

## PUBLIC HEARING

Town Hall

1/27/71

8:00 P.M.

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Clerk  
Town Attorney and Deputy Town Attorney

RE: PROPOSED LOCAL LAW ESTABLISHING STANDARDS OF ETHICAL CONDUCT FOR OFFICERS AND EMPLOYEES OF THE TOWN OF CLARKSTOWN: (Continued from 12/9/70)

Supervisor Vines called public hearing to order; Town Clerk read notice of public hearing.

Mr. Eric Sundberg of New City appeared before the Town Board and stated the following:

In March of 1963, the District Attorney, in his annual message to the Legislature, requested that a Code of Ethics be drawn up for the County of Rockland.

The county appointed qualified citizens from various parts of the county, which included Messrs. Doig, the County Attorney, Morton Silberman, who also advised the Board; George Writer, former County Attorney, J. Fury, of Stony Point, who was also County Attorney, Max Mason, myself et al. We worked long hours determining what a good code would be. We investigated one that came from New York City, which was researched throughout the world. The code was a fine one; it was modified to suit the requirements of Rockland County.

We presented it to the Legislature and subsequently it was adopted and had been in operation for all the years up to the current time.

Last year, there was a report which came down from Albany, requesting that all municipalities adopt a Code of Ethics and Conflict of Interest Law. There had been certain recommendations which had been brought down from years previous, but no directive that a code had to be adopted.

The code sent down was very weak, but many of the municipalities thought that the adoption of this code was a necessity and copied it in its exact terminology and modified it later to suit their own convenience.

Rockland County proceeded to adopt it. I spoke against the proposed code. It is no different from what the town is considering at this point.

After a discussion, it was deemed by the County Attorney that it could be that both codes, as prepared at that time, were illegal. (enforced for some seven odd years - satisfactorily operating through these years).; but that was a legal opinion. Motion to vote on its adoption was then delayed, awaiting a redraft by the County Attorney.

The County Code was re-drafted, and is identical with the old code

as drawn up in 1963, with the exception of some improvements and set a \$25.00 monetary value. We should consider that the purpose of a Code of Ethics is to set guide lines. There should be no monetary value fixed to a gift. What is a gift to one person, could be an insult to someone else. \$25.00 should not influence you gentlemen; but could influence someone else. It is the spirit in which the gift is given.

Re Accepting lunches systematically and periodically from someone, it is indicative that this is a question of propriety. Purpose of code is to set guide lines. This code is not a step toward excellence, it is a big step downward.

Nothing has been done because I find that the code is in the exact same terminology as was presented early in December, and which was discarded by the County.

There was a hearing in December; I thought it would be rewritten and one adopted very similar to the county. It is not the same code that the county has adopted.

Supervisor Vines: Town Board has to have an opportunity to study it. The Town Board is willing to set a new public hearing; we should wait until the county adopts so we can have one similar. I will make that proposal to the Board.

Mr. Sundberg: I am happy to hear that. County law improvement over certain areas.

Supervisor Vines: Recommends to the Town Board that we reserve decision until members of the Town Board have opportunity to look at the law adopted for the county by the County Legislature and then consider a new public hearing date.

Councilman Bolander: Before we continue, or set a new hearing on a new law, I would ask that Audit and Control look into whether or not this could be considered a totally legal document before we have another hearing.

Deputy Town Attorney: I am not opposed to writing another letter asking Audit & Control to express an opinion on the legality on the proposed new law.

Supervisor Vines: I requested that it be adjourned until such time as the county adopted a code. The code that the county subsequently adopted is substantially the same as the present code, with an exception. Gratuious amount included of \$25.00. I am asking the Town Board to reserve decision on this law.

Councilman Bolander: If we are going to consider the county code, I would like to implement the suggestions of Mr. Sundberg to look into the legality from the position of Audit & Control.

Mr. Sundberg: Before we throw out the present code of the town, let us determine from Audit & Control whether there are provisions in that code to make it illegal. I question the necessity of writing a whole new code. We had a fine code; why should we strive towards something that is not as good as we originally had.

Town Attorney: Re merit in changing present code; the reason that the cost must be review, is that there are definitely new statutory requirements forming structure of a Board of Ethics. Membership not be made up in majority by public officials; that is just one example of what must be changed in our present code. Audit and Control has listed requirements which we must change in our present code.

Mr. Lodico: I believe that "\$1.00, singly or collectively", should be incorporated.

