

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

01/27/2004

8:00 P.M.

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

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

Supervisor opened the public portion of the meetings.

Appearance: Bill Ryan
Nanuet

Mr. Ryan thanked the Town Board and the Parks and Recreation Department for their help on the Lake Nanuet Project. He presented an envelope containing 2,000 signatures of Clarkstown residents who supported the Lake Nanuet Project.

On motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the Public Hearing regarding "Rockland County Consortium of Towns and Villages - Community Development Block Grants for 2004" was declared opened, time 8:03 p.m.

On motion of Co. Maloney, seconded by Co. Nowicki and unanimously adopted, the Public Hearing regarding "Rockland County Consortium of Towns and Villages - Community Development Block Grants for 2004" was declared closed, time 8:05 p.m.

RESOLUTION NO. (102-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of January 6, 2004 and January 13, 2004 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 Absent
Councilwoman Nowicki Yes
Supervisor Holbrook Yes

RESOLUTION NO. (103-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Assessor, Cathy Conklin, Supervising Real Property Appraiser Robert Davies, Real Property Appraiser, Dawn Mauro, Assessing Clerk II, Susan Longo, Data Collectors, James Molinaro Jr., Chairmaine Kurisko, & Kathleen Kiernan are hereby authorized to attend the following courses sponsored by the New York State Assessor's Association and the New York State Office of Real Property Services for continuing education credits:

ABE667

RESOLUTION NO. (103-2004) continued

July 18-23, 2004 Seminar on Appraising
 Cornell University
 Ithaca, New York

October 3-6, 2004 Annual Conference
 Assessment Administration
 Hudson Valley Resort, NY

Registration Fee to be approximately \$480.00 per person

FURTHER RESOLVED, that the registration fees and all reasonable expenses shall be proper charges against Account No. 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (104-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown wishes to consider acquisition of certain premises at 39 High Tor Road, New City, New York, and 563 South Mountain Road, New City, New York, designated on the Tax Map as 26.20-2-8 and 26.20-2-9 respectively, consisting of approximately 42.60 acres, reputedly owned by Karen Bryant, as said premises may be suitable for inclusion in the Clarkstown Open Space Acquisition Program;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to solicit proposals from qualified appraisers of premises referred to above, and for the purpose of determining the current market value of a fee simple absolute interest, or as otherwise directed, and the Town Attorney is hereby authorized to accept on behalf of the Town the lowest proposal which shall meet all the appraisal proposal criteria.

On roll call the vote was as follows:

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

RESOLUTION NO. (105-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town Board wants to be kept current with all actions of the town's various boards and commissions, and

WHEREAS, the Town Board wants to keep the minutes of all boards and commissions in a centralized location where they can be easily accessed by members of the public, and

RESOLUTION NO. (105-2004) continued

WHEREAS, most of the boards and commissions of the Town of Clarkstown are already forwarding copies of their minutes with each board or commission's respective Town Board liaison, the Supervisor, and the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown hereby directs that minutes of all the meetings (from this day forward) of all boards and commissions of the Town of Clarkstown be forwarded to Council Chambers (to the attention of the respective Town Board liaison if there is one), to the office of the Supervisor, and to the office of the Town Clerk in a timely manner by the respective secretaries of the various boards and commissions, and

BE IT FURTHER

RESOLVED, that the Town Clerk is requested to send copies of this resolution to the secretaries of all the boards and commissions of the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (106-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, IFG Productions, Inc. has requested use of the Town of Clarkstown showmobile on Sunday, May 23, 2004 for a Parade of Unity Year 2004 to celebrate Haitian Flag Day and Ethnic Diversity in Rockland at Spring Valley Memorial Park,

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to IFG Productions to use the Town of Clarkstown showmobile on May 23, 2004 for the above purpose and subject to the provision of the necessary insurance policies,

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of the Town of Clarkstown showmobile.

