

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

07/15/2003

7:30 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.

RESOLUTION NO. (524-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the resident at #88 East Allison Avenue (n/f Karatka) has registered a complaint with the Town of Clarkstown with reference to damage to her property due to a groundwater condition emanating from the right-of-way for the Town street; and

WHEREAS, the Department of Environmental Control is in the process of preparing plans and specifications for the installation of a groundwater interceptor drain to alleviate the condition;

NOW, THEREFORE BE IT RESOLVED that the Purchasing Department is hereby authorized to advertise for bids for:

Bid #46-2003
East Allison Avenue Groundwater Interceptor Drain Project

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

On roll call the vote was as follows:

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

RESOLUTION NO. (525-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of April 8, 2003; April 15, 2003; April 29, 2003; May 6, 2003; May 13, 2003; May 27, 2003; June 10, 2003; June 17, 2003; June 20, 2003 and June 24, 2003 are hereby accepted as submitted by the Town Clerk

RESOLUTION NO. (525-2003) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (526-2003)

Co. Mandia offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown has previously authorized the Director of the Department of Environmental Control to retain the services of Danny Clapp Landscaping, Inc. to perform corrective drainage work within an existing Town drainage easement located along the east side of the Rodeo East subdivision; and

WHEREAS, the resident at # 185 Buena Vista Road (n/f Muller) has complained of standing water in three catch basins located within the right-of-way of Buena Vista Road and within the limits of the aforementioned drainage easement; and

WHEREAS, the Department of Environmental Control has verified this condition and determined that it can be eliminated by pouring concrete inverts in said catch basins; and

WHEREAS, this work was not contained within the original scope of work previously authorized by the Town Board; and

WHEREAS, the Department of Environmental Control has solicited and obtained a written proposal in the amount of \$1,950.00 from the contractor to perform this corrective work; and

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

NOW, THEREFORE, BE IT RESOLVED that the allocation for this project be revised to \$6,650.00 due to the increase in the scope of work; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account A 8730 409.

On roll call the vote was as follows:

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

RESOLUTION NO. (527-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown proposes to construct a wooden boardwalk along the north shore of Congers Lake in the hamlet of Congers, New York;

RESOLVED, that, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board of the Town of Clarkstown determines that it shall act as lead agency and that K. Luke Kalarickal, P.E., L.S., Director of the Department of Environmental Control, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows:

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

RESOLUTION NO. (528-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the unprovoked terrorist attacks that took place on September 11, 2001 resulted in the deaths of thousands of innocent people, injury to countless others, and disruption of innumerable lives, and

WHEREAS, among the victims of this depraved act were civilians, government workers, police officers and firefighters, several of whom resided in the Town of Clarkstown, and

WHEREAS, the remains of many victims of the attack of the World Trade Center were never located, and

WHEREAS, the ashes from the World Trade Center site which contains the remains of the victims of September 11, 2001 have been held at the Fresh Kills Landfill in Staten Island, New York, and

WHEREAS, it is fitting and proper for the Port Authority of the State of New York and New Jersey to honor the victims of the September 11, 2001 attacks by returning their ashes to the site of the memorial to be constructed at the World Trade Center in their memory,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Clarkstown that it hereby requests the Port Authority of New York and New Jersey to honor the memory of the victims of the World Trade Center by returning their ashes to the site of the memorial to be constructed at the World Trade Center, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Port Authority of the State of New York and New Jersey, Hon. Michael Bloomberg, Mayor of the City of New York, Hon. George Pataki, Governor of the State of New York and Hon. James McGreevey, Governor of the State of New Jersey.

RESOLUTION NO. (528-2003) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (529-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 522, adopted by the Town Board of June 24, 2003, is hereby amended to provide that the lump sum settlement provided therein shall be \$57,500.00 and not \$57,550.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (530-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the New York State Division of Criminal Justice Services (DCJS #LG01018348) has appropriated funds for the purpose of financing the purchase of supplies for the D.A.R.E. Program of the Town of Clarkstown Police Department, and

WHEREAS, the State shall provide \$3,000 to the Town of Clarkstown Police Department for said supplies, for the period covering April 1, 2001 through September 15, 2003;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York Division of Criminal Justice Services to accept a grant award of \$3,000 for the purpose of financing the purchase of supplies for the D.A.R.E. Program of the Town of Clarkstown Police Department, for the period April 1, 2001 through September 15, 2003.

On roll call the vote was as follows:

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

RESOLUTION NO. (531-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 636, adopted by the Town Board on August 14, 2001, the Town Board had determined to participate in the Community Leadership Alliance Program through Pace University Law School, which has as its goal to use funds from a New York State Quality Program Grant to create a collaborative process for planning projects to serve the interests of the participating community in planning for the Hudson River Waterfront, and

WHEREAS, by Resolution No. 757, adopted by the Town Board on September 25, 2001, the Town designated Cora Bodkin as the Clarkstown representative to the Community Leadership Alliance Program, and Robert Geneslaw, Planning Consultant, as an alternate representative, and

WHEREAS, by Resolution No. 858, adopted by the Town Board November 13, 2001, the Town Board authorized the Supervisor to enter into an agreement with the County of Rockland for the purpose of establishing the Rockland Riverfront Communities Council, an inter-municipal organization comprised of eleven Rockland towns and villages, the County of Rockland, and the Palisades Interstate Park Commission, with the mission to protect, enhance and utilize the unique assets of the Hudson River, and

WHEREAS, Cora Bodkin and Robert Geneslaw have served as the Clarkstown representative and alternate representative, respectively, to the Rockland Riverfront Communities Council since its establishment on January 16, 2002;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby designates Jose Simoes, Town Planner, as the Clarkstown alternate representative to the Rockland Riverfront Communities Council, replacing Robert Geneslaw, effective July 7, 2003.