On resolution offered by Councilman Niehaus, seconded by Councilman Bolander and unanimously adopted, public hearing was closed.

Signed.



Anne E. O'Connor  
Town Clerk

## PUBLIC HEARING

Town Hall

1/27/71

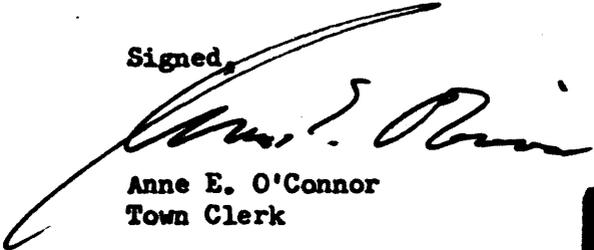
8:15 P.M.

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Attorney and Deputy Town Attorney  
Town Clerk

RE: PROPOSED LOCAL LAW ESTABLISHING A BOARD OF ETHICS: (continued from 12/9/70)

Public hearing not held; Town Board to obtain opinion from the  
Department of Audit & Control, and set new date of hearing.

Signed,



Anne E. O'Connor  
Town Clerk

## PUBLIC HEARING

Town Hall

1/27/71

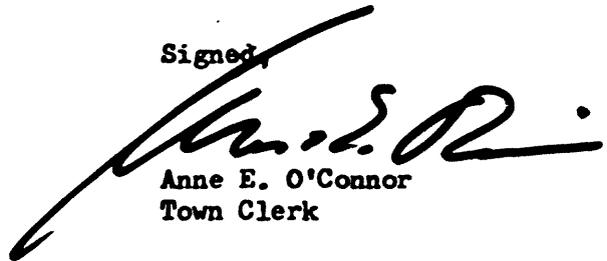
8:30 P.M.

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Attorney and Deputy Town Attorney  
Town Clerk

RE: PROPOSED REPEAL OF LOCAL LAW NO. 1-1964 AND AS AMENDED BY LOCAL LAW  
NO. 1-1966 RELATING TO CONFLICTS OF INTEREST & ETHICS FOR OFFICERS  
AND EMPLOYEES OF THE TOWN OF CLARKSTOWN: (continued from 12/9/70)

Public hearing not held; Town Board to obtain opinion from  
Department of Audit and Control and set new date of hearing.

Signed,



Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

1/27/71

8:45 P.M.

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Clerk  
Town Attorney & Deputy Town Attorney

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER DISTRICT #1  
TO INCLUDE HIGH MEADOW PARK:

Supervisor called public hearing to order; Town Clerk read notice of public hearing and testified as to proper posting and publication of said notice.

Albert Millman, 7 Markham Place, Monsey, N.Y. appeared before the Town Board as Vice President of West Willow Realty Corp. and testified as follows:

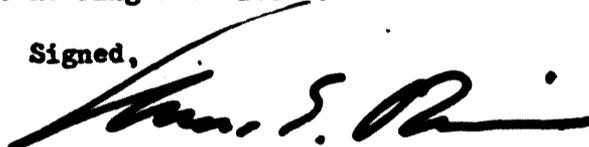
Petition signed by Leonard Kohl as President of West Willow Realty Corp.

Proposed extension will benefit all the property owners within the proposed extension; all the property owners who will benefit from this proposed extension are included within its limits.

Would be in the public interest to grant because it will provide fire protection for the safety and well-being of property and lives, and would bring about a reduction in fire insurance rates; will also aid in the sanitary sewer disposal. Granting of this extension would not be any expense to the Town.

On resolution offered by Councilman Frohling, seconded by Councilman D'Antoni and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

1/27/71

9:00 P.M.

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Clerk  
Town Attorney and Deputy Town Attorney

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1  
TO INCLUDE MONTCLAIR HEIGHTS:

Supervisor Vines called public hearing to order; Town Clerk read notice of public hearing and testified as to proper posting of notice.

Albert Millman of Monsey, N.Y. appeared before the Town Board as Vice President of West Willow Realty and testified as follows:

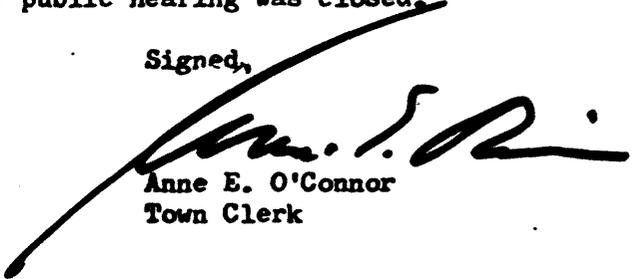
Petition signed by L. Kohl in his capacity of President of West Willow Corporation.