On roll call the vote was as follows:

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

RESOLUTION NO. (107-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION NO. (107-2004) continued

WHEREAS, the Town Board adopted a Resolution (No. 834) on November 18, 2004, authorizing the Supervisor to enter into an agreement with Lawler, Matusky and Skelly Engineers LLP, to provide engineering consulting services with regard to the proposed acquisition of Petersen's Boatyard, and

WHEREAS, K. Luke Kalarickal, P.E., Director of the Department of Environmental Control, has advised that additional services are needed and recommends that Bart Rodi, P.E., as subcontractor to Lawler, Matusky and Skelly Engineers, LLP be authorized to provide for additional services to prepare a cost estimate for the repairs identified in the report of Bart M. Rodi dated November 24, 2003, and as per the report of Chauncey S. Sage dated November 17, 2003, for lead abatement at the Petersen's Boatyard;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the modification of the agreement with Lawler, Matusky and Skelly Engineers LLP, in a form approved by the Town Attorney, to provide additional services dealing with the preparation of a cost estimate for the repairs identified in the report of Bart M. Rodi dated November 24, 2003, and as per the report of Chauncey S. Sage dated November 17, 2003, for lead abatement at the Petersen's Boatyard, and be it

FURTHER RESOLVED, that the fee for said additional services shall be \$1,060.00, which shall be charged to Account No. 8753-409-0-77-32, and be it

FURTHER RESOLVED, that this Resolution is retroactive to January 20, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (108-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Lake Nanuet is in need of various structural improvements to conform with the Rockland County Department of Health requirements regarding re-circulation of water and to prevent the discharge of chlorine to the nearby Naurauschaun Brook, and

WHEREAS, Ward Associates, Architectural and Engineering consultants, have proposed various plans for renovations that would meet the requirements mandated by the Health Department, and

WHEREAS, the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks have reviewed three proposals presented by Ward Associations and believe that any one of the three would be acceptable, and

WHEREAS, the Lake Nanuet Advisory Committee has recommended Proposal No. 3, and

WHEREAS, the Town Board desires that this project proceed to the bid stage as soon as possible;

RESOLUTION NO. (108-2004) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approves of Proposal No. 3, prepared by Ward Associates, at an estimated cost of \$5,525,000.00, and directs that this project proceed to the preparation by Ward Associates of bid ready specifications.

On roll call the vote was as follows:

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

RESOLUTION NO. (109-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Gandy Lane, New City, be determined to be a capital improvement, and

WHEREAS, Gandy Lane, New City, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Gandy Lane – installed 40 linear feet of pipe with 2 new catch basins.		
Paving:	268 tons @ \$59.45	\$ 15,932.60
Risers:	3 risers @ \$187.00	561.00
Mason Raise:	7 mason raise @ \$412.00	2,884.00
Pipe:	40 linear feet @ \$9.45	378.00
New Catch Basins:	2 units @ \$450.00	<u>900.00</u>
		\$ 20,655.60

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$20,655.60 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (110-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Loran Court, Nanuet, be determined to be a capital improvement, and

WHEREAS, Loran Court, Nanuet, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Loran Court – installed 525 linear feet of pipe with 3 new catch basins.

Paving:	216 tons @ \$59.45	\$ 12,841.20
Risers:	1 risers @ \$187.00	187.00
Mason Raise:	2 mason raise @ \$412.00	824.00
Pipe:	525 linear feet @ \$9.45	4,961.25
New Catch Basins:	5 units @\$450.00	<u>2,250.00</u>
		\$ 21,063.45

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost shall not exceed \$21,063.45 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (111-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Lorraine Court, New City, be determined to be a capital improvement, and

WHEREAS, Lorraine Court, New City, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

RESOLUTION NO. (111-2004) continued

Lorraine Court – installed 285 linear feet of pipe with 4 new catch basins.

Paving:	191 tons @ \$59.45	\$ 11,354.95
Risers:	2 risers @ \$187.00	374.00
Mason Raise:	1 mason raise @ \$412.00	412.00
Pipe:	285 linear feet @ \$9.45	2,693.25
New Catch Basins:	4 units @ \$450.00	<u>1,800.00</u>
		\$ 16,634.20

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$16,634.20 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (112-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways has requested that the cost of a drainage project complete at North Harrison Avenue, Congers, be determined to be a capital improvement, and

WHEREAS, North Harrison Avenue, Congers, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

North Harrison Avenue – installed 260 linear feet of pipe.

Paving:	375 tons @ \$59.45	\$ 22,293.75
Risers:	4 risers @ \$187.00	748.00
Mason Raise:	6 mason raise @ \$412.00	2,472.00
Pipe:	260 linear feet @ \$9.45	<u>2,457.00</u>
		\$ 27,970.75

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

RESOLUTION NO. (112-2004) continued

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$27,970.75 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (113-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways has requested that the cost of a drainage project completed at Old Middletown Road, New City, be determined to be a capital improvement, and.

