

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

08/05/2003

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 Special Town Board Meeting open.
Assemblage saluted the Flag.

RESOLUTION NO. (591-2003)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town Board adopted a Resolution on June 24, 2003 awarding Bid No. 35-2003 with respect to the repair of a certain section of sidewalk on Demarest Mill Road, West Nyack, New York, subject to receipt of easement agreements from property owners, and

WHEREAS, Robert H. Heil, property owner of 35 Demarest Mill Road, West Nyack, has provided an easement to the Town subject to payment of the legal fee requested by his attorneys, Fenster & Kurland LLP, for review and preparation of the legal document;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes payment to Fenster & Kurland LLP, Attorneys at Law, for the preparation of an easement required by the Town with respect to the repair of Demarest Mill Road, and be it

FURTHER RESOLVED, that the fee of \$810.00 shall be charged to Account No. H 8752-400-409-0-76-10.

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. (592-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board has surplus municipal real estate located at 3 East Evergreen Road, New City, New York, and has been approached by Rockland Realty for an "Open Listing" of the property;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Rockland Realty, in a form approved by the Town Attorney, to provide real estate services to the Town with respect to the "Open Listing" of property located at 3 East Evergreen Road, New City, New York, and be it

RESOLUTION NO. (592-2003) continued

FURTHER RESOLVED, that the fee for said services shall be 6% commission if an acceptable purchaser is procured, which shall be subject to further approval 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. (593-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, property owners have requested the Town Board consider dedication of West Street, situated between Benson and Klein Avenue, West Nyack, New York, and

WHEREAS, there is a question of ownership of said road;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to obtain a title search of West Street, situated between Benson and Klein Avenue, West Nyack, New York, and be it

FURTHER RESOLVED, that the fee for said search shall not exceed the amount of \$700.00, which shall be charged Account No. A 1420-409, and be it

RESOLVED, that the Town Board hereby authorizes the Director of Environmental Control to prepare a cost estimate for a proposed road improvement of West Street.

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. (594-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, to decrease Appropriation Account A-1310-201 (Furniture/Fixtures) by \$200.00 and to increase Appropriation Account A-1310-313 (Office Supplies/Printing) by \$200.00.

RESOLUTION NO. (594-2003) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (595-2003)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of George J. Eigenlaub, 88 Wisconsin Avenue, Congers, New York – Asst. Maintenance Mechanic – Sewer Department – is hereby accepted – effective and retroactive to July 23, 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. (596-2003)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Charles E. Nylin, P.O. Box 1835, New City, New York, is hereby terminated from the position of Police Radio Dispatcher (CAD) – Police Department – effective and retroactive to July 23, 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. (597-2003)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown did establish a Deferred Compensation Plan for employees, and

WHEREAS, the Deferred Compensation Committee was appointed by the Town Board to review various proposals for a Deferred Compensation Plan, which would meet the requirements of Section 457 of the Internal Revenue Code, and

RESOLUTION NO. (597-2003) continued

WHEREAS, the Deferred Compensation Committee has recommended the award of such contract to solely one company, The Hartford, 200 Hopmeadow Street, Simsbury, CT 06089, as Administrative Services Agency and Financial Organization pursuant to section 9003 of Subtitle II, Title 9 NYCRR, and

WHEREAS, the Deferred Compensation Committee has also recommended that M&T Bank is to act as trustee of the Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for a Deferred Compensation Plan, at no cost to the Town of Clarkstown is to be awarded to The Hartford and M&T to act as trustee, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement in a form acceptable to the Town Attorney, and the Town's Deferred Compensation Committee, with The Hartford and M&T Bank.

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. (598-2003)

Co. Maloney offered and Co. Lasker seconded

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

BID #47-2003 – TRAFFIC SIGNAL INSTALLATION ON PASCACK ROAD AT THE COMMUNITY CENTER CROSSWALK

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York by 11:00 a.m. on August 21, 2003 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, and be it

FURTHER RESOLVED, that this resolution is retroactive to July 22, 2003.

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. Maloney, seconded by Co. Mandia and unanimously adopted the Town Board Meeting was closed, time 7:35 P.M.

Respectfully submitted,



Patricia Sheridan
Town Clerk