

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

10/12/2004

8:00 P.M.

Present: Supervisor Alex J. Gromack
Council Members Lasker, Maloney, Mandia & Nowicki
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

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

RESOLUTION NO. (791-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of September 28, 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 Gromack Yes

RESOLUTION NO. (792-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of approval of Kosenko Subdivision, Alex Vursta, Nancy Vursta, Lydia Kosenko and Irene Kosenko, as agents or owners, have each provided a Declaration of Covenant which imposes a road maintenance obligation for all of the lots within the Kosenko Subdivision with respect to a private right-of-way known as Scotty Lane, West Nyack, New York (64.8-1-51 and 53), and

WHEREAS, the Town Attorney has recommended acceptance and recording of the said two Declarations of Covenant which have been tendered;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Declarations of Covenant required as a condition for approval of the Kosenko Subdivision, and orders same recorded in the Rockland County Clerk's Office, subject to payment of the recording fees by the respective declarants.

On roll call the vote was as follows:

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

RESOLUTION NO. (793-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Resolution No. 100-2004 adopted by the Town Board on January 13, 2004, the Town Board authorized a summary proceeding against Epic Pool Corp. to recover rents and statutory costs for use of Town owned premises located at First Street, New City, New York, which resulted in the Town obtaining a Warrant of Eviction and Judgment for \$11,888.88 plus interest from April 1, 2004, and

WHEREAS, the judgment debtor has proposed to enter into a Stipulation of Settlement providing for installment payment of the sum owed to the Town of Clarkstown by payments of \$2,000 per month until the entire debt has been paid together with statutory interest, and

WHEREAS, Deputy Town Attorney Paul K. Schofield has recommended said settlement agreement upon the condition that all payments are timely made, failing which the Town is authorized to take all steps to enforce collection of debt against Epic Pool Corp., debtor;

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to execute a Stipulation of Settlement, in a form approved by the Town Attorney, to provide for installment payment of the judgment debt owed by Epic Pool Corp., which debt arose out of its use and occupancy of Town property.

On roll call the vote was as follows:

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

RESOLUTION NO. (794-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, 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:

Habitat for Humanity of Rockland \$250.00

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.

RESOLUTION NO. (794-2004) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (795-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Clarkstown Police Chief Peter Noonan, has advised that the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles, has approved a grant application from the Clarkstown Police Department (Grant No. CS-4450114), for the purpose of participating in the "Child Passenger Safety Program" for the period from October 1, 2004 through September 30, 2005, and

WHEREAS, the State shall provide \$5,400 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it RESOLVED, that on the recommendation of Clarkstown Police Chief Peter Noonan, the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor's Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$5,400 for the purpose of participating in the "Child Passenger Safety Program" for the period from October 1, 2004 through September 30, 2005, by the Town of Clarkstown Police Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (796-2004)

Co. Mandia offered and Co. Nowicki seconded

WHEREAS, on May 10, 1994, the Town Board adopted resolution No. 356-1994, pursuant to Gen. Mun. Law Section 104-b; and

WHEREAS, the Deputy Town Attorney – Purchasing has reviewed said resolution and has recommended that the resolution be amended;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 356-1994 is hereby amended to add the following clause as paragraph 3.F:

"In the event the Town Board determines, in its sole discretion, that solicitation of alternative proposals may not be in the best interests of the Town, the Town Board may authorize the Purchasing Department to take such action, such as undertaking a study, to ensure that the objectives of Gen. Mun. Law Section 104-b are satisfied, and, upon receipt of such findings, may authorize the Town to purchase goods or retain services without securing competitive proposals."

RESOLUTION NO. (796-2004) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (797-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Town's current contract with Rockland Paramedic Services has expired; and

WHEREAS, Rockland Paramedics has continued to provide service to the Town in the absence of an agreement; and

WHEREAS, Resolution No. 356-1994, as revised, authorizes the Town Board to request the Deputy Town Attorney – Purchasing to conduct a study and advise the Town Board so that the Town Board may make a determination as to whether renewing its contract with Rockland Paramedics without obtaining competitive proposals is in the best interest of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Deputy Town Attorney – Purchasing, is hereby directed to conduct a study as set forth above, and report her findings to the Town Board no later than November 30, 2004; and be it

FURTHER RESOLVED, that the Town is hereby authorized to continue to retain the services of Rockland Paramedics, as per the terms of its previous agreement with the Town, on a month to month basis pending the outcome of the study.

