

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

04/27/2004

8:00 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.

PUBLIC PORTION:

Martin Bernstein, New City - asked about Item 21e and if reinstatement means transfer, said that hiring the sister-in-law of the department head is nepotism

Bob McLoughlin, Vice President of South Little Tor Neighborhood Association - thanked the Town Board for the signs

Ed Day, New City - spoke regarding Item 27 and said that security should be regular and there should be a consensus of what needs to be done

Joe Schleimer, New City - spoke regarding Item 27 and said that he did not quite understand the report

Steven Levine, Congers, - said that the gas for the parking lot new fleet should be replaced by hybrid gas to save money and to set a good example, also requested an update on the Goldberg property on Massachusetts Avenue, also asked about building fees and an update on the auditors' report

RESOLUTION NO. (354-2004)

Co. Lasker offered and Co. Nowicki seconded

Whereas, the Town Board is aware that the Rockland County Police Act (Chapter 526 Laws of 1936) provides that the Town Board in a Town which has established a police department may by resolution exercise all the powers of Police Commissioners, and

Whereas, the members of the Town Board believe that it would be in the public interest if the Town Board shall serve as the Board of Police Commissioners,

Now, therefore, be it Resolved that the Town Board of the Town of Clarkstown hereby abolishes the Police Commission effective immediately, and

Be it Further Resolved that the Town Board of the Town of Clarkstown hereafter shall and does hereby assume all of the responsibilities previously held by the Police Commission pursuant to the Rockland County Police Act.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney No
Councilman Mandia No
Councilwoman Nowicki Yes
Supervisor Holbrook Yes

RESOLUTION NO. (355-2004)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby creates a part-time civil service position to be titled and classified by the Rockland County Commissioner of Personnel to assist the Town Board in the exercise the powers as conferred by the Rockland County Police Act, with said new position to provide the Town Board acting in lieu of the Police Commission with assistance with communicating and receiving information, carrying out of administrative details, providing analysis as requested, and assistance in the monitoring of information and operational activities of the Department; and be it further resolved

RESOLVED, that subject to classification and establishment of a title for the aforementioned new position, John J. Danahy, of 40 Stratford Place in New City, is hereby appointed to said position to serve at the pleasure of the Town Board, subject to approval by the Rockland County Commissioner of Personnel, with such appointment to be effective upon the classification and titling of same; and be it further

RESOLVED, that John J. Danahy is to be paid an annual part-time salary which is to be determined.

On roll call the vote was as follows

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

RESOLUTION NO. (356-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of April 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	Yes
Councilwoman Nowicki	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (357-2004)

Co. Nowicki offered and Co. Maloney seconded

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

WHEREAS, the following group wishes to continue to adopt the following segments of various town roads for an additional period of two (2) years, beginning April 9, 2004 to April 9, 2006, as follows:

RESOLUTION NO. (357-2004) continued

Sponsor: Nanuet Rotary Club
P. O. Box 281
Nanuet, NY 10954

Roads: .42 mile segment of College Avenue from
Route 59 to Church Street
Nanuet, NY 10954,

and

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

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning April 9, 2004 to April 9, 2006, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Nanuet Rotary Club, to remove trash from the roadways.

On roll call the vote was as follows:

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

RESOLUTION NO. (358-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Oster Apartments, LLC has commenced tax certiorari proceedings against the Town of Clarkstown affecting a parcel designated as Map 65.5, Block 2, Lot 5 (formerly known as 89-A-16) located at 243 E. Route 59, West Nyack, New York, for the year(s) 2000/01, 2001/02, 2002/03 and 2003/04, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it RESOLVED, that Metropolitan Appraisals be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (359-2004)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION NO. (359-2004) continued

WHEREAS, a certain non-for-profit organization that has provided services to individuals and groups in the Town of Clarkstown has submitted a request for economic assistance for the year 2004, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds:

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

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2004 to the following non-profit organization in the following amount:

Veteran's Memorial Association of Congers, Inc. \$500.00

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2004, and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows:

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

RESOLUTION NO. (360-2004)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the Historical Society of Rockland County is holding its annual Historic Preservation Merit Awards Program on May 16, 2004. The awards will be presented in recognition of outstanding historic preservation efforts in Rockland County, and

WHEREAS, the Town Board of the Town of Clarkstown believes that the 2004 Historic Preservation Merit Awards Program is a worthy cause;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the expenditure of \$1,800.00 to cover the partial sponsorship of the 2004 Historic Preservation Merit Awards Program by the Historical Society of Rockland County, and be it

FURTHER RESOLVED, that the fee for such program shall be charged to Account No. A 7520-419.

On roll call the vote was as follows:

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

RESOLUTION NO. (361-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes renewal of membership for the Town of Clarkstown, in the Rockland Business Association, Inc., One Blue Hill Plaza, Pearl River, New York, for the period of one year at a fee of \$450.00, which fee shall be charged to Account No. A 1010-423.

On roll call the vote was as follows:

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

RESOLUTION NO. (362-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Resolution No. 218-2004, dated March 9, 2004 a Certificate of Registration was issued to JD Backhoe bearing Certificate Number 04-18, and

WHEREAS, by Resolution No. 262-2004, dated March 23, 2004, a Certificate of Registration was issued to Danny Clapp Landscaping, Inc. inadvertently also bearing Certificate Number 04-18;

NOW, THEREFORE, be it RESOLVED, that the number of the Certificate of Registration issued to Danny Clapp Landscaping, Inc. is hereby changed to Certificate Number 04-19.

