

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

08/12/2003

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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A Certificate of Award was presented by Councilman John Maloney to Ernest Amador of Boy Scout Troop 2027 for achieving the Rank of Eagle Scout. Member of the Town Board congratulated him and his family on this achievement.

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Supervisor opened the public portion of the meeting.

Appearance: Steven Levine  
                  Congers

He inquired about Item 7C regarding the Building Department's accounting procedures. He was interested in the Goldberg situation and inquired as to what happened to the Bids sent out for the clean up of the property. He also spoke on the adjacent properties on Massachusetts Ave. where fill was brought in.

Appearance: George Rummelt  
                  New City

He questioned Item # 3 - the CSEA new contract saying that 16% over a four-year period is excessive and above the CPI.

Appearance: Martin Bernstein  
                  New City

He spoke regarding Item #2 saying there is serious traffic problem at 227 N. Main St., New City and requested a traffic study. He also questioned changing the setback from 75' to 25'.

Appearance: Zippy Fleischer  
                  New City

She questioned the purchase of property adjacent to the Davenport Preserve as part of the Open Space Initiative. She is in favor.

Appearance: David Sugar  
                  New City

He spoke regarding Item #27 and is in favor of acquisition of land next to the Davenport Preserve.

Appearance: Jeff Kohn  
Congressman Elliot Engel's office

He told the Board the Congressman's office is open and invited the Council members to visit. He gave the address at 261 West Nyack Rd. West Nyack.

Appearance: Patrick Rocco  
Congers

He inquired about the Barry Goldberg property. He also said we do not know what is in the fill on the other properties on Massachusetts Ave.

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RESOLUTION NO (599-2003)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of July 22, 2003 and August 5, 2003 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

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RESOLUTION NO. (600-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a public hearing was scheduled and heard on July 22,2003, with respect to the application of Tutor Time Learning Systems, Inc., for a Special Permit to operate a daycare center, which pubic hearing was closed and decision reserved by the Town Board, and

WHEREAS, the Town Attorney has advised that due to other more pressing matters there was insufficient time for the preparation of the required Findings of Fact for the Town Board to award the Special Permit at the August 12, 2003 Town Board meeting;

NOW, THEREFORE, be it

RESOLVED, that the Town Board intends to grant a Special Permit to Tutor Time Learning Systems, Inc., subject to completion of the required Findings of Fact, for action at the Town Board meeting scheduled for September 9, 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. (601-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, negotiations have been ongoing between the Bargaining Team for the Town of Clarkstown and the Bargaining Team for the Civil Service Employees Association, Local 1000 AFSCME AFL-CIO for the Town of Clarkstown Unit for a successor to the 2000-2002 Agreement between the parties; and

WHEREAS, those negotiations have resulted in a tentative agreement contained in a Memorandum of Agreement dated July 25, 2003; and

WHEREAS, the membership of the CSEA has ratified the terms of the Memorandum of Agreement; and

WHEREAS, the Town Board has reviewed the terms of the Memorandum of Agreement and finds that a settlement consistent with the terms contained therein is in the best interest of the Town;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the terms of the aforesaid Memorandum of Agreement and hereby authorizes the Town Supervisor to execute a Collective Bargaining Agreement consistent with the terms thereof.

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. (602-2003)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Town Board, on its own Motion, pursuant to Section 200 of the Town Law, shall consider a road improvement project for of all or a portion of a street known as DUSTMAN LANE, Bardonia, New York, located south of Schweitzer Lane and west of Route 304, in the Hamlet of Bardonia, New York, which improvements shall consist of pavement, curbs, gutters, catch basins and drainage facilities, benefiting properties shown on the Clarkstown Tax Map as 58.14-1-50 (was 33-B-3.01), 58.14-1-51 (was 33-B-4.02), 58.14-1-70 (was 33-B-29.02), 58.14-1-45 (was 33-B-30.02), 58.14-1-46 (was 33-B-30.03), 58.14-1-47 (was 33-B-30.04), 58.14-1-5 (was 33-B-33.01), and a portion of 58.14-1-66 (33-B-31.01), being approximately 1,276.22 lineal feet;

NOW, THEREFORE, be it

ORDERED, that a public hearing pursuant to Sections 264 and 265 of the Town Law to be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on September 23, 2003, at 8:00 P.M., or as soon thereafter as possible, relative to the proposed road improvement, and it is

FURTHER ORDERED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk, to post a copy of same on the sign-board of the Town of Clarkstown, as well as conspicuously in five (5) public places along Dustman Lane, in the time and manner required by law, and it is

RESOLUTION NO. (602-2003) continued

FURTHER ORDERED, 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 the 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, and be it

FURTHER ORDERED, that the Director of the Department of Environmental Control and the Superintendent of Highways are hereby authorized and directed to prepare proposed plans and specifications, and a cost estimate for said project.

