

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

03/09/2004

7:30 P.M.

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

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

Supervisor opened public portion of the meeting.

Phyllis Edwards, New City

Spoke regarding Item #5 regarding the proposals for Cropsey Farm and the over 55 housing. We would like to review those proposals. Said the parcel is centrally located in our neighborhood.

Martin Bernstein, New City

He inquired about the appraisal ordered on Dellwood Country Club and about Petersen's Boatyard in the Village of Upper Nyack. He asked if there would be any income derived by the town and if there would be a public hearing.

Kip Sampson, New City

He spoke regarding the purchase of Dellwood Country Club and what it would cost the town.

Frank Pandolfi, Nanuet

He is opposed to the agreement on the golf course in Stony Point and wants to buy Dellwood. It is a great deal and is in the central part of Clarkstown.

David Scheicher, Past President of Dellwood

He said Dellwood has no trouble getting members and that the membership wants it to remain a private club. He thought the Stony Point deal is attractive to Clarkstown.

Scott Kay, New City

He was in favor of Open Space. He spoke regarding Cropsey Farm. As a member of Dellwood, he told the Board it was not taken care of and that the pool is in disrepair that he has not been there for two years. He is the coach of a football team and has no place to play and this should be corrected.

Genevieve Farkas, New City

Cropsey Property would be ideal for patio homes for seniors. The seniors need smaller houses.

Ellyn Cohen, New City

She was opposed to the purchase of Dellwood. The land is beautiful as are the surrounding homes.

Stewart Hazen, New City

He was in favor of using Stony Point's golf club. His concern was about possible homes being built around Dellwood.

Ron Sommers, President of Dellwood

He said Dellwood has a contract of sale not contingent on building and that it has exceeded their membership goal. He believes Stony Point is an incredible deal.

Jim Farkas, New City

He said Stony Point is a half-million dollar give away and is not favor of it. He would like to see all the taxpayers surveyed.

George Hoehmann, Nanuet

He thanked the Board for the agreement made with Abbott House.

RESOLUTION NO. (206-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of February 24, 2004 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (207-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that Patricia Sheridan, Town Clerk, is hereby authorized to attend The New York State Town Clerks Association's 22nd Annual Conference, to be held in Saratoga Springs, New York from April 18 through April 21, 2004. All proper charges, including the registration fee of \$60.00 shall be charged to Appropriation Account #A-1410-141.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (208-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Patrick M. Campbell, Deputy Town Attorney, to attend a seminar dealing with "Stormwater Regulations in New York," to be held at the Crowne Plaza, 66 Hale Avenue, White Plains, New York, on April 1, 2004, and be it

FURTHER RESOLVED, that the cost of \$309.00, plus meals and travel expenses, will be charged to Account No. A 1010-414.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (210-2004) continued

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (211-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Volunteer Counseling Service of Rockland County will produce a weeklong series of Gay Pride Rockland activities in the month of June, at the Nyack Center, Nyack, New York, and

WHEREAS, the Volunteer Counseling Service of Rockland County has requested the Town of Clarkstown to co-sponsor said event;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby consents to the co-sponsorship of the Gay Pride Rockland activities in the month of June, at the Nyack Center, Nyack, New York, at no cost to the Town of Clarkstown.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	No
Supervisor Holbrook	Yes

RESOLUTION NO. (212-2004)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that petty cash be established in the amount of \$100.00 for the Recreation and Parks Office for the new Germonds Mini Golf Course.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (209-2004)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby authorizes attendance at a seminar to be held in the Town of Clarkstown Town Hall, sponsored by the Rockland County Bar Association on March 24, 2004, dealing with "Municipal Law," by the following persons:

- John A. Costa, Town Attorney
- Marsha F. Coopersmith, 1st Deputy Town Attorney
- Ronald A. Longo, Assistant Town Attorney
- Daniel N. Kraushaar, Deputy Town Attorney
- Jessica A. Hauser, Deputy Town Attorney
- Howard Gerber, Deputy Town Attorney
- Patrick M. Campbell, Deputy Town Attorney
- Martus Granirer, Deputy Town Attorney

and be it

FURTHER RESOLVED, that the cost of \$500.00 for the conference will be charged to Account No. A 1010-414.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (210-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 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, by Resolution No. 125-2004, adopted January 27, 2004, the said Advisory Board was reconstituted and requested to study and make recommendations regarding a senior housing proposal, and