Proposed extension will benefit all the property owners within the proposed extension; all property owners who will benefit from this proposed extension are included within its limits.

Would be in the public interest to grant because it will provide fire protection for the safety and well being of property and lives, and would bring about a reduction in fire insurance rates. Will also aid in the sanitary sewer disposal. Granting of the proposed extension would not be any expense to the Town.

On resolution offered by Councilman Frohling, seconded by Councilman D'Antoni and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor  
Town Clerk

SPECIAL TOWN BOARD MEETING

Town Hall

1/27/71

8:00 PM

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Clerk  
Town Attorney  
Deputy Town Attorney

Supervisor Vines called Special Town Board meeting to order; assemblage saluted the flag.

(1971-56) Councilman Niehaus offered the following resolution:

RESOLVED, that Special Town Board meeting be adjourned in order to hold scheduled public hearings.

Seconded by Councilman Bolander.

All voted Aye.

(1971-57) Councilman Frohling offered the following resolution:

RESOLVED, that Special Town Board meeting be resumed, scheduled public hearings having been held.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-58) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED LOCAL LAW ESTABLISHING STANDARDS OF ETHICAL CONDUCT FOR OFFICERS AND EMPLOYEES OF THE TOWN OF CLARKSTOWN)

Seconded by Councilman Bolander.

All voted Aye.

(1971-59) Councilman Frohling offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED LOCAL LAW ESTABLISHING A BOARD OF ETHICS)

Seconded by Councilman D'Antoni.

All voted Aye

(1971-60) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED REPEAL OF LOCAL LAW NO. 1-1964 AND AS AMENDED BY LOCAL LAW NO. 1-1965 RELATING TO CONFLICTS OF INTEREST AND ETHICS FOR OFFICERS AND EMPLOYEES OF THE TOWN)

Seconded by Councilman Bolander.

All voted Aye.

Town Board signed Order extending Clarkstown Water Supply District #1 to include High Meadow Park (See Attached)

Town Board signed Order extending Clarkstown Water Supply District #1 to include Montclair Heights (See Attached)

(1971-61) Councilman Niehaus offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town Board et al, entitled as follows:

RICHARD J. DERELLA and GEORGE S. GERBER,  
on behalf of themselves and all other taxpayers  
within sewer districts in the Town of Clarkstown  
similarly situated,

Petitioners,

-against-

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN,  
WILLIAM E. VINES, SUPERVISOR, FRANK S. BOLANDER,  
ANTHONY D'ANTONI, WILLIAM R. NIEHAUS and PHILIP  
J. FROHLING, JR., constituting said Town Board, and  
C. ELSIE MONNERET, RECEIVER OF TAXES OF THE TOWN  
OF CLARKSTOWN,

Respondents.

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Councilman D'Antoni.

All voted Aye.

*orig.*

ORDER

In the Matter of the Petition for EXTENSION of the Clarkstown Consolidated Water Supply District #1 to include HIGH MEADOW PARK (West Willow Realty Corp.)

EXTENDING DISTRICT

In the Town of Clarkstown, Rockland County, New York

A petition in this matter for the extension of the Clarkstown Consolidated Water Supply Dist.#1 HIGH MEADOW PARK of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 16th day of December, 1970, for the hearing of all persons interested in the matter on the 27th day of January, 1971 at 8:45 P.M. EST Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby,

ORDERED, that the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

(INSERT DESCRIPTION)

DATED January 27, 1971

Christopher D. Carlton  
Councilman

Wm. E. Lewis  
Supervisor  
William R. Michaels  
Councilman

Henry J. Frohling Jr.  
Councilman

Frank Boland Jr.  
Councilman

STATE OF NEW YORK (OF COUNTY OF ROCKLAND)  
TOWN OF CLARKSTOWN )

SS:

I, ANNE E. O'CONNOR, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order Ext. Clrkstwn Cons. Wtr Spply Dist.#1 HIGH MEADOW PARK with the original now on file in said office, and find same to be a true and correct transcript and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 27th day of January, 1971.

Anne E. O'Connor  
Town Clerk

SEAL

PETITION FOR EXTENSION OF  
 CLARKSTOWN CONSOLIDATED WATER DISTRICT NO. 1  
 IN THE TOWN OF CLARKSTOWN, COUNTY OF ROCKLAND,  
 STATE OF NEW YORK

IDYLVOLD CONSTRUCTION CORP.