WHEREAS, Old Middletown Road, New City, was in such disrepair that it required reconstruction and installation of new piping, milling, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Old Middletown Road – installed 390 linear feet of pipe with 5 new catch basins.

Paving:	668 tons @ \$59.45	\$ 39,712.60
Risers:	6 risers @ \$187.00	1,122.00
Mason Raise:	8 mason raise @ \$412.00	3,296.00
Pipe:	390 linear feet @ \$9.45	3,685.50
New Catch Basins:	5 units @\$450.00	2,250.00
Milling:	5,000 sq. yds. @ \$3.25/sq. yd.	<u>16,250.00</u>
		\$ 66,316.10

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$66,316.10 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes

RESOLUTION NO. (113-2004) continued

Councilman Mandia Absent
Councilwoman Nowicki Yes
Supervisor Holbrook Yes

RESOLUTION NO. (114-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways has requested that the cost of a drainage project completed at Phillips Hill Road, New City, be determined to be a capital improvement, and

WHEREAS, Phillips Hill Road, New City, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Phillips Hill Road – installed 100 linear feet of pipe with 2 new catch basins.

Paving:	2,595 tons @ \$59.45	\$154,272.75
Risers:	8 risers @ \$187.00	1,496.00
Mason Raise:	26 mason raise @ \$412.00	10,712.00
Pipe:	100 linear feet @ \$9.45	945.00
New Catch Basins:	2 units @ \$450.00	<u>900.00</u>
		\$168,325.75

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$168,325.75 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (115-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Resolution No. 924-2002 authorized the awarding of Bid #55-2001, Construction of the Pascack Community Center, and

RESOLUTION NO. (115-2004) continued

WHEREAS, a change order is required to install sidewalks, perform concrete work near the bench area and fire dampers, and

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

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 924-2002 is hereby amended to reflect the additional cost of \$2,126.36 for this change order in connection with Bid #55-2001 bringing the total cost to \$3,137,458.36, and

BE IT FURTHER RESOLVED that all expenses be charged to the H-8749-400-409-73-6.

On roll call the vote was as follows:

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

RESOLUTION NO. (116-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Powerscreen Inc. has submitted a request to withdraw its bids for bid # 58-2003; and

WHEREAS, upon withdrawal of such bids, Crushtek is now both the lowest responsible bidder and the second lowest responsible bidder for bid #58-2003; and

NOW THEREFORE, be it

RESOLVED, that Powerscreen, Inc.'s request to withdraw its bids for bid #58-2003 is hereby accepted; and be it

FURTHER RESOLVED, that based upon the recommendation of the Deputy Director of the Department of Environmental Control and the Deputy Town Attorney, Purchasing, that

BID #58-2003 is hereby awarded to:

Crushtek
6315 McDonough Drive, NW
Norcross, GA 3009

PRINCIPAL(S):
Johann Schmidt
4041 Northlake circle
Tucker, GA 30341

as per their bid proposal as follows:

- Base Price: \$348,000
- Finance Cost: \$45,000
- Total Cost: \$393,000
- Monthly Payment: \$6,550 and be it

RESOLUTION NO. (116-2004) continued

FURTHER RESOLVED, that said award is subject to Crushtek meeting the conditions in the bid specifications including, but not limited to, providing an acceptable and similar impact crusher for use by the Town of Clarkstown until the new equipment is delivered and accepted by the Town.

On roll call the vote was as follows:

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

RESOLUTION NO. (117-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Clarkstown Police Department is in the process of converting from the 9mm Smith & Wesson 5906 service weapon to the 40 caliber Smith & Wesson SW99; and

WHEREAS, the Town desires to sell its inventory of obsolete weapons to a private vendor for fair market value;

NOW THEREFORE, be it

RESOLVED, that the Clarkstown Police Department is hereby authorized to sell its inventory of 9mm Smith & Wesson service weapons to CDNN Investments of Abilene Texas for a price of \$190.00 per weapon; and be it

FURTHER RESOLVED, that the Clarkstown Police Department may offer its officers the option to purchase said service weapons for their private use at a price of \$190.00 per weapon; and be it

FURTHER RESOLVED, that the Clarkstown Police Department may engage the services of Craig Andersen Firearms, Inc. to process all state and federal paperwork required as a result of the transfer of such firearms for a fee of \$20 per sale.