WHEREAS, the Town Board wishes to have further study and recommendation regarding a proposal to acquire a portion of the "Cropsey" property located in New City, New York, for open space or to otherwise preserve same for farming or possibly recreational use with the balance of the property being used by the property owner for development of senior housing;

NOW, THEREFORE, be it

RESOLVED, that the Citizens Advisory Board for Housing is hereby requested to study and report with recommendations regarding the proposed acquisition of the "Cropsey" property, 230 Little Tor Road, New City, New York, for preservation purposes or for other uses consistent with the Town of Clarkstown Open Space Initiative as proposed by a realty company representing the property owner.

RESOLUTION NO. (213-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, residents of Medway Avenue, Congers, New York, have petitioned the Town Board to consider designating Medway Avenue as a "One Way" street;

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on April 27, 2004, at 8:00 p.m., or as soon thereafter as possible, relative to the proposal to designate Medway Avenue, Congers, New York, as a "One Way" street, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

RESOLVED, that the Town Board, hereby refers this matter for study and recommendation to the Clarkstown Planning Board, the Superintendent of Highways, the Director of the Department of Environmental Control, the Traffic & Fire Safety Committee, and Howard Lampert, Traffic Engineering Consultant, and be it

FURTHER RESOLVED, that reports with recommendations shall be made to the Town Board on or before April 20, 2004, 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.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (214-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks and the Deputy Town Attorney - Purchasing that

BID #10-2004 – FIREWORKS DISPLAY

is hereby awarded to:

PYROTECNICO
P.O. BOX 149, 302 WILSON ROAD
NEW CASTLE, PA 16103

PRINCIPALS:

STEPHEN J. VITALE
MICHAEL J. FOX
E. BRUCE VOLENSKY

RESOLUTION NO. (214-2004) continued

as per their proposed project cost of \$5,720.00 for 401 Shell Fireworks Display and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Performance Bond per bid specs
- b) Certificate of General Liability Insurance per bid specs, naming the Town of Clarkstown as additional insured
- c) Certificate of Fireworks Display Liability per bid specs
- d) Certificate of Worker's Compensation Insurance coverage
- e) Certificate of Worker's Disability Insurance coverage

On roll call the vote was as follows

Co. Lasker Yes
 Co. Maloney Yes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor Holbrook Yes

RESOLUTION NO. (215-2004)

Co. offered Maloney and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Purchasing Department that

BID #12-2004 – FIRST AID/SAFETY SUPPLIES

hereby awarded to: NORTHERN SAFETY CO
 P.O. BOX 4250
 UTICA, NY 13504
 PRINCIPAL: A PUBLIC CORPORATION

MOORE MEDICAL CORP.
 389 JOHN DOWNEY DR.
 NEW BRITAIN, CT 06050
 PRINCIPAL: HEARTLAND ADVISORS

ZEVCO MEDICAL PROD.
 28 W 080 COMMERCIAL AVE
 BARRINGTON, IL 60010
 PRINCIPAL: A PUBLIC CORPORATION

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

On roll call the vote was as follows

Co. Lasker Yes
 Co. Maloney Yes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor Holbrook Yes

RESOLUTION NO. (216-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Town of Clarkstown has been invited to participate in the Hudson Valley Municipal Purchasing Group, and

WHEREAS, participation in the Hudson Valley Municipal Purchasing Group will allow the Town to advertise for bids, and request quotations, on the Internet in addition to traditional methods, and

WHEREAS, it is believed that such broader advertising will result in increased competition to provide goods and services to the Town,

NOW, THEREFORE, BE IT RESOLVED that based upon the recommendation of the Deputy Town Attorney, Purchasing, that the Town of Clarkstown is hereby authorized to join the Hudson Valley Municipal Purchasing Group, and be it

FURTHER RESOLVED that the Deputy Town Attorney, Purchasing, is hereby authorized to enter into an agreement for service with BidNet, a division of International Data Base Corporation, the administrator of the Hudson Valley Municipal Purchasing Group's e-procurement system, for a period of 36 months at no charge to the Town.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (217-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the proposed construction of 1450 LF x 12 Ft. wide wooden boardwalk along the north shore of Congers Lake located 350 Ft. west of Route 303 in Congers; and