On roll call the vote was as follows:

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

RESOLUTION NO. (363-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Resolution No. 161-2004, dated February 10, 2004, a Certificate of Registration was issued to Victor Zugibe, Inc. bearing Certificate Number 04-10, and

WHEREAS, by Resolution No. 218-2004, dated March 9, 2004, a Certificate of Registration was issued to Monsey Excavating inadvertently also bearing Certificate Number 04-10;

NOW, THEREFORE, be it RESOLVED, that the number of the Certificate of Registration issued to Victor Zugibe, Inc. is hereby changed to Certificate Number 04-09.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes

RESOLUTION NO. (363-2004) continued

Councilman Mandia Yes
Councilwoman Nowicki Yes
Supervisor Holbrook Yes

RESOLUTION NO. (364-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Resolution No. 311-2003 authorized the awarding of Bid #16-2003 Construction of the Germonds Mini Golf Course, and

WHEREAS, a change order is required for rebar reinforcement requested by the Electrical Underwriters Office and electrical connections for ceiling supported fan, 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. 311-2003 is hereby amended to reflect the additional cost of \$925.00 for the Electrical Construction award of Bid #16-2003 bringing Electrical Total to \$123,495.50.

BE IT FURTHER RESOLVED that all expenses be charged to the H-8752-400-409-76-15.

On roll call the vote was as follows:

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

RESOLUTION NO. (365-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board previously authorized the Supervisor to enter into an agreement with New World Systems to provide software maintenance to the Town of Clarkstown for the period January 1, 2003 through December 31, 2005, and

WHEREAS, the Director of Automated Systems has recommended the purchase of a report writer module to augment our existing financial management software, and

NOW THEREFORE BE IT, RESOLVED, that Resolution No. 157-2003, adopted by the Town Board on February 25, 2003, is hereby amended to authorize the Supervisor to enter into an additional software license agreement with New World Software as an amendment to the License Agreement dated April 28, 2003, to allow for the purchase of the following:

1. License Fee for Report Writer Module for a total cost not to exceed \$5000, which shall be charged to A-1680-226-2;
2. Maintenance Fee for a total cost not to exceed \$800, which shall be charged to A-1680-438;

RESOLUTION NO. (365-2004) continued

- 3. Training and installation for a total cost not to exceed \$1920, which shall be charged to A-1680-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (366-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Town Board Resolution #860-2003 awarded bid #67-2003; South Mountain Road Drainage Extension to Cal Mart Enterprises, Inc.; and

WHEREAS, frost conditions required additional time and equipment to complete the proposed work; and

WHEREAS, the additional costs due to adverse weather conditions were unforeseeable, and the additional work required was within the scope of the original 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: 3 additional days of work to complete drainage extension project: Cost: \$17,784.56

NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from the current bid amount of \$66,481.00 to \$84,265.56 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 #H-8753-409-0-77-34

On roll call the vote was as follows:

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

RESOLUTION NO. (367-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Resolution 607-2003, adopted by the Town Board on August 12, 2003 awarded proposal 21-03, Special Pavement Marking Program, to Safety Marking, Inc. at a cost not to exceed \$6,300; and

RESOLUTION NO. (367-2004) continued

WHEREAS, the Town did not purchase any pavement markings under Proposal 21-03 in the year 2003; and

WHEREAS, Safety Marking, Inc. has represented that it will honor the prices set forth in its 2003 proposal; and

WHEREAS, the Town now requires additional pavement markings over and above those called for in the original proposal;

NOW, THEREFORE, BE IT RESOLVED, that, based upon the recommendation of Howard L. Lampert, P.E. and the Superintendent of Highways, Resolution No. 607-2003, adopted by the Town Board on August 12, 2003, is hereby amended as follows:

“RESOLVED, that proposal 21-03, 2003 Special Pavement Marking Program, is awarded to SAFETY MARKING, INC. at a cost not to exceed \$9,150.00 and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (368-2004)

Co. Maloney offered and Co. Nowicki seconded

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

KEVIN STOKES
P.O. Box 812
Pearl River, NY 10965
Kevin Stokes, President

PHOENIX EXCAVATORS CORP.
62 Rose Road
West Nyack, NY 10994
Michael Mouacdie, President

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

- No. 04-14 KEVIN STOKES
- 04-21 PHOENIX EXCAVATORS

On roll call the vote was as follows:

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

RESOLUTION NO. (369-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, complaints have been made by neighborhood residents about limited sight distance visibility on West Burda Place near Glade Court and West Clarkstown Road, New City due to cars parking in the street too close to the intersections;

Now, therefore be it RESOLVED, that the Superintendent of Highways is hereby authorized to install "No Parking Here To Corner" (with directional arrow) signs at the following locations:

1. On eastbound West Burda Place adjacent to house number 101, the appropriate distance from its intersection with West Clarkstown Road;
2. On westbound West Burda Place adjacent to the house at 18 Glade Court, the appropriate distance from its intersection with West Clarkstown Road;
3. On westbound West Burda Place adjacent to house number 92, the appropriate distance from its intersection with Glade Court, just east of Glade Court;
4. On northbound Glade Court adjacent to the house at 92 West Burda Place, the appropriate distance from its intersection with West Burda Place;
5. On southbound Glade Court adjacent to house number 18, the appropriate distance from its intersection with West Burda Place;
6. On westbound West Burda Place, adjacent to the house at 18 Glade Court, just west of Glade Court

and be it FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Wayne T. Ballard, PE, CSP Superintendent of Highways for implementation and to the Chief of Police for his information and for enforcement purposes.

On roll call the vote was as follows:

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

RESOLUTION NO. (370-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

Two (2) "No Parking Anytime" signs with directional arrows on the southside of Jerrys Avenue, Nanuet. The first, on Jerrys Avenue at Freemont Avenue and the second just beyond the curve.

and be it FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

RESOLUTION NO. (370-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (371-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

“No Parking Between Signs” on the southside of James Drive, Nanuet, 25 ft. from both sides of each driveway.

and be it FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (372-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A “Dead End” sign on Teal Court at Little Tor Road, New City, NY.

and be it FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (373-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A "Stop" and a "Stop Line" on Briar Road at Prospect St., Nanuet, NY.

and be it FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (374-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

"No Stopping Any Time" signs with directional arrows (See Sec. 221.5 of the MUTCD P1-7 signs) on both sides of Church Street, Nanuet along the entire length of the MacArthur Barr Middle School property.

and be it FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (375-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, GML §103 and Town Law §64(2-a) require the Town to attempt to obtain fair market value when disposing of surplus equipment and supplies; and

WHEREAS, the County of Rockland is currently selling surplus equipment on EBAY.com, and has reported great success;

NOW, THEREFORE, BE IT

RESOLVED, that, based upon the recommendation of the Deputy Town Attorney, Purchasing, the Town of Clarkstown is hereby authorized to create a seller's account on EBAY, the online auction system; and be it

RESOLUTION NO. (375-2004) continued

FURTHER RESOLVED, that all sales of surplus equipment shall be for local pick-up only, and accepted payment methods shall include cash and certified check, and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to open a credit card account on behalf of the Town for the purpose of paying EBAY transaction fees.