On roll call the vote was as follows:

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

RESOLUTION NO. (798-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Open Space Advisory Committee and Robert Geneslaw, Planning Consultant, have recommended that the Town Board consider acquisition of premises located in West Nyack, New York, as follows:

TAX MAP NO.	OWNER	PARCEL SIZE
64.08-3-29	Shehada	.84 acre
64.08-3-30	J.Owens Building Co., Inc.	2+ acre
65.05-2-22	Gedeiko	1+ acre
65.09-1-3	Marla Realty Corp.	4.8 acres

as part of the authorized Town of Clarkstown Open Space Acquisition Program, and

RESOLUTION NO. (798-2004) CONT.

WHEREAS, the property owners are willing to sell their properties to the Town;

NOW, THEREFORE, be it RESOLVED, that the Town Attorney is hereby authorized to solicit proposals for appraisals of premises referred to herein, and for the purpose of determining the purchase fee simple absolute, or in the alternative to acquire the conservation/developmental rights which would prevent development of the properties and require that the properties remain as open space.

On roll call the vote was as follows:

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

RESOLUTION NO. (799-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Howard L. Lampert, Traffic Engineering Consultant, has recommended rescission of Resolution No. 680-2003, which authorized the Superintendent of Highways to install traffic signs that restricted parking for a period not to exceed ten minutes on the west side of South Middletown Road, from 92 feet north of Prospect Street to 112 feet north of Prospect Street, because the majority of business owners object to the parking restriction and recommend replacing said signs with "2 Hour Parking" signs;

NOW, T THEREFORE, be it RESOLVED, that the Town Board hereby rescinds Resolution No. 680-2003, and authorizes the Superintendent of Highways to install traffic signs limiting parking to "2 Hour Parking" at the location referred to herein.

On roll call the vote was as follows:

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

RESOLUTION NO. (800-2004)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby authorizes Amy Wagner-Mele, Deputy Town Attorney, to attend a seminar dealing with the law on defending and suing municipalities which is being sponsored by the New York State Bar Association, at the Holiday Inn Martinique on Broadway, New York, New York, on October 28, 2004, and be it

FURTHER RESOLVED, that the fee of for said seminar \$130.00, plus travel expenses, shall be charged to Account No. A 1010-414.

ABE667

RESOLUTION NO. (800-2004) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (801-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Peter Beary, the Building Inspector, has advised that I BAM CORP. has requested a refund of Building Permit fee (No. 04-1311) paid in the amount of \$296.00 for premises located at 134-138 West Nyack Road, Nanuet, New York, because lease plans were abandoned, and the Building Inspector has recommended retention of a review fee of \$80.00 and refund of the balance;

NOW, THEREFORE, be it RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$216.00 for Building Permit No. 04-1311, to I BAM CORP., to be charged to Account No. B 02-6-2555-0, subject, however, to surrender and cancellation of said permit.

On roll call the vote was as follows:

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

RESOLUTION NO. (802-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Peter Beary, Building Inspector and Arnold Amster, Chairman of the Board of Appeals (ZBA), has advised that Joseph Meola has requested a refund of the \$150.00 fee paid for filing an appeal to the ZBA for premises located at 12 Meola Road, Congers, New York, because the condition requiring a variance has been abated, and the application has been withdrawn, with the result that Building Inspector and Chairman of the ZBA have recommended a full refund because no referrals or other processing occurred prior to the application being withdrawn;

NOW, THEREFORE, be it RESOLVED, that upon the recommendation of the Building Inspector and the Chairman of the Board of Appeals, a refund of the \$150.00 fee paid for the withdrawn ZBA application for premises at 12 Meola Road, Congers, is hereby authorized and said sum shall be charged to Account No. B 02-6-2555-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (803-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, areas of Prospect Street and Orchard Street, Nanuet are subject to flooding during heavy rainfall storms, and

WHEREAS, said flooding impacts the ability to provide adequate emergency services to the area of Nanuet served by the Nanuet Fire Company and other emergency services, and

WHEREAS, the Department of Environmental Control has performed hydraulic analysis and has determined that the existing drainage system is inadequate to accommodate the flows from severe storms, and

WHEREAS, that analysis indicates that an existing culvert which traverses the NJ Transit Railroad ROW should also be enlarged, and

WHEREAS, structural design of such culvert to accommodate the loadings from railroad vehicles is one which requires specialty experience, and

WHEREAS, the Department of Environmental Control has solicited and received a proposal from M. G. McLaren, P.C., a firm qualified to provide such experience, and

WHEREAS, the Director of the Department of Environmental Control has reviewed said proposal from M. G. McLaren, P.C. and found it to be reasonable for the services to be provided,