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. (603-2003)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, by Resolution adopted simultaneously herewith the Town Board has determined, on its own motion, to cause a Road Improvement Project for the right-of-way known as DUSTMAN LANE, Bardonia, New York, to be considered, and has scheduled a public hearing for September 23, 203 at 8:00 p.m., and

WHEREAS, it is necessary at the time of said public hearing to provide an estimate of necessary improvements and costs;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to prepare an estimate for the necessary road improvement of DUSTMAN LANE, including an estimate of costs to be presented at the time of the public haring on September 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

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RESOLUTION NO. (604-2003)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that, in the interests of public safety, the Superintendent of Highways is hereby authorized and directed to install "No Parking" signs along Dustman Lane, Bardonia, New York, subject to consent of property owners who reside adjacent to the road.

RESOLUTION NO. (604-2003) 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. (605-2003)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that resolution No. 339-2003, Bid 34-2003 Parking Lot Expansion at Pascack Community Center is hereby amended to reflect the additional cost of a Change Order in connection with the expansion, and

WHEREAS, Ward Associates, P.C., the Project Architect and Charles F. Connington, Supt. of Recreation and Parks recommend that the change order be hereby approved and,

WHEREAS, the change order is required to replace an Electric Hand Hole Box capable of supporting vehicle weight, and

NOW THEREFORE, BE IT RESOLVED that it is recommended that the approved agreement between West Con Contracting Corp. in the amount of \$90,165.00 be increased to \$91,616.00, and

BE IT FURTHER RESOLVED that all expenses be charged to account H-8749-409-73-6.

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. (606-2003)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Resolution No. 314, adopted by the Town Board on April 8, 2003 is hereby amended to read: real property known as 34.8-1-7.2 and 34.8-1-7.3.

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. (607-2003)

Co. Smith offered and Co. Maloney seconded

WHEREAS, competitive proposals were solicited from six pavement marking companies with respect to the RFQ 21-3, 2003 Special Pavement Marking Program, and

WHEREAS, Howard L. Lampert, P.E., Town Traffic Engineering Consultant, advised that one price quote was received and is reasonable, and recommends it be accepted by the Town Board;

NOW, THEREFORE, be it

RESOLVED, that proposal 21-3, 2003 Special Pavement Marking Program, is awarded to SAFETY MARKING, INC., at a cost not to exceed \$6,300.00, and be it

FURTHER RESOLVED, that said funds shall be charged to Account No. DB 5110-448-0, subject to receipt and approval by the Town Attorney of the required insurance documents.

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. (608-2003)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract with the Journal News, in a form approved by the Town Attorney, to purchase annual advertising space in the Journal News for a reduced advertising rate, provided a minimum of 250 column inches are purchased in said twelve month period, and be it

FURTHER RESOLVED, that the fee for such advertising space shall be charged, on an as needed basis, to Account No. A 6410-405.

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. (609-2003)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board requested the public accounting firm of Korn, Rosenbaum, Phillips & Jauntig, LLP, to submit a proposal concerning the review of accounting procedures presently used by the Building Department to assure correct and consistent application of fee schedules;

RESOLUTION NO. (609-2003) continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the public accounting firm of Korn, Rosenbaum, Phillips & Jauntig, LLP, in a form approved by the Town Attorney, for services as outlined in its August 1, 2003 proposal, and be it

FURTHER RESOLVED, that the fee for such work shall not exceed the amount of \$4,500.00, which shall be charged to Account No. A 1320-409, and that any additional work required shall be subject to a further resolution 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

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RESOLUTION NO. (610-2003)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Chief of Police William T. Sherwood, and Police Officer Gregory J. Tobin, Emergency Management Coordinator, have advised the Town Board that an Emergency Notification Listings License Agreement with VERIZON, NEW YORK, INC. has been proposed and that same would authorize the Police Department to obtain listing information, including unlisted subscribers for the limited purpose of providing outbound emergency notification services with respect to the Police Department and its City Watch Program, and

WHEREAS, Chief Sherwood and Police Officer Tobin recommend that the Town enter into said license agreement which provides for periodic updated information to be used for the City Watch notification system at the charge of four cents (4¢) per listing and six cents (6¢) for updated transactions per listing, with the expected service order activity to occur periodically, at no cost to the Town of Clarkstown, as the charge imposed shall be paid by Rockland County;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Verizon New York, Inc., in a form approved by the Town Attorney, for the purpose of providing updated emergency notification listings information for use by the Town of Clarkstown Police Department emergency notification system known as City Watch, at no cost to the Town of Clarkstown.