On roll call the vote was as follows:

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

RESOLUTION NO. (376-2004)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Clarkstown Citizens' Advisory Committee for Open Space has recommended that the Town Board consider acquisition of premises designated on the Tax Map as 64.13-2-49, consisting of approximately 2.8 acres, and 64.13-2-57, consisting of approximately 4.4 acres, in Nanuet (formerly owned by Schmidt), as part of the authorized Town of Clarkstown Open Space Acquisition Program,

NOW, THEREFORE, be it RESOLVED, that the Town Attorney is hereby authorized to solicit competitive proposals from qualified real property appraisers to obtain appraisals of the subject property; and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to April 22, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (377-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown Police Department entered into a contract with New World Systems in August 2003 which provided for certain data conversion services at a total cost not to exceed \$80,500; and

WHEREAS, the Town of Clarkstown Police Department has negotiated a 25% discount for the data conversion services, bringing the cost to \$51,000; and

WHEREAS, the Town of Clarkstown Police Department has recommended the purchase of a Property Room Bar Coding Module at a cost not to exceed \$17,120.00; and

WHEREAS, the Town of Clarkstown Police Department desires to enter into an amendment to its licensing agreement with New World Systems which shall reflect the discounted data conversion services and the purchase of the Property Room Bar Coding Module, for a total price not to exceed \$68,120, a savings of \$12,380 from the original contract price;

RESOLUTION NO. (377-2004) continued

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkstown Police Department is hereby authorized to enter into an amendment to its licensing agreement dated August 2003 with New World Systems, which shall provide for the data conversion service and the Property Room Bar Coding Module for a total price not to exceed \$68,120.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (378-2004)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing that

Bid #17-2004 – Hand Tools And Miscellaneous Maintenance Supplies

is hereby awarded to: F & F Industrial Corp.
 195 Tower Drive
 Middletown, NY 10941

Principals: Frank J. Fasano

Principals: Beckerle Lumber Supply Co., Inc.
 3 Chestnut Street
 Spring Valley, NY 10977
 Laurence Beckerle, Jr.
 Laurence Beckerle, III
 Stephen Beckerle
 Michael Beckerle
 Matthew Beckerle

Principals: J.E. Vanderbilt & Co.
 41 Demarest Avenue
 New City, NY 10956
 William Debevoise

Principals: Bliss Tire & Rubber
 175-12 Route 9W
 Congers, NY 10920
 Edward Columbia

as per the item/price schedule attached (filed with the Office of the Town Clerk).

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes

RESOLUTION NO. (378-2004) continued

Councilwoman Nowicki Yes
 Supervisor Holbrook Yes

RESOLUTION NO. (379-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Rockland County Youth Bureau has created a Rockland Environmental Corps which is staffed with Americorps members to provide a litter patrol program for pickup of litter on Town roads and stream banks and it has proposed to provide Americorps members 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 and stream banks within the Town of Clarkstown, and

WHEREAS, Americorps members receive a minimal stipend while participating in the program which will be funded in part by the Town of Clarkstown, and

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

NOW, therefore, be it RESOLVED, that the Supervisor is hereby authorized to enter into a Rockland County Youth Bureau/Rockland Environmental Corps host site agreement for the calendar year ending February 28, 2005, in a form approved by the Town Attorney, to participate in the Rockland County Youth Bureau's litter patrol service program utilizing the service of not more than three (3) Americorps members for a program total not to exceed 600 service hours for each member at a cost not to exceed \$6,798.00 to be charged to Account No. DB 5110-409-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (380-2004)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, an adverse drainage condition exists along the Nauraushaun Brook upstream of Blauvelt Road, Nanuet, affecting properties on Elks Drive and April Lane; and

WHEREAS, the Town Board by Resolution #534-2003 authorized Leonard Jackson Associates to perform hydraulic analysis and prepare construction plans and specifications for the Nauraushaun Brook Drainage Improvement Project, Nanuet, New York;

NOW, THEREFORE, BE IT RESOLVED that for the purposes of the New York State Environmental Quality Review Act (SEQRA), that the Town Board shall act as lead agency and K. Luke Kalarickal, P.E., Director of the Department of Environmental Control is hereby authorized and directed to act as its agent for the SEQRA review.

RESOLUTION NO. (380-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (381-2004)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that Resolution No. 329-2004, adopted by the Town Board on April 13, 2004, is hereby amended to change the amount of economic assistance to be given to Jawonio, Inc. from \$4,750.00 to \$5,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (382-2004)

Co. Nowicki offered and Co. Lasker seconded

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

Bid #14-2004 – Highway Signing And Road Maintenance Supplies

is hereby awarded to: **Selecto-Flash Safety, Inc.**
14 Village Park Road
Cedar Grove, NJ 07009

Principals: **Sulkous L. Jones**
Lola B. Jones

Traffic Lane Closures
3620 Danbury Ln
Brewster, NY 10509

Principal: **Teresa Godfrey**

Custom Products Corp.
P.O. Box 54091
Jackson, MS 39288

Principals: **Hal Perkins**
Leo Tickner
Dennis Perkins
May Perkins
Gary Pendergrass

Highway Traffic Supply
28 W Washington Ave
Pearl River, NY 10965

Principal: **Lance Robbins**

AAA073

RESOLUTION NO. (382-2004) continued

Principals: Vulcan Signs
 P.O. Box 1850
 Foley, AL 36536
 Employee Owned Company

Principals: Chemung Supply Corp
 P O Box 527
 Elmira, NY 14902
 Myra S. Stemerman
 Philip Warshaw
 Marc P. Stemerman

3M Company
 3M Center, Bldg. 225-5S-08
 P O Box 33225
 St. Paul, MN 55133

Principals: Capitol Supply Construction
 Products, Inc.
 P O Box 216, Route 6
 Baldwin Place, NY 10505
 Thomas C. Mina
 Thomas N. Mina

Principals: Rocal, Inc.
 P O Box 640
 Frankfort, OH 45628
 Leo M. Lightle
 Robert D. Lightle
 David R. Lightle
 Rebecca L. Ater
 Viola H. Lightle
 Mary Beth Lightle

Principal: Allmac Signs
 10 Captain Scott Road
 Harwich, MA 02644
 Gary S. McMahon

as per attached item/price schedule (filed with the Office of the Town Clerk).

