
New City

She urged the Town Board to reverse their decision on the proposed ARC residence at 29 Hemptor Rd.

Appearance: George Weintraub  
New City

He said 29 Hemptor Rd. does not enhance the lives of the residents as there is no yard area. The residents would be living in an institution-like environment.

Appearance: Maureen Arciero  
New City

She said this application was submitted last year and there was not an opportunity for the residents of this neighborhood to address their concerns with you before the application was approved. She requested a site inspection.

Appearance: Al Wolper  
New City

He said the house is not suitable for this type of residence as the house is set on a small piece of land. He also said the house will have a negative impact on the value of the homes in the area. He asked the Board to reconsider their decision.

Appearance: Miguel Perez  
New City

He said there is a concentration of group homes in the area. He said wages are lower than of those working in an institution and there is a high turnover of employees.

Appearance: Susan Wolper  
New City

She said that there has been no due process for the application on Hemptor Rd. and that must change for the future. She requested a reconsideration of the property with expectations to work for an alternate site and in the future residents be notified of such applications.

Appearance: Jim Johnson, Representing Little Tor Neighborhood Association  
New City

He spoke in favor of Item 10C -- imposing a weight limit on trucking on Schreiber Lane.

Appearance: Dan Mascoto Block Coordinator - Little Tor Neighborhood Association  
New City

He is in favor of Item 10C authorizing installation of a four-way "Stop" signs at Ethel Drive and Lady Godiva Way, New City and thanked the Board for their response.

Appearance: Frank Hackett  
Valley Cottage

He spoke in favor of the Valley Cottage Overlay District. He is also in favor of Item #16 which would amend the Comprehensive Plan prior to entertaining a zone change petition.

Appearance: George Nugent  
Valley Cottage

He is in favor of #6 on proposed Local Law entitled "Valley Cottage Hamlet Center Overlay District" and #16 which would amend the Comprehensive Plan prior to entertaining a zone change. He also asked what the status is of the Shapiro premises with regard to the Town.

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RESOLUTION NO. (436-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Marvin S. Baum, 550 Sierra Vista Lane, Valley Cottage, New York, is hereby appointed to fill the unexpired term, created by the untimely passing of Norma G. Tullo, for the position of Member - Planning Board - at the current 2003 annual salary of \$5,892.00 - term effective June 11, 2003 and to expire on January 1, 2009.

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. (437-2003)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby confirms the recommendation by the Town Attorney that the firm of Valuation Plus, Inc. be retained to appraise property located at 40 First Street, New City, New York, and designated on the Clarkstown Tax Map as 43.19-2-7, for the purpose of performing rental analysis to determine the market rental value of the subject property, and be it

FURTHER RESOLVED, that the fees for said appraisal shall not exceed \$1,500.00, which shall be charged to Account No. A 1420-409, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to May 28, 2003.

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. (438-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board authorizes payment to Rolling Acres Lawns and Landscaping, Inc., contractor hired by 170 North Main LLC, for snow removal and maintenance of the commuter parking lot located at UA Cinema, New City, invoice #9878, in the amount of \$175.00 for the period ending 4/30/03, and be it

FURTHER RESOLVED, that the total amount of \$175.00 shall be a proper charge to account number A-5650-409.

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. (439-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Chief of Police William P. Sherwood has advised that Section 837-d of the Executive Law authorizes municipalities to apply for partial reimbursement of expenses incurred for the purchase of "soft body ballistic armor vests" for police officers, and

WHEREAS, Chief Sherwood has recommended submission of an application for such reimbursement which may result in an award in the amount of \$2,817.41 for body armor expenditures previously made by the Police Department;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an application, pursuant to Section 837-d of the Executive Law, for the partial reimbursement to the Clarkstown Police Department for expenditures incurred for the purchase of "soft body ballistic armor vests" for the Clarkstown Police Department.