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. (611-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board authorized the solicitation of proposals for an appraisal of property located in Valley Cottage, New York designated on the Tax Map as 59.15-1-8 and 59.15-1-9, and

WHEREAS, the Town Attorney has received competitive proposals from three qualified appraisers and recommends hiring Metropolitan Appraisals to perform said appraisal at the lowest proposed cost;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to hire Metropolitan Appraisals, in accordance with its proposal of July 20, 2003, to appraise Town property known as 59.15-1-8 and 59.15-1-9, and be it

FURTHER RESOLVED, that the cost of \$1,250.00 for said appraisal shall be charged to Account No. A 8750-409-0-74-1, and this resolution shall be retroactive to July 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

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## RESOLUTION NO. (612-2003)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town of Clarkstown, at

St. John's Episcopal Church  
 365 Strawtown Road  
 New City, NY 10956  
 93-A-1.3 (52.13-1-33)

By the installation of fire lane designations, and

WHEREAS, Patricia Edelstein, Sr. Warden has requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

RESOLUTION NO. (612-2003) 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. (613-2003)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$100 in donations to the Child Passenger Safety Program and \$1,309.37 in donations to the D.A.R.E. Program,

THEREFORE BE IT,

RESOLVED, to increase Revenue Account A 01 9 2705 0 (Gifts & Donations) by \$1,409.37 and increase Budgetary Account's A 3120-326 (Police-Law Enforcement Supplies) by \$100 and A 3230-319 (D.A.R.E-Misc Supplies) by \$1,309.37 and

WHEREAS, various accounts need additional funding,

THEREFORE BE IT,

RESOLVED, to decrease A 1110-327 (Justice Ct-Courtroom Supplies) and increase A 1110-402 (Justice Ct-Rental of Equipment) by \$3,000 and decrease A 1110-111 (Justice Ct-Overtime) by \$4,000 and decrease A 1110-231 (Justice Ct-Photo Equipment) by \$500 and decrease A 1110-114 (Justice Ct-Part Time) by \$3,000 and increase A 1110-409 (Justice Ct.-Fees for Services) by \$7,500 and decrease A 3989-319 (Emergency Operations-Misc Supplies) and increase A 3989-226 (Emergency Operations-Computer Software) by \$456 and decrease A 5630-312 (Minitrans-Automotive Supplies) and increase A 5630-406 (Minitrans-Repairs to Vehicles) by \$6,000 and decrease A 3020-460-3 (Central Communications-Frame Relay System) and increase A 7020-460-3 (Recreation-Frame Relay System) by \$3,995 and decrease B 8110-424 (Sewer-Contractual Expenses) and increase B 8110-324 (Sewer-Operational Supplies) by \$1,500.

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. (614-2003)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes Rudolph J. Yacyshyn, Vice Chairman of the Clarkstown Planning Board, and Jose C. Simoes, Planner, Town Planning Department, to attend a New York Planning Federation Conference for September 21 - 24, 2003, which is to be held in Lake Placid, New York and be it

RESOLUTION NO. (614-2003) continued

FURTHER RESOLVED, that all reasonable expenses, including registration fee of \$75.00 each and hotel registration fee of \$537.00 each, shall be charged to Account No. B. 8020-404 & 414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (615-2003)

Co. Lasker offered and Co. Maloney seconded

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

**BID #48-2003  
 CONGERS STATION & TOWN SQUARE RESTORATION PROJECT**

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. (616-2003)

Co. Lasker offered and Co. Maloney seconded

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

**BID #49-2003 – FIVE (5) BUSES FOR TRANSIT APPLICATION  
 FOR THE CLARKSTOWN MINI-TRANS DEPARTMENT**

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. (616-2003) 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. (617-2003)

Co. Lasker offered and Co. Maloney seconded

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

BID #50-2003 – CONGERS LAKE DAM – PHASE II

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. (618-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #01197 & 02164 Engineer II – which contains the name of Richard H. Westervelt, Jr.

Now, therefore, be it

RESOLVED, that Richard H. Westervelt, Jr., 115A South Harrison Avenue, Congers, New York is hereby appointed to the (permanent) position of Engineer II – Department of Environmental Control – at the current annual salary of \$73,014., - effective and retroactive to July 21, 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. (619-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on July 31, 2003 that the position of Computer Installation Assistant – Data Processing Department – can be created,

Now, therefore, be it

RESOLVED, that the position of Computer Installation Assistant – Data Processing Department – is hereby created – effective and retroactive to August 1, 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. (620-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Patrick R. Ross, 185 Old Route 304, New City, New York, is hereby appointed to the position of (temporary) Computer Installation Assistant – Data Processing Department – at the current annual salary of \$30,190., effective and retroactive to August 1, 2003 for a period not to exceed 3 months.