On roll call the vote was as follows:

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

RESOLUTION NO. (383-2004)

Co. Nowicki offered and Co. Lasker seconded

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

Bid #15-2004 – Groundskeeping/Landscape Supplies

is hereby awarded to:

RESOLUTION NO. (383-2004) continued

Lesco, Inc.
15885 Sprague Road
Strongsville, OH 44136
Principals: A Public Corporation

Lofts/Pennington Seed
9327 US Route 1, Suite J
Laurel, MD 20723
Principals: A Public Corporation

The Terre Company of NJ Inc.
206 Delawanna Avenue
Clifton, NJ 07014
Principals: William B. Feury
Thomas Feury

Mantek, Div. of NCH Corp.
P.O. Box 660196
Dallas, TX 75266
Principals: A Public Corporation

Carso, Inc.
404 S. Vine Street, P.O. Box 139
Camargo, IL 61919
Principals: Jim Carso
Cheryl Carso

as per the attached price/item list (filed with the Office of the Town Clerk).

On roll call the vote was as follows:

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

RESOLUTION NO. (384-2004)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Purchasing Department and the Superintendent of Highways that

Bid #31-2004 – Two Street Sweepers

is hereby awarded to:

Grassey Equipment Company
32 New Street
Allendale, NJ
Principals: Richard R. Grassey

as per their low bid quote of \$140,000 per unit and be it FURTHER RESOLVED, that the cost of said sweepers shall constitute a proper charge to H8754-409-0-78-13.

RESOLUTION NO. (384-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (385-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Clearwater Court, Nanuet, be determined to be a capital improvement, and

WHEREAS, Clearwater Court, Nanuet, is in such disrepair that it requires 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 estimated the cost as follows:

Clearwater Court, Nanuet				
Paving:	425	tons @ \$ 62.00	=	\$26,350.00
Raising Structures	21	\$300.00 each	+	6,300.00
Pipe:	2,000	linear ft. @ \$10.25	=	20,500.00
New Catch Basins	0	units @ \$550.00	=	0
Replace Concrete Curbing	2,000	linear ft.@ \$27.50	=	<u>\$55,000.00</u>
				\$108,150.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$108,150.00 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (386-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Clearview Road, New City, be determined to be a capital improvement, and

WHEREAS, Clearview Road, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Clearview Road, New City			
Paving:	215	tons @ \$ 62.00	= \$13,330.00
Raising Structures	8	\$300.00 each	= 2,400.00
Pipe:	335	linear ft. @ \$10.25	= 3,433.75
New Catch Basins	2	units @ \$550.00	= <u>1,100.00</u>
			\$20,263.75

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$20,263.75 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (387-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Duryea Lane, Nanuet, be determined to be a capital improvement, and

WHEREAS, Duryea Lane, Nanuet, is in such disrepair that it requires 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 estimated the cost as follows:

RESOLUTION NO. (387-2004) continued

Duryea Lane, Nanuet

Paving:	1,645	tons @ \$ 62.00	=	\$101,990.00
Raising Structures	21	\$300.00 each	+	6,300.00
Pipe:	800	Linear ft. @ \$10.25	=	8,200.00
New Catch Basins	4	units @ \$550.00	=	2,200.00
Item 4	185	cubic yds. @ \$9.00/ton	=	<u>\$2,943.00</u>
				\$121,633.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$121,633.00 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (388-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Fieldstone Court, New City, be determined to be a capital improvement, and

WHEREAS, Fieldstone Court, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Fieldstone Court, New City

Paving:	1,158	tons @ \$ 62.00	=	\$71,796.00
Raising Structures	19	\$300.00 each	=	5,700.00
Pipe:	5,200	linear ft. @ \$10.25	=	53,300.00
New Catch Basins	10	units @ \$550.00	=	<u>5,500.00</u>
				\$136,296.00

RESOLUTION NO. (388-2004) continued

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$136,296.00 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (389-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Jane Francis Way, New City, be determined to be a capital improvement, and

WHEREAS, Jane Francis Way, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Jane Francis Way, New City				
Paving:	230	tons @ \$ 62.00	=	\$14,260.00
Raising Structures	5	\$300.00 each	=	1,500.00
Pipe:	790	linear ft. @ \$10.25	=	8,097.50
New Catch Basins	2	units @ \$550.00	=	<u>1,100.00</u>
				\$24,957.50

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$24,957.50 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

RESOLUTION NO. (389-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (390-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Joan Drive, New City, be determined to be a capital improvement, and

WHEREAS, Joan Drive, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Joan Drive, New City

Paving:	1,025	tons @ \$ 62.00	=	\$75,950.00
Raising Structures	35	\$300.00 each	=	10,500.00
Pipe:	680	linear ft. @ \$10.25	=	6,970.00
New Catch Basins	5	units @ \$550.00	=	<u>2,750.00</u>
				\$96,170.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$96,170.00 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (391-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Parkway Drive, West Nyack, be determined to be a capital improvement, and

WHEREAS, Parkway Drive, West Nyack, is in such disrepair that it requires 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 estimated the cost as follows:

Parkway Drive, West Nyack

Paving:	626	tons @ \$ 62.00	=	\$38,812.00
Raising Structures	19	\$300.00 each	=	5,700.00
Pipe:	876	linear ft. @ \$10.25	=	8,979.00
New Catch Basins	6	units @ \$550.00	=	<u>3,300.00</u>
				\$56,791.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$56,791.00 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (392-2004)