On roll call the vote was as follows:

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

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RESOLUTION NO. (440-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Resolution No. 62-2003 authorized the Clarkstown Police Department to take ownership of a certain motor vehicle, and

WHEREAS, there was a typographical error pertaining to the year in the description of this vehicle in said resolution;

RESOLUTION NO. (440-2003) continued

NOW, THEREFORE be it

RESOLVED, that Resolution No. 62-2003 is hereby amended to describe said vehicle as a 1996 Mercury motor vehicle.

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. (441-2003)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the County of Rockland initiated a program by Resolution No. 571-1997 to reimburse local municipalities for drug law enforcement activities, and the Legislature of Rockland County has provided funds in its 2003 Budget for the purpose of reimbursement of compensation for two Clarkstown Police Officers assigned to the Rockland County Narcotics Task Force for law enforcement purposes;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept financial assistance for the purpose of reimbursement of compensation for two Clarkstown Police Officers assigned to the Rockland County Narcotics Task Force, in the sum of \$40,000.00 per officer, for the period January 1, 2003 through December 31, 2003.

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. (442-2003)

Supervisor Holbrook offered and Co. Lasker seconded

WHEREAS, a proposed local law entitled,

"VALLEY COTTAGE HAMLET CENTER OVERLAY DISTRICT"

was introduced by Councilwoman Lasker, at a Town Board meeting held on April 15, 2003, and

RESOLUTION NO. (442-2003) continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on April 15, 2003, directed that a public hearing be held on May 27, 2003, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 20, 2003, and the proposal was referred to the Planning Board pursuant to Section 290-33 although not required to be so referred, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 30, 2003, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Environmental Assessment Form and a related report dated May 27, 2003, prepared by Robert Geneslaw, Planning Consultant, which the Board has discussed and considered with respect to SEQRA compliance, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 27, 2003, and

WHEREAS, the Town Board wishes to proceed to a determination of this matter at this time although the Planning Board has not provided its recommendation, as the proposed Local Law provides certain development incentives which are separate and apart from Chapter 290 ("ZONING") and non binding on property owners within the subject Overlay District;

NOW, THEREFORE, be it

RESOLVED, that based upon the May 27, 2003 report of Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that this action is an Unlisted Action, and the Town Board hereby further determines that the proposed Local Law concerning the Valley Cottage Hamlet Center Overlay District shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 3 - 2003 entitled:

"VALLEY COTTAGE HAMLET CENTER OVERLAY DISTRICT"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown.

On roll call the vote was as follows:

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

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The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

RESOLUTION NO. (443-2003)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary steps, including commencing litigation, against Almar Supplies, Inc. and Alfredo Lamanna Trucking on behalf of the Town of Clarkstown to recover monies owed for abatement of nuisance by the Clarkstown Police Department as a result of a gravel spill on October 4, 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. (444-2003)

Co. Lasker offered and Co. Maloney seconded

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

SAVAGE EQUIPMENT CO., INC.  
852 Warwick Turnpike  
Hewitt, NJ 07421  
James R. Stock, President

DANNY CLAPP LAWN & LANDSCAPING, INC.  
59 Schriever Lane  
New City, NY 10956  
Danny Clapp, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 03-25 SAVAGE EQUIPMENT CO., INC.  
No. 03-26 DANNY CLAPP LAWN & LANDSCAPING, INC.

On roll call the vote was as follows:

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

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RESOLUTION NO. (445-2003)

Co. Mandia offered and Co. Lasker seconded

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

RESOLUTION NO. (445-2003) continued

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 2003:

American Legion (Wm. E. DeBevoise Jr.) Post No. 1682

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 2003 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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RESOLUTION NO. (446-2003)

Co. Lasker offered and Co. Maloney seconded

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

A "Stop" sign on Ralph's Avenue at Kings Highway, New City.  
Also a "Stop" line to be painted on the roadway.

And be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows:

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

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RESOLUTION NO. (447-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Resolution No. 722-1991 the Town Board authorized the installation of stop signs on both sides of Ethel Drive where it intersects with Lady Godiva Way, and

WHEREAS, by Resolution No. 838-2002 the Town Board authorized the installation of a stop sign on Ethel Drive at its intersection with Lady Godiva Way, and

WHEREAS, the Superintendent of Highways has requested clarification of intent of the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby clarifies its intent with respect to Resolution No. 772 and Resolution No. 838 in that a four way stop sign shall be installed at the intersection referred to above, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, P.E., C.S.P, Superintendent of Highways, for implementation, as necessary, and to the Chief of Police for enforcement purposes.