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. (621-2003)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Bernard J. Peters, 233 South Broadway, Nyack, New York, Apartment #2, is hereby appointed to the position of Transfer Station Monitor (going from temporary to permanent) – Solid Waste Facility – at the current annual salary of \$29,602., effective and retroactive to August 11, 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. (622-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to continue to adopt a segment of various town roads for a period of two (2) years, beginning August 1, 2003 to August 1, 2005, as follows:

Dr. Paul M. Lentini, Bardonia Chiropractic: .7 mile segment of Bardonia Road, Bardonia, from Route 304 to Germonds Road, Bardonia/West Nyack, New York, and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in removing trash from above roadways which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning August 1, 2003 to August 1, 2005, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt said segment, and to provide and coordinate services by the above named group, to remove trash from the roadways.

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. (623-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board by Resolution #219-2002 dated February 26, 2002 Awarded Branchville Road Drainage Improvements to Danny Clapp Landscaping, Inc., and

WHEREAS, during the course of work an unforeseen condition, debris pit, was discovered in the area of work, which required additional work to be preformed, and

WHEREAS, such additional work consisted of: removal of debris, ¼" gravel, filter fabric, labor and equipment, and

WHEREAS, Contractor has submitted change order #1, in the amount of \$1,150.21 for completion of said additional work,

RESOLUTION NO. (623-2003) continued

NOW, THEREFORE, BE IT RESOLVED that the total contract amount for this project be increased from the original amount of \$17,480.00 to \$18,630.21 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account #H 8751-409-0-7601.

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. (624-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by resolution 63-2002, the Town Board awarded Bid Number 73-2002 to Danny Clapp Landscaping, Inc., and

WHEREAS, the design for installation of trench drain can be modified to provide a higher degree of stormwater run-off and protection of roadway and adjacent properties, and

WHEREAS, said modification consists of installation of a different trench drain resulting in a lesser cost per lineal foot, providing the ability to increase the quantity of drain, and

WHEREAS, to fully protect the adjacent parcels without the need to reconstruct the area of Prospect Street the total length of drain should be increased from 58 lf to 120 lf, and

WHEREAS, the Contractor has submitted change order #1 in the amount of \$5004.00, to provide for the additional installation, and

WHEREAS, the Deputy Director of the Department of Environmental Control has reviewed the proposed change, and recommended that the additional work be authorized by the Town Board,

NOW THEREFORE, BE IT RESOLVED that Change Order # 1 in the amount of \$5,004.00 is hereby authorized, and

BE IT FURTHER RESOLVED that the total amount of contract is increased to \$32,504.00.

On roll call the vote was as follows:

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

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RESOLUTION NO. (625-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board did authorize additional work for the extension of drainage system in the vicinity of Quarry Drive by resolution No. 519-2003 dated 6/24/03; and

WHEREAS, review of the scope of additional work indicates the system should be modified to insure proper function and reliability and minimize any future maintenance work required, and

WHEREAS, such work consists of installation of curbing to direct surface run-off to the inlet grate, installation of interceptor drain to prevent overtopping of the system, touching up topsoil and seeding, and the connection of footing drains installed by others into the roadway directly to the catch basin; and

WHEREAS, KJS Hauling & Home Improvement, has provided a revised estimate of \$5,300.00 to perform all additional work, including that previously authorized but not completed due to weather,

NOW THEREFORE, BE IT RESOLVED that the Town Board does hereby authorize all additional work as indicated above to be performed by KJS Hauling and Home Improvement for the estimated cost not to exceed \$5,300.00, and

BE IT FURTHER RESOLVED that the amount, not to exceed \$5,300.00 shall be a proper charge to account number H 8752-409-0-76-19.

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. (626-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, during the course of installation of the Clarkstown Police Department Electronic Access System, pursuant to Bid No. 52-B-2002 awarded by Resolution No. 103-2003 adopted on January 28, 2003, it was determined that two additional doors needed to have the access system installed;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes a Change Order to Bid No. 52-B to add the sum of \$2,934.00, awarded to Advanced Video Surveillance, Inc., and be it

FURTHER RESOLVED, that additional payment of \$2,934.00 shall 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
- \*\*\*\*\*

RESOLUTION NO. (627-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 112-203, adopted on February 11, 2003, Larry J. Nardecchia Jr., P.E. was retained to perform survey services with respect to proposed access to Clarkstown South High School, and during the course of performing such services the surveyor determined that the distance estimated provided to him was inaccurate with respect to that and he requested additional compensation of \$900.00, and

WHEREAS, Howard L. Lampert, Traffic Engineering Consultant, has reviewed the request and has confirmed that additional compensation is reasonable;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 112-2003 is hereby amended to increase the amount from \$2,000.00 to \$2,900.00 for compensation payable to Larry J. Nardecchia Jr., P.E., to be charged to Account No. H 8753-409-0-77-3.