On roll call the vote was as follows:

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

RESOLUTION NO. (118-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #03110 Clerk-Typist, which contains the name of Maria T. Conciatori,

NOW THEREFORE, be it

RESOLUTION NO. (118-2004) continued

RESOLVED, that Maria T. Conciatori, 2 Arbor Lane, Bardonia, New York, is hereby appointed to the (Permanent) position of Clerk-Typist – Highway Department – at the current 2004 annual salary of \$26,979., effective and retroactive to January 26, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (119-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #03110 Clerk-Typist, which contains the name of Karen Dowling,

NOW, THEREFORE, be it

RESOLVED, that Karen Dowling, 48 Townline Road, Nanuet, New York, is hereby appointed to the (Permanent) position of Clerk-Typist – Town Justice Dept. – at the current 2004 annual salary of \$35,603., effective and retroactive to January 5, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (120-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Supt. of Recreation and Parks that the following 2004 part-time salaries be established:

PART-TIME	2004 PROPOSED <u>MINIMUM</u>	2004 PROPOSED <u>MAXIMUM</u>
Recreation Aide	\$ 6.50/hr.	\$18.00/hr.
Recreation Assistant	\$ 6.50/hr.	\$18.00/hr.
Recreation Leader	\$10.00/hr.	\$25.00/hr.
Recreation Specialist	\$10.00/session	\$60.00/session
Refreshment Stand Attendant I	\$ 6.50/hr.	\$12.00/hr.
Refreshment Stand Attendant II	\$ 7.50/hr.	\$15.00/hr.
Lifeguard	\$10.00/hr.	\$15.00/hr.
Head Lifeguard	\$13.00/hr.	\$16.00/hr.
Water Safety Instructor	\$12.00/hr.	\$14.00/hr.
Laborer-Student	\$ 8.00/hr.	\$13.00/hr.
Groundswoker (L)	\$10.00/hr.	\$15.00/hr.
Custodial Worker (Seasonal) (L)	\$ 6.50/hr.	\$20.00/hr.

RESOLUTION NO. (120-2004) continued

Senior Citizen's Leader (Part-time) Frank DiMaria	2004 CONTRACT \$32,043.00
Swim Area Supervisor (Seasonal) John Joyce	\$14,560.00
Senior Recreation Leader (Seasonal) (Camps/Playgrounds) - James Nash	\$10,764.00
Senior Recreation Activity Specialist (Seasonal) (Arts & Crafts) - Soledad Nieves	\$ 3,800.00
Senior Recreation Activity Specialist (Seasonal) (Sr. Show) - Ann Slingsby	\$ 8,736.00

On roll call the vote was as follows:

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

RESOLUTION NO. (121-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install:

"State Law/Do Not Block Side Road" (R9-4C) sign on the
 westbound side of Parrott Road at the intersection of
 Amethyst Court.

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways for implementation, and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information.

On roll call the vote was as follows:

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

RESOLUTION NO. (122-2004)

Co. Maloney offered and Co. Lasker 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 Environmental Construction, Inc. of Stony Point, New York to install new storm drain facilities on Branchville Road in Valley Cottage to alleviate an adverse drainage condition; and

RESOLUTION NO. (122-2004) continued

WHEREAS, conditions in the field have resulted in the following change order approved by the Department of Environmental Control:

C.O. #1: Install an additional catch basin to avoid a conflict with existing underground utilities Cost - \$2,250.00

Install additional 100 l.f. perforated 8" storm drain pipe and approximately 10 l.f. of perforated 4" storm drain line to pick up runoff emanating from the area near an underground power transformer that results in a hazardous icing condition along the sidewalk and street in the vicinity of #80 Branchville Road Cost - \$6,200.00

Additional charge to obtain asphalt from plant in Haledon, New Jersey for pavement restoration Cost - \$250.00

NOW, THEREFORE, BE IT RESOLVED that the total approved cost for this change order is \$8,700.00; and

BE IT FURTHER RESOLVED that the current allowance for this project be increased from the original amount of \$18,695.00 to \$27,395.00 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account #H 8753 409 0 77-36.