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. (448-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Little Tor Neighborhood Association has advised that there is increasing truck traffic traversing through Schriever Lane and vicinity, which is an entirely residential area and not planned or mapped as a truck route, and

WHEREAS, the Town Board is concerned about the safety issues presented by such activity;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs the Superintendent of Highways to install "Four Ton Limit" signs at:

1. Corner of South Main Street and Schriever Lane, New City;
2. Corner of Collyer Avenue and Bonnie Lane, New City,

and be it

FURTHER RESOLVED, that the Town Clerk is directed to send a copy of this Resolution to the Superintendent of Highway for implementation.

RESOLUTION NO. (448-2003) 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. (449-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Gillette Creamery, 23 Lincoln Street, Ellenville, NY 12428 has been awarded Bid #17-2003 ICE CREAM FOR TOWN SUMMER REFRESHMENT STANDS, and

WHEREAS, Gillette Creamery has notified the Purchasing Department they are unable to perform on the contract award; and

WHEREAS, bid security was not required, now therefore, be it

RESOLVED, that the Purchasing Department is hereby authorized to re-advertise for bids for:

**BID #17-A – ICE CREAM FOR TOWN SUMMER REFRESHMENT STANDS**

effective and retroactive to June 2, 2003 and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (450-2003)

Co. Lasker offered and Co. Maloney seconded

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

**BID #41-2003 – ROOF RENOVATION – STREET COMMUNITY CENTER**

Bids to be returnable to the office of Purchasing, 10 Maple Avenue, New City, New York by a time and date to be determined 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 Purchasing Department

RESOLUTION NO. (450-2003) 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. (451-2003)

Co. Lasker offered and Co. Maloney seconded

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

BID #42-2003 – PLAYGROUND AT GERMONDS PARK

Bids to be returnable to the office of Purchasing, 10 Maple Avenue, New City, New York by a time and date to be determined 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 Purchasing Department.

On roll call the vote was as follows:

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

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RESOLUTION NO. (452-2003)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby supports Senate Bill No. S.622 and Assembly Bill No. A.3483 to eliminate the inequity of taxpayer funded double recoveries by injured municipal workers, so as to make public employment consistent with the law applicable to private sector employment, and be it

FURTHER RESOLVED, that the Town Clerk shall remit a certified copy of this resolution to Hon. Richard M. Platkin, Counsel to the Governor; Hon. Joseph L. Bruno, Majority Leader, New York State; Hon. Sheldon Silver, Speaker, New York State Assembly, Hon. Thomas Morahan, Senator, and Hon. Alex Gromack, Assemblyman.

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. (453-2003)

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,

**“AMENDMENT TO CHAPTER 263 (TAXICABS)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”**

And

WHEREAS, the proposed local law is to enact conforming amendments to Chapter 263 (Taxicabs) suggested by the New York State Division of Criminal Justice Services to facilitate the process of obtaining fingerprint information for criminal background checks of taxicab operators and owners;

NOW, THEREFORE, be it

FURTHER 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 June 24, 2003, 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 the 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

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RESOLUTION NO. (454-2003)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Rosemary DeSalvo, 5 Lamborn Avenue, Congers, New York, is hereby reappointed to the position of Member – Parks Board and Recreation Commission – at the current annual salary of \$2,678., - term effective and retroactive to August 15, 2002 and to expire on August 15, 2007.