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. (628-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways has recommended a Change Order to Bid #31-2002 entitled "Concrete Curb & Sidewalk-2002" which was awarded on April 25, 2002 by Resolution No. 400-2002, necessitated by discovery of an unforeseen condition encountered in the field;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes a Change Order to increase the scope of work for Bid #31-2002 by \$7,787.00.

and be it

FURTHER RESOLVED, that the Town Board hereby authorizes Bid #31-2002 to be increased from \$177,600.00 to \$185,387.00, and this additional cost of \$7,787.00 shall be charged to Account No. DB 5110-387-0

On roll call the vote was as follows:

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

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RESOLUTION NO. (629-2003)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Chief of Police, William Sherwood, has advised that the Rockland County Police Academy has obtained a lease for the use of property owned by Tilcon for the development of a Rockland County Police Range, and

WHEREAS, the Clarkstown Police Department has been requested to provide funds which shall be used by Tilcon for payment of improvements at the new range site, with the understanding that the funding shall result in the Town of Clarkstown receiving continuous preferential range time for a term of not less than fifteen years, and

WHEREAS, Chief Sherwood has is proposed to spend \$70,000.00 in exchange for the preferred range time which is believed to be a reasonable expenditure under the circumstances and, which, with federal consent already obtained, can be paid by monies presently in the police seizure fund;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an inter-municipal agreement with Rockland County to provide preferential use of the Rockland County Police Range for forty-five days per calendar year, at the option of the Police Department, for a term of fifteen years; said contract to be in a form approved by the Town Attorney and to provide, in addition to all other reasonable requirements, that in the event of cancellation of the underlying leasehold or loss of the preferred range times that a pro-rata refund, the fund of the funds contributed toward site development, shall be refundable or recoverable, and be it

FURTHER RESOLVED, that the sum of \$70,000.00 shall be charged to Account No. A 3120-409.

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. (630-2003)

Co. Lasker offered and Co. Smith seconded

WHEREAS, by Resolution dated July 22, 2003, the Town Board authorized an agreement with SCHERRER AUCTIONS to conduct an auction sale of Town surplus property, and

WHEREAS, by memo dated August 11, 2003, Robert Berdy, Insurance and Claims Manager, has reported that there are thirty-eight (38) vehicles formerly used by the Highway Department and the Police Department which are no longer needed are surplus and may have some residual value which can be recovered by offering same for sale at auction;

NOW, THEREFORE, be it

RESOLUTION NO. (630-2003) continued

RESOLVED, that the vehicles set forth on the attached schedules entitled, "Police Surplus Vehicle List" and "Surplus Vehicle List" are hereby declared surplus municipal property, and the sale of same is authorized by auction to be conducted on or about August 17, 2003 by SCHERRER AUCTIONS, 808 Borden Road, Cheektowaga, New York.

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. (631-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 397, adopted by the Town Board on May 13, 2003, the Supervisor was authorized to execute an agreement with the Sisters of Charity of St. Vincent De Paul of New York, as owner of tax map parcel 63.11-2-13, in the form of a Declaration of Covenant running with the land, whereby the declarant would be obligated to pay the water services charged by United Water New York, for four fire hydrants required to be installed as a condition of site plan approval, and

WHEREAS, said proposed Declaration of Covenant has been reviewed by the Town Attorney and recommended to be recorded;

NOW, THEREFORE, be it

RESOLVED, that the Town Board accepts the Covenant referred to herein, and authorizes its execution by the Supervisor, and recording in the Rockland County Clerk's office at the expense of the declarant.

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. (632-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board desires to reconstruct Yale Drive and a portion of London Terrace in New City; and has awarded Bid #35-2003 to 58A JVD Industries, Ltd. to perform said reconstruction; and

WHEREAS, the Department of Environmental Control has proposed retaining a qualified construction engineering consultant to perform all construction inspection and field testing to ensure compliance with the project plans and specifications;

RESOLUTION NO. (632-2003) continued

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

Tectonic Engineering and Surveying Consultants, P.C.  
70 Pleasant Hill Road  
Mountainville, New York 10953

to perform all construction inspection and testing in accordance with their proposal W.O. 3162.01, dated April 23, 2003; and

BE IT FURTHER RESOLVED that the cost for said services shall not exceed \$61,140.00 without further resolution of the Town Board; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8751 409 0 77-22.

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. (633-2003)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Clarkstown Parks Board and Recreation Commisision and the Superintendent of Recreation and Parks are recommending that various park improvements be made at Zukor Park, Germonds, Congers Park, Street and Pascack Community Centers,

NOW, THEREFORE, be it

RESOLVED, that the Town Comptroller is hereby authorized to transfer the sum of \$210,000 from Money in Lieu of Land to Parklands and Improvements account.