On roll call the vote was as follows:

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

RESOLUTION NO. (123-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown is preparing plans and specifications in connection with the construction of the Clarkstown Police Department vehicle maintenance garage and parking expansion, New City, New York, and

WHEREAS, the Clerk of the Works and Chief of Police have requested the Department of Environmental Control to assist with the environmental site assessment prior to construction, and

WHEREAS, the Director of the Department of Environmental Control has obtained a proposal from a qualified engineering firm to perform the Phase I and II Environmental Site Assessment and Asbestos Survey prior to construction of the facility, and

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to obtain the services of Lawler, Matusky and Skelly Engineers LLP, One Blue Hill Plaza, Pearl River, New York 10965 to perform the Phase I and II Environmental Site Assessment and Asbestos Survey in accordance with there proposal dated January 23, 2004, and

RESOLUTION NO. (123-2004) continued

BE IT FURTHER RESOLVED, that the cost for the Phase I and II Environmental Site Assessment and Asbestos Survey shall not exceed \$11, 532.50 and shall be a proper charge to account H 8753 409 0 77 24, and

BE IT FURTHER RESOLVED, that the Town Board, Town of Clarkstown, intends to act as lead agency for the purposes of SEQR review and the Department of Environmental Control is designated as staff for the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (124-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town has received complaints from property owners residing in the vicinity of St. Anthony Avenue and DeClark Place, Nanuet, that a parking condition has been created by students from the Nanuet High School who are unable to park on site, and it appears appropriate to install traffic signs at the subject location to restrict said parking;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Wayne T. Ballard, Superintendent of Highways, to install "No Parking, School Days, 7:30 a.m. – 3:00 p.m." on St. Anthony Avenue and DeClark Place, Nanuet, New York, 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (125-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Resolution Number 1023-2001, the Town Board established a Citizens Advisory Board for Housing and directed said Board to investigate and make a report with recommendations, and

WHEREAS, said Board completed its service on or about September 30, 2002, but it now is appropriate to reconvene said Board to provide review and recommendations regarding one or more proposed senior housing projects;

NOW, THEREFORE, be it

RESOLUTION NO. (125-2004) continued

RESOLVED, that the Citizens Advisory Board for Housing is hereby reinstated and requested to reconvene to study a proposed senior housing project known as "The Brodsky Proposal"; and be it

FURTHER RESOLVED, that the persons heretofore appointed to serve at the pleasure of the Town Board on said Citizens Advisory Board for Housing are hereby invited to participate again; and be it

FURTHER RESOLVED, that Jose Simoes, recently appointed as Town Planner, is hereby also designated to serve on said Board; and be it

FURTHER RESOLVED, that the Town Board directs that the reorganizational meeting of the Citizens Advisory Board for Housing is to be held on March 4, 2004, at 7:30 P.M., in the Andrew Jackson Room of Town Hall, 10 Maple Avenue, New City, New York 10956.

On roll call the vote was as follows:

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

RESOLUTION NO. (126-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Walter Smith has requested a refund of Building Permit fee (No. 02-1503) he paid in the amount of \$1,448.00 for premises located at 297 North Little Tor Road, New City, New York, because he has withdrawn his application for financial reasons;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of Building Permit fee paid in the amount of \$1,448.00, less the cost of \$140.00 for review processing, for a net refund of \$1308.00 to Walter Smith, to be charged to Account No. B 02-6-2555-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (127-2004)

Co. Maloney offered and Co. Lasker seconded

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

RESOLUTION NO. (127-2004) continued

McGANNON EXCAVATING, LLC
127 Route 303
Valley Cottage, NY 10989
Robert McGannon, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 04-01 McGANNON EXCAVATING, LLC

On roll call the vote was as follows:

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

RESOLUTION NO. (128-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at John Street, New City, be determined to be a capital improvement, and

WHEREAS, John Street, New City, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

John Street – installed 35 linear feet of pipe.		
Paving:	582 tons @ \$59.45	\$ 34,599.90
Risers:	10 risers @ \$187.00	1,870.00
Mason Raise:	2 mason raise @ \$412.00	824.00
Pipe:	35 linear feet @ \$9.45	<u>330.75</u>
		\$ 37,624.65

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$37,624.65 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

RESOLUTION NO. (128-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (129-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Parrott Road, West Nyack, be determined to be a capital improvement, and

WHEREAS, Parrott Road, West Nyack, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Parrott Road – installed 30 linear feet of pipe.