WHEREAS, K. Luke Kalarickal, P.E., L.S., Director of the Department of Environmental Control, acting as agent for the Town Board with respect to the SEQRA for the proposed Congers Lake Boardwalk distributed to two (2) identified involved agencies by the letter dated August 5, 2003; and

WHEREAS, thirty (30) days have elapsed and no involved agency objected to the Town Board being lead agency for the coordinated review under the provisions of 6 NYCRR Part 617 SEQRA whereby the Town Board is the lead agency; and

WHEREAS, the Town Board reviewed the proposed Congers Lake Boardwalk and determined it is an unlisted action and that the proposed action will not have a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED, the Town Board as lead agency has determined that the proposed action will not have an adverse environmental impact and a Draft Environmental Impact Statement will not be prepared.

RESOLUTION NO. (217-2004) continued

On roll call the vote was as follows

Co. Lasker Yes
 Co. Maloney Yes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor Holbrook Yes

RESOLUTION NO. (218-2004)

Co. Maloney offered and Co. Mandia seconded

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

EDWARD DE LEONARDIS EXCAVATING, INC.
 328 Fulle Drive
 Valley Cottage, NY 10989
 Edward DeLeonardis, President

PAUL BITTS CO., INC.
 9 Germonds Road
 New City, NY 10956
 Paul Bitts, President

RONALD J. TARIGO
 3 Crosscreek Lane
 Stony Point, NY 10980

RINO PAVING &
 CONSTRUCTION, INC.
 3 Hillside Avenue
 Suffern, NY 10901
 Robert Rino, President

PHILIP M. SCALA & SON, INC.
 P.O. Box 499
 Valley Cottage, NY 10989
 Phil Scala, President

CAL MART ENTERPRISES
 357A Route 59
 West Nyack, NY 10994
 Martin Wortendyke, President

SASSO PLUMBING
 49 Woodhaven Drive
 New City, NY 10956
 Michael Sasso, President

JGC HEATING, INC.
 8 Fairmont Terrace
 West Nyack, NY 10994
 Gerald Campitello, President

RONALD FILERA LANDSCAPE
 CONTRACTORS LLC
 85 Red Schoolhouse Road
 Chestnut Ridge, NY 10977
 Ronald Filera, President

J D BACKHOE
 P.O. Box 342
 Sparkill, NY 10976
 Joseph D'Auria, President

MONSEY EXCAVATING, INC.
 18 Laura Drive
 Monsey, NY 10952
 Albert Lepori, President

NOW, THEREFORE BE IT RESOLVED, that the following Certificates of Registration be issued:

- No. 04-04 EDWARD DE LEONARDIS EXCAVATING
- 04-05 RONALD TARIGO
- 04-06 PHILIP M. SCALA & SON, INC.
- 04-07 SASSO PLUMBING
- No. 04-08 RONALD FILERA LANDSCAPE CONTRACTORS LLC
- 04-10 MONSEY EXCAVATING
- 04-11 PAUL BITTS CO., INC.
- 04-12 RINO PAVING & CONSTRUCTION, INC.
- 04-15 CAL MART ENTERPRISES, INC.
- 04-17 JGC HEATING, INC.
- 04-18 JD BACKHOE

RESOLUTION NO. (218-2004) continued

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (219-2004)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, an unsightly condition exists within the bowl area in the vicinity of Route 304 and Route 59 due to excessive litter and debris; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified contractors to remove and dispose of the litter and debris; and

WHEREAS, three contractors provided proposals in response to said solicitation, and after review by the Department of Environmental Control, it was found that the lowest proposal was by Ascape Landscaping & Construction, Inc. for the amount of \$650.00; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Ascape Landscaping & Construction, Inc., 1047 Route 45, Pomona, NY 10970 for their proposal of \$650.00; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that this amount shall continue to be a proper charge to account A-8511-409

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (220-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, an existing outlet pipe to a retention basin is obstructed causing flooding; and

WHEREAS, the Department of Environmental Control has had performed an inspection of said drain line and found that the pipe is in need of cleaning; and

WHEREAS, the Department of Environmental Control has solicited proposals from qualified contractors to perform said work; and

WHEREAS, the Department of Environmental Control has received two (2) proposals in response to the solicitation and, upon review, found them to be acceptable;