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. (455-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, EklecCo, L.L.C. furnished to the Town of Clarkstown a surety bond issued by St. Paul Fire and Marine Insurance Company in the amount of \$5,000,000 pursuant to a certain Settlement Agreement entered into on the 14<sup>th</sup> day of August 2000, and

WHEREAS, the \$5,000,000 bond was furnished to ensure that EklecCo did not file a petition to review real property taxes through the tax period 2002/03 and to further ensure that all taxes due and owing to all taxing authorities have been paid in full, and

WHEREAS, upon information obtained from the Assessor of the Town of Clarkstown and the County Receiver of Taxes respectively stating that no certiorari proceedings have been commenced and that all taxes on all parcels have been paid in full for the period of time for which the settlement applies, and Philip B. Fogel, Esq., Tax Certiorari Counsel for the Town of Clarkstown, has recommended that the bond may be released;

NOW, THEREFORE, be it

RESOLVED, that Bond No. KGO234 in the amount of \$5,000,000 may be released.

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. (456-2003)

**THIS SPACE INTENTIONALLY LEFT BLANK**

**RESOLUTION NUMBER WAS NEVER USED.**

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RESOLUTION NO. (457-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, John W. Coyle, Safety Manager, has requested permission for himself and Ralph Lauria, Deputy Director of the Department of Environmental Control, to attend the Solid Waste Association of North American Workshop to be held on June 18, 2003 at West Point, New York;

RESOLUTION NO. (457-2003) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes John W. Coyle, Safety Manager, and Ralph Lauria, Deputy Director of the Department of Environmental Control, to attend the Solid Waste Association of North American Workshop to be held on June 18, 2003 at West Point, New York, at a cost of \$55.00 per person, and be it

FURTHER RESOLVED, that the total cost of \$110.00 for said Workshop, and any reasonable expenses for travel, shall be charged to Account No. A 1010-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (458-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, malfunctioning catch basins in Grand Street, New City, in the vicinity of 68 Grand Street, are causing an erosion problem, and

WHEREAS, the Deputy Director of the Department of Environmental Control has inspected the location and supervised the preparation of plans to correct the existing problem, and

WHEREAS, the Director of the Department of Environmental Control solicited proposals from six qualified contractors to make the necessary improvements, and

WHEREAS, the Director of the Department of Environmental Control has received four responses to the request for proposals and recommends retaining the services of MRJ EXCAVATING, INC., 7 Beaver Court, New City, New York 10956 as the lowest cost proposer;

NOW, THEREFORE, be it

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

MRJ EXCAVATING, INC.  
7 Beaver Court  
New City, New York 10956

to perform this work in accordance with its proposal for an amount of \$10,650.00, and be it

FURTHER RESOLVED, that this shall be a proper charged to Account No. H 8753-409-0-77-16.

RESOLUTION NO. (458-2003) 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. (459-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has previously undertaken drainage improvements on Pleasant Hill Drive in New City, and

WHEREAS, an adverse drainage condition exists within and adjacent to an existing drainage easement at 367 Pleasant Hill Drive in New City, which the Director of the Department of Environmental Control recommends be corrected, and

WHEREAS the Department of Environmental Control has solicited proposals from three qualified contractors to implement improvements to remediate said adverse drainage condition and has received one response to its solicitation, which upon review was found 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

***Pinebrook Industries, Inc.  
P.O. Box 723  
New City, New York 10956***

to perform said improvements in accordance with its proposal for an amount not to exceed **\$4,700.00**; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8749 409 0 73-31.

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. (460-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, a soil settlement condition exists adjacent to a storm drain line within a Town drainage easement in the vicinity of 322 Old Route 304, New City, New York, and

RESOLUTION NO. (460-2003) continued

WHEREAS, the Department of Environmental Control has determined that the adverse condition is caused by ground water adjacent to the storm drain line resulting in numerous sink holes throughout the easement, and

WHEREAS, the Director of the Department of Environmental Control has recommended the excavation of the soil adjacent to the line be replaced with crushed stone to ameliorate the adverse condition, and

WHEREAS, the Director of the Department of Environmental Control has obtained proposals from qualified contractors to perform the required work and advises that MRJ Excavating, Inc. has submitted the lowest responsible proposal, and

WHEREAS, the proposed work is required to protect the integrity of the storm drain line and the safety of the residents in the proximity of the easement.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire MRJ Excavating, Inc., 7 Beaver Court, New City, New York to perform the required work adjacent to the storm drain line in accordance with their proposal dated June 3, 2003, and

BE IT FURTHER RESOLVED, that the cost for the required work shall be \$ 8,850.00 and shall be a proper charge to Account No. H 8753-409-0-77-17.