Paving:	1,400 tons @ \$59.45	\$ 83,230.00
Risers:	9 risers @ \$187.00	1,683.00
Mason Raise:	10 mason raise @ \$412.00	4,120.00
Pipe:	30 linear feet @ \$9.45	<u>283.50</u>
		\$ 89,316.50

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$89,316.50 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (130-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION NO. (130-2004) continued

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Poplar Street, Nanuet, be determined to be a capital improvement, and

WHEREAS, Poplar Street, Nanuet, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Poplar Street – installed 20 linear feet of pipe.

Paving:	1,312 tons @ \$59.45	\$ 77,998.40
Risers:	22 risers @ \$187.00	4,114.00
Mason Raise:	7 mason raise @ \$412.00	7,828.00
Pipe:	40 linear feet @ \$9.45	<u>189.00</u>
		\$ 90,129.40

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$90,129.40 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (131-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Sable Court, West Nyack, be determined to be a capital improvement, and

WHEREAS, Sable Court, West Nyack, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Sable Court – installed 30 linear feet of pipe with 2 new catch basins.

Paving:	268 tons @ \$59.45	\$ 20,391.35
Risers:	6 risers @ \$187.00	1,122.00
Mason Raise:	5 mason raise @ \$412.00	2,060.00

RESOLUTION NO. (131-2004) continued

Pipe:	30 linear feet @ \$9.45	<u>283.50</u>
		\$ 23,856.85

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$23,856.85 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (132-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Still Pond Terrace, West Nyack, be determined to be a capital improvement, and

WHEREAS, Still Pond Terrace, West Nyack, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Still Pond Terrace – installed 100 linear feet of pipe.		
Paving:	305 tons @ \$59.45	\$ 18,132.25
Risers:	6 risers @ \$187.00	1,122.00
Mason Raise:	3 mason raise @ \$412.00	1,236.00
Pipe:	100 linear feet @ \$9.45	<u>945.00</u>
		\$ 21,435.25

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

RESOLUTION NO. (132-2004) continued

FURTHER RESOLVED, that the cost of \$21,435.25 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (133-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Stonehedge Drive, West Nyack, be determined to be a capital improvement, and

WHEREAS, Stonehedge Drive, West Nyack, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Stonehedge Drive – installed 30 linear feet of pipe.

Paving:	887 tons @ \$59.45	\$ 52,732.15
Risers:	13 risers @ \$187.00	2,431.00
Mason Raise:	12 mason raise @ \$412.00	4,944.00
Pipe:	30 linear feet @ \$9.45	283.50
Curbing:	452 linear feet @ \$26.00/foot	<u>11,752.00</u>
		\$ 72,142.65

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, Bid #39-2003 Concrete, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$72,142.65 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (134-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Tavo Lane, New City, be determined to be a capital improvement, and

WHEREAS, Tavo Lane, New City, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Tavo Lane – installed 135 linear feet of pipe.		
Paving:	650 tons @ \$59.45	\$ 38,642.50
Risers:	10 risers @ \$187.00	1,870.00
Mason Raise:	3 mason raise @ \$412.00	1,236.00
Pipe:	135 linear feet @ \$9.45	<u>1,275.75</u>
		\$ 43,024.25

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$43,024.25 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (135-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, has requested that the cost of a drainage project completed at Well Street, Nanuet, be determined to be a capital improvement, and

WHEREAS, Well Street, Nanuet, was in such disrepair that it required reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has incurred costs as follows:

Well Street – installed 20 linear feet of pipe.

RESOLUTION NO. (135-2004) continued

Paving:	119 tons @ \$59.45	\$ 7,074.55
Risers:	4 risers @ \$187.00	748.00
Pipe:	2 linear feet @ \$9.45	<u>189.00</u>
		\$ 8,011.55

and

WHEREAS, the work was completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #38-2003 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$ 8,011.55 is hereby determined to be a proper charge to capital account # H 8753-409-0-77-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (136-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town Board authorized Martus Granirer, Esq., as Special Counsel, to handle certain matters dealing with the Open Space Initiative;

NOW THEREFORE, be it

RESOLVED that the Town Board hereby authorizes payment to Martus Granirer, Esq. for work performed under the direction of the Town Board and the Town Attorney, concerning the Open Space Initiative, for the period of June 1, 2003 to January 1, 2004, at the hourly rate of \$230.00, for a total amount of \$6,712.25 to be charged to Account No. H 8750-409-074-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (137-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION NO. (137-2004) continued