RESOLUTION NO. (220-2004) continued

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

Fred A. Cook, Jr., Inc.
Montrose, New York 10548

to perform this work in accordance with their proposal for an amount not to exceed \$990.00; and

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

On roll call the vote was as follows

Co. Lasker Yes
Co. Maloney Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Holbrook Yes

RESOLUTION NO. (221-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, K. Luke Kalarickal, Director of the Department of Environmental Control, has advised that additional funding for consultants Han Padron Associates Engineers, and Lawler, Matusy and Skelly Engineers LLP, is necessary for expected additional services needed to complete the pre-acquisition review of the proposal to acquire Petersen's Boatyard;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes K. Luke Kalarickal, Director of the Department of Environmental Control, to retain additional consulting/engineering services with respect to investigation of the proposed purchase of Petersen's Boatyard, with expenditures not to exceed \$7,500.00 without further authorization of the Town Board, and be it

FURTHER RESOLVED, that the fee shall be charged to Account No. H 8753-409-0-77-32.

On roll call the vote was as follows

Co. Lasker Yes
Co. Maloney Yes
Co. Mandia Yes
Co. Nowicki Abstained
Supervisor Holbrook Yes

RESOLUTION NO. (222-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Jeffrey T. Millman, Daniel N. Kraushaar, Jessica A. Hauser, and Martus Granirer, Deputy Town Attorneys, and Jose Simoes, Town Planner, to attend a seminar dealing with "Land Use Law," to be held at the Albany Law School, 80 New Scotland Avenue, Albany, New York, on May 20-21, 2004, and be it

FURTHER RESOLVED, that the cost of the school \$975.00, hotel \$625.00, plus meals and travel expenses, will be charged to Account No. A 1010-414.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (223-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, competitive proposals were solicited from eight painting contractors with respect to painting the Highway Facility, and

WHEREAS, Wayne T. Ballard, Superintendent of Highways, has reviewed various proposals submitted and recommends the lowest responsible bidder Spilotras Painting, LTD., be accepted by the Town Board.

NOW, THEREFORE, be it

RESOLVED, that the painting of the Highway Facility, is awarded to Spilotras Painting LTD., 146 Red Schoolhouse Rd., Chestnut Ridge, NY, at a cost not to exceed \$6,300.00, subject to receipt and approval of insurance certificates in a form acceptable to Robert Berdy, Town of Clarkstown Insurance and Claims Manager, and be it

FURTHER RESOLVED, that said funds shall be charged to Account No. DB 5110- 400- 408.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (224-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a portion of the Crum Creek stream in the vicinity of 28 The Promenade, New City, is occluded with silt and causing a mosquito problem; and

WHEREAS, the removal of the accumulated silt is required to provide unobstructed flow of the stream; and

WHEREAS, the Department of Environmental Control has obtained five (5) proposals from qualified contractors for the removal of the silt;

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

ASCAPE Landscape and Construction
1047 Route 45
Pomona, New York 10970

to perform the required work in accordance with their proposal dated March 3, 2004; and

BE IT FURTHER RESOLVED that the cost for the work shall not exceed \$4,899.00 and shall be a proper charge to Account A 8730 409.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (225-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Congers-Valley Cottage Volunteer Ambulance Corps desires to construct an addition to its existing building located at 122 Kings Highway, Congers, New York, and is in need of additional adjacent land area for such building purposes, but the surrounding land is designated as Clarkstown park land, and

WHEREAS, the Town Board has supported the introduction of Home Rule legislation to be sponsored by Senator Thomas P. Morahan and Assemblyman Alexander Gromack, which would authorize the transfer of a portion of the adjacent park land to the Ambulance Corps which would lend assistance in the expansion effort, and

WHEREAS, the Town Board wishes to transfer the minimum land area necessary for such expansion proposal so as to not lose the current parking lot which is located at the corner of Bluebird Drive and Kings Highway;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby supports and encourages Senator Morahan and Assemblyman Gromack to introduce Home Rule legislation, to authorize alienation of Clarkstown park land consisting of a strip of land approximately 40 feet wide and 167.62 feet deep, adjacent to the north side of the Ambulance Corps property, and be it

RESOLUTION NO. (225-2004) continued

FURTHER RESOLVED, that this resolution is subject to receipt and verification by the Department of Environmental Control of a surveyed metes and bounds description and all other requirements of law, and be it