On roll call the vote was as follows:

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

RESOLUTION NO. (532-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P, Superintendent of Highways recommends the hiring of Tectonic Engineering Consultants, P.C., in accordance with its proposal dated July 11, 2003, to provide construction inspection and material testing services for the 2003 Roadway Resurfacing Program Bid # 38-2003 for the Town Of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with Tectonic Engineering Consultants, P.C., in a form approved by the Town Attorney, to provide construction inspection and material testing services for the 2003 Roadway Resurfacing Program for the Town of Clarkstown, and be it

RESOLUTION NO. (532-2003) continued

FURTHER RESOLVED, that the cost for said services shall not exceed the sum of \$35,000.00 and shall be charged to Account No. DB 5110-381-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (533-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, an adverse drainage condition exists in the vicinity of #18 Green Avenue (n/f Dwyer) in Valley Cottage; and

WHEREAS, the Department of Environmental Control has recommended that the existing storm drain system on Green Avenue be extended approximately 160 linear feet to assist in alleviating said condition; and

WHEREAS, the Department of Environmental Control has prepared a plan and solicited proposals from five qualified contractors to implement said plan; and

WHEREAS, the Department of Environmental Control has received three responses, and the Director of the Department of Environmental Control recommends that the lowest proposer be awarded the project;

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,

having submitted the lowest proposal in the amount of \$12,800.00, to construct said improvements; and be it

FURTHER RESOLVED that this shall be a proper charge to account H 8753 - 409 - 0 - 77 - 22.

On roll call the vote was as follows:

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

RESOLUTION NO. (534-2003)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, an adverse drainage condition consisting of flooding and erosion of streambanks exists along the Naraushaun Brook in the vicinity of Elks Drive and April Lane, in the hamlet of Nanuet, and

WHEREAS, the Town of Clarkstown and/or the County of Rockland hold easements over the stream channel of the Naraushaun Brook to provide for stream maintenance and construction of improvements, and

WHEREAS, a preliminary study performed by Leonard Jackson Associates indicates several improvements to the section of channel in question which will eliminate the current adverse conditions, and

WHEREAS, Leonard Jackson Associates has provided a proposal to prepare construction documents and related professional services for the construction of said improvements, and

WHEREAS, the Director of Environmental Control has reviewed the proposal and found the scope of work and fee amount to be reasonable and acceptable,

NOW THEREFORE, BE IT RESOLVED that the Director of Environmental Control is hereby authorized to retain the services of Leonard Jackson Associates to provide engineering consulting, design and related services to prepare construction documents for stream improvements on the Naraushaun Brook in accordance with their proposal dated June 25, 2003, for a total fee of \$42,000.00, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8753 409 0 77 23.

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. (535-2003)

Co. Maloney offered and Co. Smith seconded

WHEREAS, By Resolution adopted May 13, 2003, the Town Board authorized the purchase of property located at 18 Old Stone Road, Valley Cottage, New York, Town of Clarkstown, for the Town's Open Space Initiative, and designated the Town's Planning Consultant Robert Geneslaw, as its agent to conduct the SEQRA review, and

WHEREAS, the Town Board of the Town of Clarkstown has received and reviewed the Environmental Assessment Form and report dated July 14, 2003, prepared by its consultant Robert Geneslaw, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLUTION NO. (535-2003) continued

RESOLVED, that based upon the report of Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is an Unlisted Action, the purchase of the Perrineau property for use as Open Space in the Town of Clarkstown, shall not have any significant impact on the environment, and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required.

On roll call the vote was as follows:

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

RESOLUTION NO. (536-2003)

Co. Smith offered and Co. Lasker seconded

WHEREAS, ROCKLAND ARC, a non-for-profit organization, that has provided services to individuals and groups in the Town of Clarkstown, has submitted a request for economic assistance for the year 2003;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2003 to ROCKLAND ARC, a non-profit organization, in the amount of \$5,000.00, subject to approval of its application to the Town, and be it

FURTHER RESOLVED, that the amount listed herein shall be charged to Account No. A 8840-424.

RESOLUTION NO. (537-2003)

Co. Smith offered and Co. Lasker seconded

RESOLVED, that Resolution No. 317, adopted by the Town Board on April 8, 2003, is hereby amended to change the allocation for economic assistance for the Year 2003 to JAWONIO, INC., a non-for-profit organization, from \$250.00 to \$5,000.00, and be it

FURTHER RESOLVED, that the amount listed herein shall be charged to Account No. A 8840-424.

On roll call the vote was as follows:

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

Respectfully submitted,
Patricia Sheridan

Patricia Sheridan
Town Clerk