NOW THEREFORE, BE IT RESOLVED that the Director of Environmental Control is hereby authorized to retain M. G. McLaren, P.C. to perform structural design services for the design of new culvert to traverse the NJ Transit Railroad ROW in accordance with their proposal no. 104201 dated September 29, 2004 for the proposed fee of \$2,000.00, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H-8754-409-0-78-3, and

BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project shall be funded through the use of serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (804-2004)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, adverse drainage conditions exist in certain municipal storm drain lines at various locations throughout the Town of Clarkstown, and

WHEREAS, video inspection of the affected storm drain lines is necessary in order to determine the required corrective action, and

WHEREAS, the Department of Environmental Control has obtained a proposal to perform the video inspection of the affected storm drain lines on a daily basis, and

ABE667

RESOLUTION NO. (806-2004) CONT.

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 Gromack Yes

RESOLUTION NO. (807-2004)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Deputy Town Attorney-Purchasing is hereby authorized to advertise for bids for:

Bid #63-2004 – Green Avenue Culvert & Stream Channel Modification

Bids to be returnable to the office of the Deputy Town Attorney-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 Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (808-2004)

Co. Lasker offered and Co. Nowicki seconded

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

Bid #1-2005 – Office Supplies

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by 11:00 a.m. on October 28, 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 Purchasing Department.

RESOLUTION NO. (808-2004) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (809-2004)

Co. Lasker offered and Co. Nowicki seconded

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

Bid #2-2005 – Photocopier and Facsimile Machine Supplies

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by 11:30 a.m. on October 28, 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 Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (810-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #04123 Computer Installation Assistant – which contains the name of Patrick R. Ross,

Now, therefore, be it RESOLVED, that Patrick R. Ross, 185 Old Route 304, New City, New York is hereby appointed to the (permanent) position of Computer Installation Assistant – Data Processing Department – at the current annual salary of \$34,903., effective and retroactive to September 27, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (811-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #04084 Street Construction Inspector (Prom) which contains the name of Jeffrey W. Lawrence,

Now, therefore, be it RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Jeffery W. Lawrence, 59 New Valley Road, New City, N. Y. to the (permanent) position of Street Construction Inspector – Town Highway Department – at the current annual salary of \$55,267., effective and retroactive to October 6, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (812-2004)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that William Cestaro, 23 Beech Street, Nanuet, New York, is hereby appointed to the position of (part-time) Courier – Data Processing Department – at the current hourly rate of \$13.00 – effective October 18, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (813-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #04079 Supervising Real Property Appraiser (Prom) – Office of the Town Assessor,

Now, therefore, be it RESOLVED, that Robert W. Davies, 707 Eagle Valley Road, Tuxedo, New York 10987 is hereby appointed to the (permanent) position of Supervising Real Property Appraiser – Office of the Town Assessor – at the current annual salary of \$72,266., effective and retroactive to October 6, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (814-2004)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS the Town Board retained the services of Brooker Engineering, P.L., L.C., for the project Demarest Mill Creek Channel Improvements from Strawtown Road to the confluence with the Hackensack River; and

WHEREAS in order to construct the improvements, the Town has to obtain easements from property owners of twelve (12) parcels; and

WHEREAS we solicited proposals from six (6) land surveyors; and

WHEREAS we recommend accepting the proposal from Atzl, Scatassa and Zigler, L.S., P.C., dated September 13, 2004, revised on September 21, 2004;

NOW THEREFORE BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to hire Atzl, Scatassa and Zigler, L.S., P.C., for the lump sum fee of \$22,575.00 which shall be charged on Account H 8739-409-0-60-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (815-2004)

Co. Lasker offered and Co. Maloney seconded

Whereas, Town Board Resolution #767-2003 awarded Bid #56-2003; South Grant Avenue Road Improvements to Cal Mart Enterprises, Inc.; and

Whereas, unsuitable material was found in the road bed, and were excavated and disposed from the T-turn around and replaced with crushed concrete for sub base of road, and,

Whereas, Cal Mart Enterprises, Inc. submitted prices for the additional work which has been reviewed by the Department of Environmental Control and found to be acceptable and recommends the additional work as per attached letters from Cal Mart Enterprises, Inc. be approved by the Town Board as Change Order #1, and,

Now, Therefore, Be It Resolved that the total approved costs of changes for this project for Change Order #1 is \$1,794.00 and

Be It Further Resolved that this shall be a proper charge to Account #A-8730-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (816-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on October 12, 2004 that the position of Senior Clerk – Planning Department – can be reclassified to the position of Senior Clerk Typist,

Now, therefore, be it RESOLVED, that the position of Senior Clerk #500834 is hereby reclassified to the position of Senior Clerk Typist – Planning Department – effective October 18, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (817-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on October 12, 2004 that the position of Constituent Service Assistant (Town) – Office of the Town Supervisor – can be created,

Now, therefore, be it RESOLVED, that the position of Constituent Service Assistant (Town) – Office of the Town Supervisor – can be created,

Now, therefore be it RESOLVED, that the position of Constituent Service Assistant (Town) – Office of the Town Supervisor – is hereby created – effective October 18, 2004.