FURTHER RESOVED, 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

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (226-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Fredrick M. Carrubba, 14 Colgate Drive, Bardonia, New York is hereby appointed to the position of Assistant Maintenance Mechanic – Sewer Department – at the current annual salary of \$36,448., effective and retroactive to March 1, 2004.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (227-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Thomas F. Flannery, 407 Ehrhardt Road, Pearl River, New York, - (Part-time) Municipal Bus Driver – Clarkstown Mini-Trans – is hereby accepted effective and retroactive to February 14, 2004.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (228-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #02109 Data Entry Operator I, which contains the name of Margarita A. Pinos,

Now, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Margarita A. Pinos, 5 North Fairview, Nanuet, New York, to the position of Data Entry Operator I – Police Department – at the current 2004 annual salary of \$28,153., effective and retroactive to March 8, 2004.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (229-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Lucy Sinacore, 33 Fairview Avenue, Nanuet, New York – (temporary) Clerk Stenographer – Office of the Town Clerk – is hereby accepted – effective and retroactive to March 5, 2004.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (230-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Abbott House Day Habilitation & Training Program herein referred to as Abbott House will provide a litter patrol program for pickup of litter on Town roads, parking lots, stream banks, and public property under the direction of the Superintendent of Highways to participate in a service, educational and environmentally beneficial program which will remove litter from Town roads, parking lots, stream banks, and public property within the Town of Clarkstown, and

WHEREAS, About House shall not ask for nor receive consideration for providing this service to the Town of Clarkstown, and

WHEREAS, the Superintendent of Highways has recommended this program for adoption in the Town of Clarkstown;

RESOLUTION NO. (230-2004) continued

NOW, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an Abbott House host site agreement for the calendar year ending November 15, 2004, in a form approved by the Town Attorney, to participate in the Abbott House's litter patrol service program utilizing the service of Abbott House consumers.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (231-2004)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Edward J. Duer, Comptroller, is hereby authorized to attend the New York State Government Finance Officers Association conference from March 31 - April 2, 2004, at Albany, New York, and

BE IT FURTHER RESOLVED, that the total cost of \$300.00 for such conference, and other reasonable expenses for tolls, travel, lodging and meals shall be charges to Appropriation Account A 1010-414 (Schools and Conferences).

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (232-2004)

Co. Maloney offered and Co. Lasker seconded

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

BID #19-2004 - DRAINAGE IMPROVEMENTS - ZUKOR ROAD

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.

RESOLUTION NO. (232-2004) continued

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (233-2004)

Co. Maloney offered and Co. Lasker seconded

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

BID #20-2004 – CULVERT REPLACEMENT – CHRISTIAN HERALD ROAD

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

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (234-2004)

Co. Maloney offered and Co. Lasker seconded

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

BID #21-2004 – 2004 CONCRETE CURB AND SIDEWALK CONTRACT

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

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (235-2004)

Co. Maloney offered and Co. Lasker seconded

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

BID #22-2004 – 2004 ROADWAY RESURFACING PROGRAM

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

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (236-2004)

Co. Maloney offered and Co. Lasker seconded

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

BID #23-2004 – 2004 CUL DE SAC MAINTENANCE

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

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (237-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Clarkstown Central School District has created a Community Task Force which has played an active role in developing community efforts for the prevention of alcohol, tobacco, and drug abuse and programs to combat youth violence for the youth in the Town of Clarkstown, and

RESOLUTION NO. (237-2004) continued

WHEREAS, the Clarkstown Community Task Force has requested the Town Board to support its grant application to the drug-free communities support program by agreeing to provide in kind Police Department services to support its programs;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an Agreement/Memorandum of understanding with the Clarkstown Central School District, on behalf of its Clarkstown Community Task Force, in a form approved by the Town Attorney, to authorize the Police Department to provide, in kind, services to assist the Task Force on its initiatives ranging from alcohol, tobacco, drug prevention education and awareness programs, and alcohol free alternatives, and be it

FURTHER RESOLVED, that the Town of Clarkstown reaffirms its intentions to provide funding not to exceed \$10,000.00, for the fiscal period January 1, 2004 to December 31, 2004, which funding shall be used for the Task Force's educational programs in the Town of Clarkstown.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (238-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, at the request of the Insurance and Claims Manager Robert Berdy, the W.H. Moulton Company requested proposals for the renewal insurance coverage of the Mini-Trans Bus System of the Town of Clarkstown, and