Co. Maloney offered and Co. Nowicki seconded

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

WHEREAS, Phillips Hill Road, New City, is in such disrepair that it requires 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 estimated the cost as follows:

RESOLUTION NO. (392-2004) continued

Phillips Hill Road, New City

Paving:	1,530	tons @ \$ 62.00	=	\$94,860.00
Raising Structures	23	\$300.00 each	=	6,900.00
Pipe:	190	linear ft. @ \$10.25	=	1,947.50
New Catch Basins	3	units @ \$550.00	=	<u>1,650.00</u>
				\$105,357.50

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$105,357.50 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (393-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Croyden Lane, New City, be determined to be a capital improvement, and

WHEREAS, Croyden Lane, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Croyden Lane, New City

Paving:	250	tons @ \$ 62.00	=	\$15,500.00
Raising Structures	9	\$300.00 each	=	2,700.00
Pipe:	160	linear ft. @ \$10.25	=	1,640.00
New Catch Basins	1	units @ \$550.00	=	<u>550.00</u>
				\$20,390.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

RESOLUTION NO. (393-2004) 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 \$20,390.00 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (394-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Lindberg Lane, New City, be determined to be a capital improvement, and

WHEREAS, Lindberg Lane, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Lindberg Lane, New City

Paving:	717	tons @ \$ 62.00	=	\$44,454.00
Raising Structures	17	\$300.00 each	=	5,100.00
Pipe:	325	linear ft. @ \$10.25	=	3,331.25
New Catch Basins	2	units @ \$550.00	=	<u>1,100.00</u>
				\$53,985.25

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials form the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$53,985.25 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (395-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Balchen Terrace, New City, be determined to be a capital improvement, and

WHEREAS, Balchen Terrace, New City, is in such disrepair that it requires 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 estimated the cost as follows:

Balchen Terrace, New City				
Paving:	70	tons @ \$ 62.00	=	\$4,340.00
Raising Structures	0	\$300.00 each	=	0
Pipe:	135	linear ft. @ \$10.25	=	1,383.75
New Catch Basins	2	units @ \$550.00	=	<u>1,100.00</u>
				\$6,823.75

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2004 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 \$6,823.75 is hereby determined to be a proper charge to capital account # H 8754-409-0-78-3, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (396-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the New York State Department of Environmental Conservation has advised of its intention to conduct a joint study with the USDA Wildlife Services and Cornell University to gather data and document changes in distribution and migratory habits of resident Canada geese in Rockland County, New York, and has requested the cooperation and participation of the Town of Clarkstown with such study, and

WHEREAS, the study will utilize banding of nesting and molting birds for the purpose of providing data which may be useful in efforts to promote non-lethal control of the geese population;

RESOLUTION NO. (396-2004) continued

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to cooperate with the New York State Department of Environmental Conservation in accordance with its April 16, 2004 proposal, and to take all steps necessary for the Town of Clarkstown to participate in the subject study, and be it

FURTHER RESOLVED, that all reasonable expenses in connection with the use of a wildlife control specialist to carry out the Town of Clarkstown participation shall be charged to Account No. A-8090-409-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (397-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Orange and Rockland Utilities has advised the Superintendent of Highways that in the event of a significant power interruption, the Highway Department should be prepared to provide independent power sources to operate its facilities, power its gas pumps and maintain its operation readiness to effectively meet emergency demands; and

WHEREAS, the Highway Department currently lacks a backup power supply capable of powering the Highway Department facility in the event of a power outage;

NOW, THEREFORE, BE IT RESOLVED, that the Town is hereby authorized to retain the professional engineering firm of Chu & Gassman, PC, 559 Union Avenue, Middlesex, New Jersey, to prepare design specifications for an emergency generator system at a cost not to exceed \$20,000; and be it

FURTHER RESOLVED, that this shall constitute a proper charge to account number H8751-409-0-075-4.

On roll call the vote was as follows:

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

RESOLUTION NO. (398-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Frank Fee, 34 Beechwood Drive, Congers, New York – Transit Operations Supervisor – Clarkstown Mini-Trans – is hereby accepted – effective and retroactive to April 17, 2004.

RESOLUTION NO. (398-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (399-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that John J. Hanlon, 17 Ohio Avenue, Congers, New York, is hereby reassigned (from the position of part-time Municipal Bus Driver) to the position of full-time Municipal Bus Driver – Clarkstown Mini Trans Department – at the current 2004 annual salary of \$46,292., effective May 3, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (400-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Angelo Hernandez, 11 Academy Ave., Apt. 19, Chester, New York, is hereby reassigned (from the position of part-time Municipal Bus Driver) to the position of full time Municipal Bus Driver – Clarkstown Mini Trans Department – at the current annual salary of \$40,576., effective May 3, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (401-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Angel M. Lopez, 233 S. Harrison Ave., Congers, New York, is hereby appointed to the position of (part-time) Municipal Bus Driver – Clarkstown Mini Trans Department – at the current 2004 hourly rate of \$15.31 – effective May 3, 2004.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes

RESOLUTION NO. (401-2004) continued

Councilman Mandia Yes
Councilwoman Nowicki Yes
Supervisor Holbrook Yes

RESOLUTION NO. (402-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Dorothy O' Connell, 5 Hannah Lane, Valley Cottage, New York, is hereby reinstated (resigning from the Rockland County Department of Personnel) to the position of Senior Clerk – Clarkstown Personnel Office – at the current 2004 annual salary of \$38,814., effective May 17, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (403-2004)

Co. Mandia offered and Co. Maloney seconded

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

Now, therefore, be it RESOLVED, that Kathleen A. Vellardito, 10 Pelham Ave., Nanuet, New York, is hereby appointed to the position of Data Entry Operator I – Town Justice Department – at the current 2004 annual salary of \$31,277., effective May 3, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (404-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Corazon M. Pidlaoan, 9 Stratford Pl., New City, New York is hereby appointed to the position of (part-time) Senior Account Clerk Typist (temporary) – Highway Department – at the current 2004 hourly rate of \$20.00, effective date pending Rockland County Personnel Office approval.