SCHEDULE "A"

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a monument on the easterly side of Germonds Road, said point being the northwesterly corner of the premises herein described and being also the southwesterly corner of the filed map entitled "SECTION I, STONEHEDGE EAST, SUBDIVISION OF PATRICIA ANN HOMES, INC.", filed August 5, 1966 in Map Book 72, Page 4, as Map No. 3481, and running thence

1. North 81° 08' 10" East, along the mutual boundary line between the premises herein described and the premises shown and designated on the afore-said filed map entitled "SECTION I, STONEHEDGE EAST, SUBDIVISION OF PATRICIA ANN HOMES, INC.", a distance of 1,671.36 feet to a point in the mutual boundary line between Lots 4 and 5 in Block F as shown on said map; thence
2. South 8° 37' 23" East, along the mutual boundary line between the premises herein described and the westerly line of Lots 4 and 3 in Block F as shown on said map, a distance of 407.00 feet to a monument; thence
3. South 81° 04' 20" West, along the mutual boundary line between the premises herein described and lands now or formerly of Brightly, a distance of 425.68 feet to a point in the mutual boundary line between said lands now or formerly of Brightly and lands now or formerly of Maher; thence
4. South 81° 43' 30" West, along the mutual boundary line between the premises herein described and said lands now or formerly of Maher, and extending along the northerly terminus of Husted Lane, a distance of 295.76 feet to a point; thence
5. South 81° 02' 30" West, along the northerly terminus of Husted Lane, a distance of 15.63 feet to a point; thence
6. South 81° 04' 30" West, along the northerly terminus of Husted Lane and continuing along the mutual boundary line between the premises herein described and lands now or formerly of Cullinane, a distance of 351.83 feet to a point in the mutual boundary line between said lands now or formerly of Cullinane and lands now or formerly of Feld & Richman; thence
7. South 78° 30' 40" West, along the mutual boundary line between the premises herein described and said lands now or formerly of Feld & Richman, a distance of 451.16 feet to a Rockland County monument set in the easterly line of Germonds Road; thence, along the easterly line of Germonds Road, the following courses and distances:
8. North 14° 54' 30" West, 102.94 feet;
9. North 25° 32' 02" West, 125.02 feet to a Rockland County monument;
10. North 31° 09' 30" West, 219.80 feet to the point or place of beginning.

(1971-62) Councilman Frohling offered the following resolution:

WHEREAS, by resolution No. 138 of the Town Board adopted on March 4, 1970, the Town Attorney was authorized to proceed in the acquisition or condemnation of certain lands for sanitary fill purposes, and

WHEREAS, by resolution No. 266 adopted May 6, 1970, the Town Attorney was authorized to begin condemnation proceedings to acquire the property of the late Joseph M. Finkelstein designated on the Clarkstown Tax Map as Map 105 Block A Lot 22.05, and the property of the late Joseph M. Finkelstein and Everett J. Johns designated on the Clarkstown Tax Map as Map 105 Block A Lot 33.03, and

WHEREAS, the owners and/or their representatives of the said properties have agreed to sell their property to the Town of Clarkstown at a purchase price to be arrived at by binding arbitration, and

WHEREAS, it appears that binding arbitration will be faster and less costly than condemnation proceedings;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown enter into an agreement providing for binding arbitration in the form and containing the conditions annexed hereunto and made a part hereof and that the Supervisor be authorized to execute such agreement on behalf of the Town.

Seconded by Councilman Niehaus.

All voted Aye

(1971-63) Councilman D'Antoni offered the following resolution:

WHEREAS, Henry Gassert, Draftsman in the Town Engineer's Office has requested a leave of absence,

NOW THEREFORE, be it

RESOLVED, that upon the recommendation of the Town Engineer, a leave of absence be granted to Henry T. Gassert, 41 Kinsman Lane, Garnerville, New York, effective February 1, 1971 through March 31, 1971, without compensation.

Seconded by Councilman Frohling.

All voted Aye.

PETITION FOR EXTENSION OF  
 CLARKSTOWN CONSOLIDATED WATER DISTRICT NO. 1  
 IN THE TOWN OF CLARKSTOWN, COUNTY OF ROCKLAND,  
 STATE OF NEW YORK

WEST WILLOW REALTY CORP.