WHEREAS, Robert Geneslaw, A ICP, President of Robert Geneslaw Company, has advised that his planning and consulting services contract with the Town expired on December 31, 2003 and that he intends to submit a modified proposal to adjust the level of services being provided to coordinate with the recently appointed full time staff Town Planner, and

WHEREAS, for continuity of services it is appropriate to extend the current contract for a period not to exceed three months as proposed by Robert Geneslaw;

NOW, THEREFORE, be it

RESOLVED, that the current contract with the Robert Geneslaw Company for planning and consulting services is hereby extended through March 31, 2004 pending receipt of a modified proposal for the Town Board's consideration, and be it

FURTHER RESOLVED, that the compensation for said contract shall be prorated through said extension period.

On roll call the vote was as follows:

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

RESOLUTION NO. (138-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has received a New York State business development grant which includes \$15,000.00 for development of a website and other business promotional activities for the business district of New City, and

WHEREAS, various proposals were solicited and received for the development of a New City Business District website which have been reviewed by Robert Stritmater, Director of Automated Systems, for the Town of Clarkstown, who has recommended acceptance of the proposal dated January 21, 2004 from The Rockford Group, 75 North Middletown Road, Nanuet, New York 10954, to provide a Downtown New City website with its own search engine at the approximate cost of \$7,750.00, but not to exceed \$8,525.00, and

WHEREAS, the Town Board wishes to create a website as proposed and to use the balance of the grant funds for other business promotional efforts by the New city Chamber of Commerce and the Downtown New City Corp.;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the proposal of The Rockford Group to develop a Downtown New City website at approximate cost of \$7,750.00 not to exceed \$8,525.00 subject to the conditions as recommended by the Director of Automated Systems in his January 21, 2004 report to the Town Board, and be it

FURTHER RESOLVED, that the remaining funds from the \$15,000.00 State grant shall be distributed equally to the New City Chamber of Commerce and the Downtown New City Corp., subject to execution of a contract in a form approved by the Town Attorney, which shall provide that the funds shall be used exclusively for business

RESOLUTION NO. (138-2004) continued

development and business promotional activities consistent with the purposes of the grant award, and be it

FURTHER RESOLVED, that expenditure pursuant to this Resolution shall be charged to Account No. H 5111-409-0-4-16.

On roll call the vote was as follows:

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

RESOLUTION NO. (139-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 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

Honda of Nanuet
10 Rt. 304
Nanuet, NY 10954
(32-A-34.1, 40) (64.6-2-66)

By the installation of fire lane designations, and

WHEREAS, Jack Ryan 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (140-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Resolution No. 807-2002 dated September 24, 2003 and Resolution No. 343 dated April 29, 2003, the Town Board supported the application of Sprint Spectrum LP, for permission to erect a wireless communication facility on Town

RESOLUTION NO. (140-2004) continued

parkland in the vicinity of Germonds Road, West Nyack New York, and requested Home Rule legislation permitting the alienation by lease of the land needed for such installation, and

WHEREAS, subsequent to the adoption of the resolutions referred to above, the Clarkstown Planning Board has been advised that New York State policy no longer favors alienation of park lands by lease arrangements with cell telephone carriers and that the Home Rule Request referred to herein would not be favorably acted upon, and

WHEREAS, the Clarkstown Planning Board has now recommended as an alternative, a land swap whereby a Town owned property held as municipal land which is adjacent to Germonds Park be designated as park land to compensate for the removal of the parcel needed for the cell tower installation from the Town Park lands inventory, and

WHEREAS, Home Rule legislation is needed to accomplish the recommended objective;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby rescinds Resolution No. 343-2003 and authorizes the Supervisor to submit to the State Legislature a new Home Rule Request for permission to substitute 1.319 acres of municipal land adjacent to Germonds Park, West Nyack, New York, as park lands in exchange for release of an equivalent sized parcel, needed for the intended cell tower installation, so that there will be no diminution of the amount of parkland held for the benefit of residents of the Town of Clarkstown, and thereby permit the installation of the needed facility at a location where it would best serve the public interest, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Jose Simoes, Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to send copies of this resolution to State Senator Thomas Morahan and State Assemblyman Alexander Gromack.