On roll call the vote was as follows:

Councilwoman Lasker Yes

RESOLUTION NO. (404-2004) continued

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

RESOLUTION NO. (405-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, existing outlet structure at pond in Town drainage easement has deteriorated due to age, and is no longer functional, and

WHEREAS, the Deputy Director of the Department of Environmental Control has prepared a plan for the replacement of the outlet structure and maintenance of the pond to provide stormwater retention benefit, and

WHEREAS, proposals were solicited from seven qualified Contractors to perform the work in accordance with said plan, and

WHEREAS, three Contractors responded with proposals, and

WHEREAS, the Deputy Director of DEC has recommended that the lowest qualified proposal, received from Pinebrook Industries in the amount of \$15,130.00, be accepted;

NOW THEREFORE, BE IT RESOLVED that Drainage Improvement, 3 Patriot Court, New City is hereby awarded to:

Pinebrook Industries
 P.O. Box 723
 New City, New York 10956

for the proposed maximum cost of \$ 15,130.00, and BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project is to be funded through serial bonds, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8754-409-0-78-11.

On roll call the vote was as follows:

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

RESOLUTION NO. (406-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, an existing Town drainage easement is severely overgrown, partially blocked by sediment, and no longer functioning to provide for proper routing of storm run-off, and

WHEREAS, the Deputy Director of the Department of Environmental Control has prepared a plan for removing debris and brush, reprofiling existing ditch, forming a new swale where required, and restoring the easement area, and

RESOLUTION NO. (406-2004) continued

WHEREAS, proposals were solicited from seven qualified Contractors to perform the work in accordance with said plan, and

WHEREAS, four Contractors responded with proposals, and

WHEREAS, the Deputy Director of DEC has recommended that the lowest qualified proposal, received from Danny Clapp Landscaping Inc. in the amount of \$6,700.00, be accepted;

NOW THEREFORE, BE IT RESOLVED that 53 Lake Road Easement, Valley Cottage is hereby awarded to:

Danny Clapp Landscaping Inc.
59Schriever Lane
New City, New York 10956

for the proposed maximum cost of \$ 6,700.00, and

BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project is to be funded through serial bonds, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8754-409-0-78-10.

On roll call the vote was as follows:

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

RESOLUTION NO. (407-2004)

Co. Mandia offered and Co. Lasker seconded

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

Bid # 37-2004 Brine Making, Storage And Dispensing System

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York by (time and place to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (408-2004)

Co. Mandia offered and Co. Lasker seconded

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

Bid #38-2004 – One Trackless Vehicle With Accessories For SWF

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on May 11, 2004 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 Director of Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (409-2004)

Co. Mandia offered and Co. Lasker seconded

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

Bid #39-2004 – Work Clothing and Accessory Safety Items

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by (time and place to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (410-2004)

Co. Mandia offered and Co. Lasker seconded

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

BID #40-2004 – CULVERT REPLACEMENTS – VAN HOUTEN FIELDS

RESOLUTION NO. (410-2004) continued

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by (time and place 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 Director of Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (411-2004)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown solicited bids for Bid #23-2004 – Cul-de-sac Maintenance, and

WHEREAS, only one bid was received, and

WHEREAS, said bid exceeded last year’s bid price by nearly \$130,000 and

WHEREAS, the Department of Environmental Control recommends we re-bid the Project, now therefore

BE IT RESOLVED, that the Purchasing Department is authorized to re-advertise for bids for

BID #23A – CUL-DE SAC MAINTENANCE with a bid opening date and time to be determined.

On roll call the vote was as follows:

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

RESOLUTION NO. (412-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town has requested proposals from engineering firms to provide services with respect to the proposed acquisition of property known as 63.11-2-2 (Bonnabel), and located at 160 South Pascack Road, Nanuet, New York, and

WHEREAS, the Director of Environmental Control has recommended acceptance of a proposal dated April 26, 2004 from Lawler, Matusky & Skelly Engineers, LLP for preparation of a Phase I Environmental Site Assessment, Asbestos Survey, Lead-Based Paint Survey, and Structural Survey, which is needed prior to the Town Board determination;

RESOLUTION NO. (412-2004) continued

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Lawler, Matusky & Skelly Engineers, LLP, to provide engineering services to the Town with respect to property known as 63.11-2-2, Nanuet, New York, as stated in the proposal referred to herein, and be it

FURTHER RESOLVED, that the total cost for these services shall be \$13,102.00 and said fee shall be charged to Account No. H 8750-409-0-74-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (413-2004)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Town Board adopted Resolution No. 353-2004 on April 12, 2004, approving a change order for the replacement of culvert no. 505 at Christian Herald Road; and

WHEREAS, by said Resolution, the Town Board authorized reimbursement to the Rockland County Sewer District #1 in the amount of \$29,991.00; and

WHEREAS, the Department of Environmental Control has been advised by the Rockland County Sewer District #1 that its financial system is incapable of accepting a reimbursement payment, and has requested that the Town reimburse the contractor directly for said change order;

NOW THEREFORE, be it RESOLVED, that Resolution No. 353-2004 is hereby amended as follows:

“RESOLVED, that, at the request of the Rockland County Sewer District #1, the Town Board does hereby authorize the payment of \$29,991.00 directly to Parsippany Construction Co., 115 Rt. 46, Suite E39, Mountain Lakes, NJ, for the replacement of culvert no. 505 at Christian Herald Road, and

BE IT FURTHER RESOLVED, that the amount shall be a proper charge to account number H 8749-409-0-78-6.”

On roll call the vote was as follows:

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

RESOLUTION NO. (414-2004)

Co. Nowicki offered and Co. Maloney 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 third change order for this project, described as follows, and found it to be acceptable.