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. (634-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution adopted on June 11, 2002, the Town Board determined that it would participate in an inter-municipal agreement with various communities constituting G.U.A.R.D. (Governments United in Action for Responsible Development) that would be affected by new construction or widening of the Tappan Zee Bridge and the NYS Thruway Corridor, and pursuant to said agreement the Town Board authorized funding for an independent study to identify the impacts associated with such construction and to examine alternatives;

RESOLUTION NO. (634-2003) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the sum of \$1,500.00, payable to the Village of Tarrytown as fund coordinator, to be used in accordance with the inter-municipal agreement, and be it

FURTHER RESOLVED, that said funding shall be charged to Account No. A-1420-409.

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. (635-2003)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to continue to adopt a segment of various town roads for a period of two (2) years, beginning July 1, 2003 to July 1, 2005, as follows:

New City Chamber of Commerce, Inc.: .9 mile segment of Main Street, New City from Route 304 to New Hempstead Road, New City, New York,

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in removing trash from above roadways which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning July 1, 2003 to July 1, 2005, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt said segment, and to provide and coordinate services by the above named group, to remove trash from the roadways.

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. (636-2003)

Co. Lasker offered and Co. Mandia seconded

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

BID #51-2003 – SOUTH MAIN ST. RECONSTRUCTION

Bids to be returnable to the office of the Purchasing Department, 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. (637-2003)

Co. Lasker offered and Co. Mandia seconded

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

BID #52-2003 – TWO ROLL OFF TRUCKS AND ONE SWEEPER

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 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. (638-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Wayne T. Ballard, Superintendent of Highways, has solicited proposals from engineering and surveying consultants for the purpose of obtaining a proposal whereby the Town Board would retain the services of a design professional to prepare a Request for Proposals for a further design professional to analyze and evaluate the ring roads at the Palisades Center Mall, and

RESOLUTION NO. (638-2003) continued

WHEREAS, the Superintendent of Highways has reviewed various proposals submitted and has recommended that the firm of Tectonic Engineering Consultants P.C. be awarded the project in accordance with its August 4, 2003 proposal at the cost of \$2,500.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes retaining the firm of Tectonic Engineering Consultants P.C. to write the proposed Request for Proposals (RFP) for a design service study at the Palisades Center Mall for a fee not to exceed \$2,500.00 without further authorization of the Town Board, and be it

FURTHER RESOLVED, that the fee for said services shall be charged to Account No. H 8732-400-409-0-65-03, pursuant to site plan requirements.

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. (639-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, William Sherwood, Chief of Police, Clarkstown Police Department, has proposed acquiring a software license and service agreement with New World Systems, to provide software for the development and implementation of a regional sharing criminal data system which would be 100% compatible with neighboring police departments and provide the capability for creating a sharable regional data base among all local police departments, and

WHEREAS, Robert Stritmater, Director of Automated Systems, has reviewed the proposal and has advised that New World Systems is the sole source provider of the application sought and he has supported the recommended purchase of the system, and

WHEREAS, the basic cost of installation of the program including project is \$495,328.00, and the annual maintenance cost for the first year is \$30,000.00, and \$80,000.00 annually for the succeeding four years;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a software license and service agreement with New World Systems, to provide the capability for a sharable regional data base for the Police Department, in a form approved by the Town Attorney, having a total cost of \$495,328.00 plus maintenance for a five year period ending on January 1, 2008 at a total additional cost of \$350,000.00, for a total expenditure amount not to exceed \$525,325.00 in the fiscal year 2003, which shall be charged \$495,328.00 to Capital Account No. H 8753-400-409-77-25, and \$30,000 to Account No. A-3120-438, with the balance for the program to be charged in four \$80,000 installments in the succeeding four fiscal periods.

RESOLUTION NO. (639-2003) 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. (640-2003)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Ivan Sipilief, 83 Lake Road, Valley Cottage, New York, is hereby appointed to the position of (temporary) Engineer II – Department of Environmental Control – effective August 19, 2003 – for a period not to exceed three (3) months – at the current annual salary of \$61,084.