SCHEDULE "A"

ALL that certain parcel of land together with the buildings and improvements thereon situate, lying and being on the easterly and southerly side of Route 304 in the Hamlet of New City, Town of Clarkstown, County of Rockland and State of New York, as more particularly described as follows:

BEGINNING at a point in the easterly line of New York State Highway Route 304 distant 1.34 feet southerly from a Rockland County Highway Monument situated on the easterly side of Route 304 and running thence along the easterly line of Route 304, North 0 degrees 26 minutes 20 seconds East 1.34 feet to a Rockland County Highway Monument;

1. Thence still along same, North 1 degrees 07 minutes 35 seconds East, 462.40 feet;
2. North 4 degrees 22 minutes 43 seconds East, 623.34 feet to a point in a curve in said Route 304;
3. Thence on a curve to the right with a radius of 48.46 feet, a tangent of 49.10 feet a distance of 76.76 feet to a Rockland County Highway Monument situated on the southerly line of the aforesaid New York State Highway Route 304;
4. Thence along same, South 84 degrees 52 minutes 17 seconds East 320.92 feet to the Rockland County Monument;
5. Thence South 86 degrees 52 minutes 00 seconds East, 366.26 feet;
6. Thence South 87 degrees 07 minutes 25 seconds East, 373.72 feet;
7. Thence South 86 degrees 19 minutes 50 seconds East, 407.60 feet; to other lands now or formerly of Christie;
8. Thence along same, South 3 degrees 25 minutes 40 seconds West, 200 feet;
9. Thence along same, South 86 degrees 27 minutes 55 seconds East, 300 feet;
10. Thence North 3 degrees 25 minutes 40 seconds East, 200 feet to a point in the southerly line of the aforesaid Route 304;
11. Thence along same, South 86 degrees 34 minutes 20 seconds East, 293.55 feet to lands now or formerly of Albright and the northeasterly corner of premises herein intended to be described;
12. Thence along lands now or formerly of Albright and partly along a stone wall, South 4 degrees 26 minutes 32 seconds West, 431.01 feet;
13. Thence South 3 degrees 22 minutes 10 seconds West, 124.50 feet;
14. Thence South 7 degrees 13 minutes 50 seconds East, 476.30 feet;

15. Thence South 3 degrees 45 minutes 50 seconds East, 168.10 feet; to a concrete monument and lands now or formerly of Cragmere Estates, Inc;

16. Thence along same, North 84 degrees 57 minutes 07 seconds West, 2207.09 feet to a point in the easterly line of Route 304 and the point or place of beginning.

EXCEPTING THEREFROM all the following piece or parcel of land, together with the buildings and improvements situate thereon, more particularly bounded and described as follows:

BEGINNING at a point determined by the following courses and distances beginning at a point in the easterly side of Route 304 distant 1.34 feet southerly from a Rockland County Highway Monument situate on the easterly side of Route 304;

1. running thence North 0 degrees 26 minutes 20 seconds East, 1.34 feet to a Rockland County Monument;
2. Thence North 1 degree 07 minutes 35 seconds East, 220 feet;
3. Thence South 81 degrees 05 minutes 05 seconds East, 201.86 feet;
4. Thence South 1 degree 07 minutes 35 seconds West, 144.00 feet to the point or place of beginning of the excepted parcel;
5. Thence running from said point of beginning the following courses and distances:
  - (a) North 1 degree 07 minutes 35 seconds East, 301.57 feet to a point in the center line of a stream;
  - (b) Thence along same, South 45 degrees 31 minutes East, 23.55 feet;
  - (c) Thence North 88 degrees 50 minutes 20 seconds East, 74.02 feet;
  - (d) Thence North 80 degrees 32 minutes 15 seconds East, 36.50 feet;
  - (e) Thence North 88 degrees 12 minutes 35 seconds East, 48.02 feet;
  - (f) Thence South 80 degrees 40 minutes 35 seconds East, 67.90 feet;
  - (g) Thence South 84 degrees 40 minutes 15 seconds East, 58.03 feet;
  - (h) Thence turning and crossing the brook on the southerly side, South 1 degrees 07 minutes 35 seconds West, 283.57 feet;
  - (i) Thence North 88 degrees 52 minutes 25 seconds West, 300.00 feet to the point or place of beginning.