Clean out and re-grade existing drainage swale in the vicinity of 5 Alicia Court; install stone base and asphalt top course within existing channel Cost: \$4,111.00

NOW, THEREFORE, BE IT RESOLVED that the total approved cost for this change order on contract is \$4,111.00; and

BE IT FURTHER RESOLVED that the current budget allowance for this project be increased from \$101,535.00 to \$105, 646.00 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:

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

RESOLUTION NO. (415-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, one of the two sewerage pumps at the Dellwood Pump station is beyond repair and currently inoperational; and

WHEREAS, the Department of Environmental Control, Deputy Director, Operations has advised that the operation of the station with only one pump has created a dangerous situation in which the likelihood of an imminent breakdown and/or spill is substantially increased; and

WHEREAS, the Department of Environmental Control has advised that a breakdown and/or spill would create an unsafe and unsanitary condition which would adversely affect the health and safety of Town residents; and

WHEREAS, the Department of Environmental Control recommends that immediate action be taken to restore the station to full function;

NOW THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to take the necessary corrective action to restore the station to full operation, including the purchase of new pumps and making further replacements and repairs as necessary, for a total cost not to exceed \$40,000.00, and be it

FURTHER RESOLVED, that said amount shall constitute a proper charge to account no. H8754-409-0-78-12.

RESOLUTION NO. (415-2004) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (416-2004)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, in order to preserve the security of the interim reports of Tectonic Consultants, which deal with threat analysis and evacuation planning at the Palisades Center Mall, prepared for use by the Police Department, Town Board and Planning Board with respect to the presently pending post approval site plan review of the Palisades Center Mall, West Nyack, New York, the Town Board believes that the public dissemination of said reports may adversely affect planning for security and public safety;

NOW, THEREFORE, be it RESOLVED, that the interim reports of Tectonic Consultants referred to herein are deemed to be confidential and shall be disseminated to security professionals, members of the Town Board and Planning Board and their respective technical advisors only upon the condition that all such persons execute a confidentiality agreement in a form approved by the Town Attorney.

On roll call the vote was as follows:

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

RESOLUTION NO. (417-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, an action was commenced in Supreme Court, State of New York, County of Rockland, entitled Parker- Nanuet Associates, L.P. v. Town of Clarkstown and Wayne T. Ballard, as Superintendent of Highways, Town of Clarkstown, Index No. 7/03, seeking a declaratory judgment pursuant to CPLR 3001 that the road known as Overlook Boulevard, and shown on the filed subdivision map of Parker Nanuet Associates, Nanuet, New York, is a Town of Clarkstown highway pursuant to New York Highway Law Section 189. Accordingly, the Town of Clarkstown would be required to accept the streets and public improvements in the Parker Nanuet Associates Subdivision in their present condition for dedication, and

WHEREAS, the attorneys for the parties have proposed to settle the action on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Clarkstown Highway Department, the Clarkstown Department of Environmental Control, and the Office of the Town Attorney who believe that the best interests of the Town are being served;

RESOLUTION NO. (417-2004) continued

NOW, THEREFORE, be it RESOLVED, the Town of Clarkstown agrees to accept a lump sum payment in the amount of Seventy-Five Thousand Dollars (\$75,000.00) for all outstanding punch list items and snow plowing bills in return for accepting dedication of the said streets and public improvements in the Parker Nanuet Associates Subdivision, Nanuet, New York, and be it

FURTHER RESOLVED, that the Town of Clarkstown agrees to release any and all performance and maintenance guarantees it is currently holding as security on the Parker Nanuet Associates Subdivision upon receipt of such funds and acceptance of dedication, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Settlement Stipulation, in a form approved by the Town Attorney, subject to the terms and conditions as herein stated upon the receipt of said payment.

On roll call the vote was as follows:

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

RESOLUTION NO. (418-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Department of Emergency Services is offering Confined Space Awareness Training on Monday, May 3, 2004, and

WHEREAS, personnel from the Sewer Department are required to have this training in performing their duties, and

WHEREAS, John W. Coyle, Safety Manager recommends the following personnel attend this training:

- John W. Coyle – Safety Manager
- Ralph Lauria – Deputy Director – Operations
- Jack Fay – Maintenance Supervisor – Sewers
- Joseph Clay – Maintenance Mechanic II
- Michael August – Asst. Maintenance Mechanic
- Fred Carrubba – Asst. Maintenance Mechanic
- Charles Corletta – Maintenance Mechanic II

NOW, THEREFORE, BE IT RESOLVED, that John W. Coyle, Ralph Lauria, Jack Fay, Joseph Clay, Michael August, Fred Carrubba, and Charles Corretta are hereby authorized to attend the Confined Space Awareness Training on Monday, May 3, 2004 at the Rockland County Fire Training Center, Pomona, New York at a cost of \$100.00 each, and

BE IT FURTHER RESOLVED, that the cost for the training shall not exceed \$700.00 and shall be a proper charge to account B 8110 409.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes

RESOLUTION NO. (418-2004) continued

Councilwoman 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 adjourned at 8:45 p.m.

Respectfully submitted,



Patricia Sheridan
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

04/27/04

8:05 PM

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

Re: Proposal to designate the portion of Medway Avenue between Highway Avenue and Tremont Avenue, Congers as a "One-Way" street

On motion of Co. Maloney and seconded by Co. Mandia . Town Clerk read the notice of public hearing and testified to its proper posting and publication.

Supervisor read the following letter from the Clarkstown Planning Board:

Dear Supervisor Holbrook and the Honorable Town Board:

The Planning Board discussed the above subject matter at their meeting of April 14, 2004. Chairman Paris read the correspondences from Planning Consultant Geneslaw and Town Planner Simoes, dated 4/14/04 (see enclosed), and Highway Traffic and Engineering Consultant Lampert, dated 4/12/04.

After discussion, the following motion was made by Cain, seconded by Thormann, and carried 7:0, with Ayes of Paris, Yacyshyn, Heim, Baum & Hoehmann:

Whereas, designating Medway Avenue as a "one way" street will hamper the ability of emergency services to access the residences along the roadway; and
Whereas, designating Medway Avenue as a "one way" street may increase traffic speeds on the roadway; and
Whereas, designating Medway Avenue as a "one way" street may relocate an undue burden of additional traffic to adjacent residential streets; and
Whereas, the Planning Board finds no unique circumstances for designating Medway Avenue as a "one way" street as compared to other narrow streets in the Town; and
Whereas, designating of Medway Avenue as a "one way" street will set a precedent to designate other "one way" streets in the Town.
Now therefore be it resolved, the Planning Board hereby recommends against designating Medway Avenue as a "one way" street.