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. (641-2003)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Referendum held on November 7, 2000, residents of the Town of Clarkstown approved the issuance of \$22 Million in municipal bonds for the purpose of financing the acquisition of Open Space within the Town of Clarkstown, and

WHEREAS, a certain parcel qualifying for protection as part of the Town of Clarkstown Open Space Protection Initiative has been offered for sale, designated on the Clarkstown Tax Map as Section 33.16, Block 2, Lot 6, consisting of 6.8 acres, which is located immediately adjacent to already protected land known as the "Davenport Preserve";

WHEREAS, by letter dated August 12, 2003, The Trust for Public Land, Mid-Atlantic Region, (TPL) has advised the Town of Clarkstown that it has obtained an option to purchase the subject premises referred to herein for the sum of \$450,000.00, which price is consistent with the valuation placed upon said property by an independent real estate appraiser obtained on the advice and consent of the Town of Clarkstown, and

WHEREAS, TPL holds and must exercise its option to purchase said property on or before August 25, 2003, and it has been proposed that TPL will transfer its rights to the Town of Clarkstown to enable the Town to obtain the subject property at the option price, plus the necessary closing expenses and adjustments; and

WHEREAS, the property referred to herein is believed to be an important parcel in the Town's Open Space Protection Initiative,

NOW, THEREFORE, be it

RESOLUTION NO. (641-2003) continued

RESOLVED, that the Town Board hereby accepts the proposal of TPL to transfer its option rights described herein to the Town of Clarkstown for the purchase of the subject property at a price not to exceed the sum of \$450,000.00, plus all necessary closing expenses and adjustments, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into a contract, in a form approved by the Town Attorney, to obtain the property as parklands provided insurable title with access can be obtained, and all other legal requirements are met, and be it

FURTHER RESOLVED, that this Resolution is subject to the provisions of Section 81 of the Town Law, and compliance with the provisions of the Environmental Conservation Law, and the completion of an environmental quality review (SEQRA), for which the Town Board hereby designates Robert Geneslaw, Planning Consultant, to act as its agent with respect to SEQRA review, and be it

FURTHER RESOLVED, that all expenses pursuant to this Resolution shall be charged to Account No. H 8750-409-0-74-1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (642-2003)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the access road to the Brush and Recycling facility at the Solid Waste Facility, West Nyack, New York is in disrepair and requires reconstruction in order to return it to a safe and adequate condition, and

WHEREAS, the Department of Environmental Control has undertaken the reconstruction of the access road utilizing Department personnel, and

WHEREAS, it is necessary to perform cold milling of the existing asphalt road, and

WHEREAS, the Department of Environmental Control has proposed to utilize the Rockland County Bid #01-122 which awards cold asphalt milling services to Garrity Asphalt Reclaiming Inc., 33c Bradley Park Road, East Granby, CT 06026, which bid is still presently active and in effect,

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Garrity Asphalt Reclaiming Inc., 33C Bradley Park Road, East Granby, CT 06026 to perform the cold asphalt milling in accordance with Rockland County Bid#01-122, and

BE IT FURTHER RESOLVED, that the cost for the asphalt milling shall not exceed \$21,203.00 and shall be a proper charge to account #H 8751-400-409-75-40.

RESOLUTION NO. (642-2003) 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. (643-2003)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the access road to the Brush and Recycling facility at the Solid Waste Facility, West Nyack, New York is in disrepair and requires reconstruction in order to return it to a safe and adequate condition, and

WHEREAS, the Department of Environmental Control has made plans to reconstruct the access road utilizing Department personnel, and

WHEREAS, it is necessary to rent paving equipment and operators to install asphalt on the access road, and

WHEREAS, the Department of Environmental Control has obtained a proposal from Tilcon, New York, 162 Old Mill Road, Valley Cottage, New York 10994 for the rental of the required equipment and operators necessary to complete the work, and

WHEREAS, the Deputy Director of the Department of Environmental Control recommends the acceptance of the proposal submitted by Tilcon, New York.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to rent the required equipment and operators to perform the paving of the access road in accordance with their proposal dated August 12, 2003, and

BE IT FURTHER RESOLVED, that all work performed shall be subject to and under the direct on-site supervision of the Department of Environmental Control, and

BE IT FURTHER RESOLVED, that the cost for the rental of the asphalt paving equipment and operators shall not exceed \$16,437.00 and shall be a proper charge to account #11 87-51-400-409-75-40.

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. (644-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, by Resolution No.372-2003, the Town Board authorized the installation of "No Parking Anytime" signs on Demarest Mill Road in the vicinity of the Blue Rock School, and

WHEREAS, as a result of correspondence received from the Blue Rock School it appears that the installation of said signs was not necessary;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 372-2003 is hereby rescinded and the Superintendent of Highways is hereby authorized and directed to remove the "No Parking Anytime" signs pursuant thereto.