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. (461-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Resolution dated April 2, 2002, the former Clarkstown Counseling Center, located at 3 East Evergreen Road, New City, New York, was declared surplus municipal property and has been offered for sale, and

WHEREAS, despite advertisements and considerable interest in said property no contract of sale has resulted to date, and

WHEREAS, the Town Board believes that the subject premises would be better marketed by listing same in the Greater Hudson Valley Multiple Listing System, and

WHEREAS, Robert Davies, Supervising Real Property Appraiser, Clarkstown Assessor's Office, is a member of said multiple listing service and has proposed to list same on behalf of the Town, and to waive any listing commission which may be earned as a result of a sale;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the premises at 3 East Evergreen Road, New City, New York, more particularly known on the Clarkstown Tax Map as 43.15-1-26, to be listed for sale at \$500,000.00 with the Greater Hudson Valley Multiple Listing System, by an agreement in a form approved by the Town Attorney, and be it

RESOLUTION NO. (461-2003) continued

FURTHER RESOLVED, that this property is being listed with the intent that it will be sold with a Restrictive Covenant limiting the property's use to Professional Office uses with the basement limited to accessory storage only, and be it

FURTHER RESOLVED, that the Town Board expresses its appreciation and gratitude to Robert Davies for allowing his membership in the Greater Hudson Valley Multiple Listing System to be used for the benefit of the Town.

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. (462-2003)

Co. Maloney offered and Co. Mandia seconded

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

BID #17A-2003 – ICE CREAM FOR TOWN REFRESHMENT STANDS

is hereby awarded to:

VMQ ICE CREAM  
 56 CRICKETTOWN ROAD  
 STONY POINT, NY 10980  
 PRINCIPALS: VINCENT QUATTROCCHI

as per the attached item/price list (on file in Town Clerk's Office)

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (463-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Ed Lettre, Clerk of the Works that

BID #23-2003 – REFUSE PICK-UP FOR TOWN FACILITIES

is hereby awarded to: PAT NAZARRO DISPOSAL  
 2 WELLS AVE  
 CONGERS, NY 10920

RESOLUTION NO. (463-2003) continued

as per attached item/price schedule. (On file in Town Clerk's Office).

On roll call the vote was as follows:

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

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RESOLUTION NO. (464-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Bid Number 52-B-2002 awarded on January 28, 2003, provided for the installation of an Electronic Access System for the Police/Court Facility, and

WHEREAS, security concerns require that said Electronic Access System be expanded to cover Town Hall, 10 Maple Avenue, New City, New York, and

WHEREAS, Robert Stritmater, Director of Automated Systems, has recommended a change order to Bid No. 52-B-2002 to install the identical Electronic Access System in Town Hall;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a change order in the amount of \$17,738.00, as recommended by the Director of Automated Systems, to provide for the installation of a Security Access System for Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the cost of additional work in the amount of \$17,738.00 be charged to Capital Project Account No. H 8752-409-0-76-38.

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. (465-2003)

Co. Maloney offered and Co. Smith seconded

WHEREAS, by Resolution dated April 8, 2003, the Town Board authorized a Home Rule Request and supported adoption of Assembly Bill A.7320-A and Senate Bill No. S.3946 with respect to retroactive membership in the New York State Local Employees' Retirement System for Member No. 49329690, and

WHEREAS, Assembly Bill A.7320-B and Senate Bill S.3946-A have been introduced to amend a technical error in the initial legislation;

RESOLUTION NO. (465-2003) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby supports the introduction of amended Bill No. A.7320-B and Senate Bill S.3946-A, and reiterates its support as contained in Resolution No. 315 adopted April 8, 2003.

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. Mandia, seconded by Co. Maloney and unanimously adopted the Town Board Meeting was adjourned, in honor of NORMA TULLO, time: 9:15 PM.

Respectfully submitted,



Patricia Sheridan  
Town Clerk