WHEREAS, the Insurance and Claims Manager has recommended acceptance of the seven bus proposal contained in the March 8, 2004 letter of W.H. Moulton Company, insurance agents;

NOW, THEREFORE, be it

RESOLVED, that the town Board hereby accepts the proposal of Lancer Insurance for liability coverage of \$2,000,000.00, and from General Star Insurance Company for excess liability coverage of \$8,000,000.00, at the total quoted price for the annual premium for \$194,558.00, to be charged to Account No. CS 1910-420.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (239-2004)

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, the Department of Environmental Control has reviewed a second change order for this project, described as follows, and found it to be acceptable.

Removal and disposal of trees located within the Town Drainage Easement in the vicinity of 3 Alicia Court Cost: \$450.00

Furnish and install an additional 22 L.F. of 18" HDPE perforated pipe in roadway Cost: \$1785.00

NOW, THEREFORE, BE IT RESOLVED that the total approved cost for this change order on contract is \$2,235.00; and

BE IT FURTHER RESOLVED that the current budget allowance for this project be increased from \$99,300.00 to \$101,535.00 to reflect the additional cost of this change order on contract; 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

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (240-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Town Board adopted Resolutions No. 840-2003 and 841-2003 on November 18, 2003, authorizing the hiring of Metropolitan Appraisals d/b/a Lawrence & Shedler Appraisals, to prepare preliminary appraisals for properties owned by Associates of Rockland LLC and Suga Development LLC, and

WHEREAS, Scott Shedler has advised the Town that he will be unable to prepare those appraisals;

NOW, THEREFORE, be it

RESOLVED, that Resolutions No. 840-2003 and 841-2003 are hereby rescinded, and be it

FURTHER RESOLVED, that at the recommendation of Cathy Conklin, Tax Assessor, the Town Board hereby authorizes the Town to retain Valuation Plus, Inc. to prepare an assessment analysis for properties owned by Associates of Rockland LLC and Suga Development LLC, which are designated on the Clarkstown Tax Map as (Suga) 52.11-3-2 and (AOR) 52.15-1-2, 52.15-1-3, 52.15-1-85 and 52.15-1-86, and be it

RESOLUTION NO. (240-2004) continued

FURTHER RESOLVED, that the cost of said analysis shall not exceed the sum of \$10,000.00 without further authorization of the Town Board, and shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (241-2004)

Co. Lasker offered and Supervisor Holbrook seconded

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

WHEREAS, the Chief of Police has recommended submission of an application for such reimbursement which may result in an award in the amount of \$821.45 to reimburse for expenditures previously made by the Police Department;

NOW, THEREFORE, be it

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

On roll call the vote was as follows

Co. Lasker	Yes
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (242-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, heightened public awareness and concerns about the vulnerability of large public and semi-public spaces to terrorist attack, and at least one recently reported random criminal event, has raised the level of concern that patrons at large semi-public venues, such as the Palisades Center Mall, may be exposed to unnecessary risk of criminal acts, and

WHEREAS, the Clarkstown Town Board believes that security measures, including those concerned with site plan requirements, should be reviewed in the context of current understanding of the risks and needs for risk avoidance, and

RESOLUTION NO. (242-2004) continued

WHEREAS, the Palisades Center Mall site plan was developed prior to September 11, 2001, when security needs were not as foremost in the minds of planners as is now the case, and

WHEREAS, the Town Board wishes to encourage and direct the Clarkstown Planning Board to conduct a post approval site plan review of the Palisades Center Mall to determine if said plan incorporates all reasonably necessary provisions for securing the site against the vulnerability to terrorism and individual acts of criminality directed towards patrons, and

WHEREAS, since the Planning Board is presently engaged in a study of traffic road patterns and other safety issues at the Palisades Center Mall, the Town Board wishes to have that study expanded to include all planning related security issues which may be considered within the context of site plan review, including but not limited to: surveillance equipment, safety lighting, security patrol, command center equipment and staffing, reduction or elimination of places of concealment, the hardening of areas vulnerable to attacks, and securing the facility as much as reasonably possible from illegal intrusion, and WHEREAS, the Town Board has been made aware, that since September 11, 2001, increased knowledge of the dangers referred to herein has resulted in development of planning strategies which may, if implemented at the Palisades Center Mall, result in a safer daily environment and help protect the facility from acts of terrorism;