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. (645-2003)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, Carl G. Sundvik and Gina M. Sundvik, residing at 185 Ridge Road, Valley Cottage, New York, have agreed to gratuitously convey a Drainage Easement to the Town of Clarkstown affecting property identified as 52.19-2-57 (formerly 123-F-11), and

WHEREAS, the Town Attorney recommends acceptance of said conveyance;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said Easement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said Drainage Easement is hereby ordered recorded in the Office of the Rockland County 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. (646-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board, on its own Motion, pursuant to Section 200 of the Town Law, shall consider a road improvement project for of all or a portion of a street known as GLEN EAGLES COURT, New City, New York, located east of Zukor Road, which improvements shall consist of pavement, curbs, gutters, catch basins and drainage facilities, benefiting properties shown on the Clarkstown Tax Map as 34.7-1-1, 34.7-1-2, 34.7-1-3, 34.7-1-4, 34.7-1-5, 34.7-1-6, being approximately 510' lineal feet;

NOW, THEREFORE, be it

ORDERED, that a public hearing pursuant to Sections 264 and 265 of the Town Law to be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on September 23, 2003, at 8:00 P.M., or as soon thereafter as possible, relative to the proposed road improvement, and it is

FURTHER ORDERED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk, to post a copy of same on the sign-board of the Town of Clarkstown, as well as conspicuously in five (5) public places along Dustman Lane, in the time and manner required by law, and it is

FURTHER ORDERED, 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 the 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 . . . . . Yes
- Councilman Maloney . . . . . Yes
- Councilman Mandia . . . . . Yes
- Councilwoman Smith . . . . . Yes
- Supervisor Holbrook . . . . . Yes

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RESOLUTION NO. (647-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, by Resolution adopted simultaneously herewith the Town Board has determined, on its own motion, to cause a Road Improvement Project for the right-of-way known as Glen Eagles Court, New City, New York, to be considered, and has scheduled a public hearing for September 23, 2003 at 8:00 p.m., and

WHEREAS, it is necessary at the time of said public hearing to provide an estimate of necessary improvements and costs;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to prepare an estimate for the necessary road improvement of GLEN EAGLES COURT, including an estimate of costs to be presented at the time of the public hearing on September 23, 2003.

RESOLUTION NO. (647-2003) 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. (648-2003)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the installation of new utility poles and overhead lines has an adverse aesthetic impact on the Town of Clarkstown, and

WHEREAS, the Town has had a policy of installation regarding the installation of new utilities related to subdivision and site plan construction which requires underground installation of new utilities, and said policy has had a beneficial effect on the aesthetics of the Town, and

WHEREAS, the Town is desirous of extending that policy and establishing a formal policy regarding the installation of overhead utilities in all areas of, and with regard to all construction within, the Town of Clarkstown for the benefit of all residents of the Town,

NOW THEREFORE, BE IT RESOLVED that the Town Board does establish the following policy regarding the installation of utility services in the Town of Clarkstown:

1. The installation of new utilities related to subdivision and site plan construction shall continue to be placed underground, in accordance with the standard map notes.
2. Existing utility poles may be utilized and may be relocated as necessary, subject to review by the Town's Building Department and Department of Environmental Control.
3. New utility poles and overhead utility lines or wires shall not be permitted with the Town of Clarkstown, unless there is no possible alternative and such installation is approved in the manner prescribed in the Town Code Section 246-16.1 and/or Section 254-16.1 for a "Design Change", except where such installation is for the replacement of existing utility construction.
4. All Town projects shall be designed taking into account all opportunities to reduce or eliminate utility poles or overhead utility lines. Project managers and Town consultants shall initiate contact and discussion with affected utilities to provide for utility company input and coordination of utility services.

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. (649-2003)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, residents and members of the Police and Fire services have reported that West Street in West Nyack is in need of repair to enhance safe passage, and

WHEREAS, the Town Board is desirous of enhancing safety and has maintained this road for many years, absent evidence as to actual ownership of the roadbed; it is therefore

RESOLVED, that the Superintendent of Highways is authorized to perform necessary repairs to allow safe passage of vehicles and school buses through this area, until evidence of ownership is researched and confirmed.

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. (650-2003)

Co. Smith offered and Co. Lasker seconded

WHEREAS, Congers Volunteer Ambulance Corps, Inc. desires to expand its operations at its current location and is in need of additional adjacent land area to do so, which premises is presently designated as Town park land, and

WHEREAS, the Town Board supports the introduction of Home Rule legislation to be sponsored by Senator Thomas P. Morahan and Assemblyman Alexander Gromack, which would authorize the sale of the needed property at its fair market value subject to Town acquisition of additional park land or Town expenditures for capital improvements of the existing park and recreational facilities;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby supports and encourages Senator Morahan and Assemblyman Gromack to introduce Home Rule legislation, in the form provided by the Legislative Bill Drafting Commission (No. 15278-02-3), to authorize alienation of park land sufficient to permit Congers Volunteer Ambulance Corps, Inc. to expand its existing operation, and be it

FURTHER RESOLVED, that the Town Clerk shall transmit copies of this resolution to State Senator Thomas P. Morahan and State Assemblyman Alexander Gromack.

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 closed, time: 8:45 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