On roll call the vote was as follows:

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

RESOLUTION NO. (141-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Resolution No. 909-2002 dated October 22, 2002, Alberto and Associates, Inc. was retained to provide architectural services for the design of the Congers Railroad Station Restoration and Hamlet Green Project, in Congers, New York, in accordance with its proposal dated October 3, 2002, for the firm fee of \$100,000.00, plus reimbursable expenses, and

WHEREAS, subsequent to the contract award for said services, the design professional has sought additional compensation based on a claim that the nature of the project was significantly altered, and

RESOLUTION NO. (141-2004) continued

WHEREAS, discussions have been held between the parties and the Town Board wishes to make a final and binding adjustment of the fee sought for completion of said project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the sum of \$80,000.00 as additional compensation intended to be a firm and all inclusive fee, except for reimbursable expenses previously identified in the agreement dated December 10, 2002, and be it

FURTHER RESOLVED, that the adjustment and compensation provided for herein shall be conditioned on the execution of an addendum to said agreement, in a form approved by the Town Attorney, which shall provide that all future design services needed for completion of this project shall not result in a claim for compensation greater than \$180,000.00, plus reimbursable expenses, and be it

FURTHER RESOLVED, that the additional compensation provided for herein shall be charged to Account No. H 8751-409-0-75-16.

On roll call the vote was as follows:

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

RESOLUTION NO. (142-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, THAT Resolution No. 765-2003 Bid No. 53-2003 repair to Overhead Door and repairs to Highway Garage is hereby amended to reflect the additional cost of a change order.

WHEREAS, Lawler, Mutusky and Skelly, Project Engineer and Edward J. Lettre, Clerk of the Works recommend that the change order is hereby approved and,

WHEREAS, the change order was required to repair and replace additional block work and sand blast columns and walls.

NOW THEREFORE, BE IT RESOLVED that it is recommended that Bid No. 53-2003 be increased by \$11,661.00.

FURTHER RESOLVED that all expenses be charged to account H 8753-409-0-77-7.

On roll call the vote was as follows:

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

RESOLUTION NO. (143-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #431-2002 awarded bid #70-2002; Alicia Court Drainage improvements to West-Con Contracting Corp., and

WHEREAS, additional labor and materials are required to stabilize the drainage channel in the vicinity of the outlet headwall at the south end of the project; and

WHEREAS, one (1) change order on contract has been reviewed and found acceptable by the Department of Environmental Control as Follows:

C.O. #1: Remove debris, excavate and place 12" riprap 20' L.F. x 10' wide	\$2,650.00
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NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be in-creased from the original bid amount of \$96,650.00 to \$99,300.00 to reflect the additional cost of the change orders; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account H8753-409-0-77-15.

On roll call the vote was as follows:

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

RESOLUTION NO. (144-2004)

Co. Maloney offered and Co. Lasker seconded

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

BID #13-2004 – MISCELLANEOUS MINOR SEWER IMPROVEMENTS

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

There being no further business and no one further wishing to be heard, the meeting was adjourned in memory of Eleanor Fitch, first Chairman of the Historical Review Board. On motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the Town Board Meeting was closed, time 8:05 pm.

Respectfully submitted,

Patricia Sheridan
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

01/27/04

8:03 PM

Present: Supervisor Holbrook
Council Members Lasker, Maloney, Nowicki
Councilman Mandia - Absent
John Costa - Town Attorney
Patricia Sheridan, Town Clerk

Re: Rockland County Consortium of Towns and Villages - Community Development
Block Grants for 2004

On Motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the Public Hearing was declared open.

Supervisor Holbrook proposed submitting a series of applications for road improvement districts in Clarkstown for the purpose of changing them to Town Roads. The recommended roads include West Street, Grant Street and Dustman Lane for the requested amount of \$100,000. He said the Town would also redo applications for Waldron and Depew Avenues in Central Nyack and for Lawrence Street in Spring Valley.

Supervisor said the other applications also being considered are:

Lake Nanuet Improvement Project in the amount of \$200,000.00.

Literacy Volunteers of Rockland in the amount of \$35,000.00.

Camp Venture for a handicapped equipped van in the amount of \$30,000.00.

Supervisor said the deadline date for submitting all applications is February 2, 2004.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Nowicki and unanimously adopted, the Public Hearing was closed at 8:05 PM.

Respectfully Submitted,



Patricia Sheridan
Town Clerk