On roll call the vote was as follows:

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

RESOLUTION NO. (818-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town has installed drainage structures in Prospect Street, Nanuet, to collect street runoff, and

WHEREAS, the trench drain installed in the vicinity of the Nanuet Firehouse requires modification due to height and soil conditions and to adequately support heavy truck loads traveling over it, and

WHEREAS, the Department of Environmental Control has prepared a plan for modification of said trench drain, and

RESOLUTION NO. (818-2004) CONT.

WHEREAS, proposals have been solicited from 5 Contractors who are capable of performing the work as indicated by the Department of Environmental Control, and

WHEREAS, 2 Contractors have submitted proposals in response to said solicitation, and

WHEREAS, WJL Equities has submitted the lowest price proposal to perform the work,

NOW THEREFORE, BE IT RESOLVED that Prospect Street Trench Drain Modifications, Nanuet, New York is hereby awarded to:

WJL Equities
157 Fisher Ave – Suite 3
Eastchester, New York 10709

for the proposed maximum cost of \$ 15,800.00, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H-8754-409-0-78-3, and

BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project shall be funded through the use of serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (819-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a ground water monitoring well identified as RFW-8DR at the Clarkstown Landfill has collapsed and can no longer be used for the monitoring of ground water at the facility, and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has directed the Town of Clarkstown to take the collapsed well out of service in accordance with 6 NYCRR Part 360-2.11 (a)(8)(vi), and

WHEREAS, the Town's consultant for the maintenance of the closed landfill, Lawler, Matusky and Skelly, Engineers, LLP (LMS) has submitted a proposal for the closure of the monitoring well in accordance with the NYSDEC regulations, and

WHEREAS, the Deputy Director of Operations recommends accepting the proposal from LMS dated September 22, 2004 for the closure of the monitoring well.

NOW, THEREFORE BE IT, RESOLVED, that the Director of the Department of Environmental control is hereby authorized to hire Lawler, Matusky and Skelly, Engineers, LLP, One Blue Hill Plaza, Pearl River, New York 10965 to for the closure of monitoring well RFW-8DR in accordance with their proposal dated September 22, 2004, and

BE IT FURTHER RESOLVED that the cost for the closure of monitoring well RFW-8DR shall not exceed \$2,500.00 and shall be a proper charge to account SR 8160 409.

RESOLUTION NO. (819-2004) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (820-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rental agreement for the Frontier Windrow Turner at the Solid Waste Facility expired on September 1, 2004, and

WHEREAS, the Frontier Windrow Turner is an essential piece of equipment used for the processing and composting of the leaves at the Solid Waste Facility, and

WHEREAS, the Deputy Director of Operations recommends extending the rental agreement for six (6) months, and

WHEREAS, the Deputy Director of Operations will obtain a buyout cost at the end of the six month extension.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to extend the rental agreement with Vantage Vista, Inc., 117 A Route 303, Tappan, New York 10983 for a period of six (6) months from September 1, 2004, at a cost of \$4,687.37 per month, and

BE IT FURTHER RESOLVED that the total cost of \$28,124.22 shall be charged to Account No. SR 8160 443 and said rental agreement shall terminate on or before March 1, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (821-2004)

Co. Mandia offered and Co. Maloney seconded

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

Bid #57-2004 – Computer and Word Processing Supplies

is hereby awarded to: R & D Computer Essentials, Inc.
 5 Windward Ct.
 Dix Hills, NY 11746
 Principal: Donna Glover

RESOLUTION NO. (821-2004) CONT.

Office Communications
80 Red Schoolhouse Rd
Chestnut Ridge, NY 10977
Principals: Clint Hart
Thomas Murray

Custom Computer Specialists, Inc
70 Suffolk Ct.
Hauppauge, NY 11788
Principal: Gregory Galdi

as per attached item/price schedule (on file 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 Gromack Yes

There being no further business and no one further wishing to be heard, on motion of Co. Maloney who moved to adjourn the meeting in memory of Ed Duffy of Nanuet, seconded by Co. Mandia and unanimously adopted, the Town Board Meeting was closed, time 8:05 P.M.

Respectfully submitted,


Patricia Sheridan
Town Clerk