NOW, THEREFORE, be

RESOLVED, that the Town Board hereby authorizes and directs the Clarkstown Planning Board to initiate a security study of the Palisades Center Mall site plan and to retain such independent expert or experts as may be necessary to study and report to the Clarkstown Planning Board with recommendations for any changes that may result in improved security at said shopping mall consistent with the concerns of the Town Board, and be it

FURTHER RESOLVED, that the Chairman of the Planning Board is authorized and directed to confer with and seek the cooperation of the management of the Palisades Center Mall with respect to such site plan security review, including requesting funding for the security study, but in the event such cooperation is not obtained, to proceed with said study and to retain such independent consultants as may be needed which shall be funded in the interest of public safety by the Town of Clarkstown, and be it

FURTHER RESOLVED, that Planning Board expenditures made pursuant to this resolution shall be charged to Account No. A 1420-409.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (243-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the New York State Division of Criminal Justice Services (DCJS #LG03038414) has appropriated funds for the purpose of financing the purchase of supplies for the D.A.R.E. Program of the Town of Clarkstown Police Department, and

RESOLUTION NO. (243-2004) continued

WHEREAS, the State shall provide \$5,000 to the Town of Clarkstown Police Department for said supplies, for the period covering April 1, 2003 through September 15, 2005;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York Division of Criminal Justice Services to accept a grant award of \$5,000 for the purpose of financing the purchase of supplies for the D.A.R.E. Program of the Town of Clarkstown Police Department, for the period April 1, 2003 through September 15, 2005.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (244-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Nyack High School Football Team has requested permission to erect four signs at different locations in the Town of Clarkstown to honor the 2003 Nyack High School Football Team for their second state championship;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby refers this matter to the Architecture and Landscape Commission for study and recommendation.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Mandia Yes
- Co. Nowicki Yes
- Supervisor Holbrook Yes

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the Town Board Meeting was closed, time 9:06 P.M.

Respectfully submitted,

Patricia Sheridan

Patricia Sheridan
Town Clerk

TOWN OF CLARKSTOWN SPECIAL MEETING
CLARKSTOWN MIDDLEWOOD HOUSING
DEVELOPMENT FUND COMPANY, INC.

Town Hall

03/09/2004

8:15 P.M.

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

Upon motion duly made and carried, Charles E. Holbrook was duly elected Chairman of the meeting and John R. Maloney was duly elected as Secretary thereof.

The Chairman stated that the election of the Directors was the next item of business.

The following were nominated as Directories:
Charles E. Holbrook
John R. Maloney
Ralph F. Mandia
Shirley Lasker
Catherine M. Nowicki

Upon motion duly made, seconded and carried, and by the affirmative vote of all present, it was

RESOLVED, that each of the above named nominees be and hereby is elected as Director of the Corporation.

RESOLVED, that the Town Board of the Town of Clarkstown, as Board of Directors of the Clarkstown Middlewood Housing Development Fund Company, Inc., hereby authorizes the signing of the 2003 Financial Statement for the Middlewood Senior Citizens' Complex - HUD Project No. 012-44136-NP-WAH.

WHEREAS, Arco Management has solicited bids for cycle kitchen remodeling, cabinet removal and installation at the Middlewood Senior Citizen Housing Project owned by the Clarkstown Middlewood Housing Development Fund Company, Inc., and

WHEREAS, A-One Woodworking & Construction, Inc., 3-1 Park Plaza #242, Old Brookville, New York 11545, has submitted a low bid of \$2,910.00 per kitchen to do the aforementioned work, and

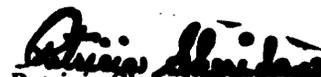
WHEREAS, approximately 97 kitchens are in need of remodeling, and

WHEREAS, Arco has recommended that the Board accept this bid;

NOW, THEREFORE, be it

RESOLVED, subject to review and approval of the contract by John A. Costa, Esq. Or Paul K. Schofield, Esq. that Charles E. Holbrook, President of the Clarkstown Middlewood Housing Development Fund Company, Inc., is hereby authorized to execute the contract with A-One Woodworking & Construction, Inc. for the aforementioned work at a cost not to exceed \$282,270.00 (97 units at \$2,910.00 per kitchen).

Respectfully submitted,


Patricia Sheridan

Town Clerk