Signed by Jose Simoes, Town Planner, Clarkstown

Supervisor Holbrook then read the following letter from the County Planning Department:

The County Planning Department is in receipt of Resolution 213-2004, setting a public hearing to discuss designating Medway Avenue in Congers as a one-way thoroughfare. Since there is no indication of an official map change, the County Planning Department has determined that this action is not subject to our General Municipal Law purview. However, we do encourage the Town Board to request comments from the New York State Department of Transportation as Medway Avenue is close proximity to New York State Route 303.

Thank you for forwarding the County Planning Department a copy of the public hearing notice and please feel free to contact us if you have any questions at (845) 364-3434.

Sincerely, Arlene Miller, Deputy Commissioner

Ph: 4/27/04
 Medway Avenue (One-way)

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He then read a letter from the Board of Fire Commissioners to Town Attorney, John Costa:

Dear Sir:

The Congers Board of Fire Commissioners is in receipt of your letter of April 5 regarding the proposed change of traffic flow on Medway Avenue. At it's April 7 meeting the Board unanimously opposed this proposed change.

The ability of the fire department to arrive at the scene of a fire will be hampered as it will be necessary for the apparatus to pass the site, thereby taking extra time, and arrive from a different direction. Highway Avenue and the proposed entrance to Medway Avenue are very narrow at that point and it will create a problem for the trucks to turn into the street.

The Board feels that approval of this proposed change will hamper our fire fighting abilities and create an unsafe situation for the residents of the area.

If you have any questions with regard to our opposition kindly contact Ken Kunz, chief of the Congers Fire Department at 222-1418.

Thank you for your attention to this matter.

Sincerely,
 Robert Kraft, Chairman, CBG-C

He also referred to a letter from Howard Lampert and a list of phone calls that were received. (on file in TC office).

Supervisor asked if there was anyone wishing to speak on this subject.

Appearance: Mr. Schliemer

How did this come about?

Supervisor responded that it came about by a petition that was submitted to his office that the Town Board referred out to the Planning Board and set a date for a public hearing, which is what the petition requested. Since this is a public street there needs to be public notice so that the public has ample time to comment on it.

Appearance: Chris Wohl
 Congers

I've lived on Highway Avenue for over 50 years and have seen it change from a quiet street where we used to play baseball into a very busy suburban street. I feel it would be very unfair to the residents of Highway Avenue to change Medway to a one way. Highway Avenue is very similar in design, they are both about the same width and similar in construction. Highway Avenue already has more traffic than it can handle on it and to divert the traffic that currently goes on the opposite direction on Medway would just give us more of a problem. I'm already afraid to back out of my driveway because of the traffic that comes down Highway Avenue. The roads on either side of Highway Avenue, Lennox Avenue and Wisconsin Avenue, are both dead end streets so all the people that live on those streets use Highway to get back and forth. The real problem on Medway Avenue is the fact that people are using Medway Avenue and, more so Highway Avenue, to circumvent the traffic lights that are on 303. Over the last 10 years several traffic lights have been added to 303. In the morning when the traffic backs up commuters are taking Medway Avenue and so changing Medway to one way would not solve the problem. It would be inappropriate to redirect traffic from one local street onto another. We need to have more traffic control during commuter hours and try to make

sure that people are obeying the laws and the speed limit. Maybe a highway engineer could come up with some solutions.

Richard Pisani
Congers

Medway is being used as a cut through, the same as Highway Avenue. The difference though is that Highway Avenue is a double yellow line road. Medway is a very narrow road with a 30 MPH speed limit which is way too fast for that road as it is. If you were to park 2 cars north and south on that street, you made an issue about emergency vehicles being on that street, emergency vehicles wouldn't be able to get through at that point either. By making it a one-way street you can designate parking on one side only and emergency vehicles could get through. We are more concerned for the safety of the children on that street. We are for any resolution that can help make the street better and safer for the people on that street.

Co. Mandia asked if making that street a one way would affect the school bus route.

Mr. Pisani stated that it would not.

Appearance: Joe Berry
Congers

Highway Avenue is an 18-foot street with a double yellow line so the traffic flow is bad. I am opposed to this because I live on Highway Avenue.

Appearance: Henry Smith
Medway Avenue

I've lived on Medway for 55 years and not a major accident has occurred on that road, I think it is pretty safe and I'd like to see it remain as is.

Appearance: Kenneth Kunz, Chief
Conger Fire Dept.

I'm concerned with getting our trucks into this street. We have a 50 foot long piece of apparatus; this would half our response time. Also, by making this a one-way street, it would hamper our getting to our water source. We also have 2 commercial businesses on the opposite side of 303 where we need access through Medway. It would be unwise and unsafe for us to allow this to happen.

Supervisor Holbrook stated that the Town Board will take this under advisement and reserve decision.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted the Public Hearing was closed RESERVE DECISION, time 8:20 P.M.

Respectfully submitted,



Patricia Sheridan
Town Clerk

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

Town Hall

04/27/2004

8:15 P.M.

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

Re: Authorizing the Signing of Housing Assistance Contract and Rent Schedules with Respect to the Clarkstown Middlewood Senior Citizens' Complex – HUD Project

On motion of Co. Maloney seconded by Co. Lasker and unanimously adopted, the Special Meeting was opened at 8:35 p.m.

RESOLVED, that the Board of Directors of the Clarkstown Middlewood Housing Development Fund Company, Inc., hereby authorizes the signing of the Section 8 Housing Assistance Payments Basic Renewal Contract for the Middlewood Senior Citizens' Complex – HUD Project No. 012-44136-NP-WAH. The Renewal Contract is to begin on June 1, 2004 and shall run for five (5) years, and

FURTHER RESOLVED, that the Board of Directors of the Clarkstown Middlewood Housing Development Fund Company, Inc., also authorizes the signing of the Low Rent Schedules.

Respectfully submitted,



Patricia Sheridan
Town Clerk