TOGETHER with a right of way for all street and utility purposes, which said right of way is more particularly bounded and described as follows:

BEGINNING at a point on the easterly line of Route 304 distant 220 feet on course of North 1 degree 07 minutes 35 seconds East from a Rockland County Highway Monument situated on the easterly side of said Route 304; and running thence along the easterly line of said Route 304 North 1 degree 07 minutes 35 seconds East, 50.47 feet;

1. Thence South 81 degrees 05 minutes 05 seconds East 201.86 feet to a point in the westerly line of the above described excepted parcel;
2. Thence along same South 1 degree 07 minutes 35 seconds West, 50.47 feet;
3. Thence North 81 degrees 05 minutes 05 seconds West, 201.86 feet to the point or place of beginning.

EXCEPTING THEREFROM so much of said premises as is already within Consolidated Water District No. 1.

ORDER

In the Matter of the Petition for EXTENSION of the Clarkstown Consolidated Water Supply District #1 to include MONTCLAIR HEIGHTS (Idylwold Construction Corp.)

EXTENDING DISTRICT

In the Town of Clarkstown, Rockland County, New York

A petition in this matter for the extension of the Clarkstown Consolidated Water Supply Dist.#1 MONTCLAIR HEIGHTS of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 16th day of December, 1970, for the hearing of all persons interested in the matter on the 27th day of January, 1971 at 9:00 P.M. EST Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby,

ORDERED, that the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

(INSERT DESCRIPTION)

DATED January 27, 1971

Signatures of Councilmen: Anthony D. Anton, Philip A. Frohling, Jr.

Signatures of Supervisor and Councilmen: Supervisor, Frank Bilander, William R. Nichols

STATE OF NEW YORK OF COUNTY OF ROCKLAND) TOWN OF CLARKSTOWN

SS:

I, ANNE E. O'CONNOR, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order with the original now on file in said office, and find same to be a true and correct transcript and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 27th day of January, 1971.

Signature of Anne E. O'Connor, Town Clerk

SEAL

1/27/71  
Page 4

(1971-64) Councilman Niehaus offered the following resolution:

RESOLVED, that the bid for furnishing of one (1) four-door Sedan automobile be rejected, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to re-advertise for bids for one (1) Four-door sedan, said bids to be returnable on 2/17/71 at 8:05 PM.

Seconded by Councilman Bolander.

All voted Aye.

(1971-65) Councilman Niehaus offered the following resolution:

WHEREAS, there has been an unauthorized refusal on the part of the licensed refuse collectors in the Town of Clarkstown to collect refuse from private residences, and

WHEREAS, this unauthorized refusal has left the citizens of the Town of Clarkstown with no formal service to dispose of their garbage and refuse, and

WHEREAS, there has been no warning or discussion or other implication of an unauthorized refusal to render their services, and

WHEREAS, garbage and other refuse is accumulating at the private residences in the Town of Clarkstown, and

WHEREAS, the licensed refuse collectors will only collect from their commercial accounts, and

WHEREAS, this unauthorized refusal to collect residential garbage and refuse is and has created a condition detrimental to the health, safety and welfare of the residents of the Town of Clarkstown, and

WHEREAS, it is necessary that the collection of garbage and refuse be accomplished in order to avoid the possibility of disease, and

WHEREAS, the members of the Town Board of the Town of Clarkstown will not stand by idly and permit a threat to the health and welfare to continue unabated;

NOW THEREFORE, be it

RESOLVED, that the unauthorized refusal of the licensed refuse collectors to collect refuse from the private residences in the Town of Clarkstown has created a state of emergency in the Town of Clarkstown, and be it

(continued)

1/27/71  
Page 5

(1971-65 - continued)

FURTHER RESOLVED, that a state of emergency is hereby declared in the Town of Clarkstown, and be it

FURTHER RESOLVED that the Sanitary Landfill Area of the Town of Clarkstown is hereby closed to all Clarkstown licensed refuse collectors, and be it

FURTHER RESOLVED, that the Clarkstown Highway Department be and the same is hereby directed to take all necessary steps to pick up the residential, public, educational and institutional garbage and refuse in the Town of Clarkstown, and be it

FURTHER RESOLVED, that all residents in the Town of Clarkstown are requested to place their garbage in sealed bags at the curb during the pendency of this emergency, and be it

FURTHER RESOLVED, that all non food garbage and refuse be excluded from the garbage and refuse requested to be placed at the curb, and be it

FURTHER RESOLVED, that the Sanitary Landfill area be open free of charge to Clarkstown residents and remain open until 7:00 P.M. to take all of their refuse to the Sanitary Landfill area in their private cars only, and be it

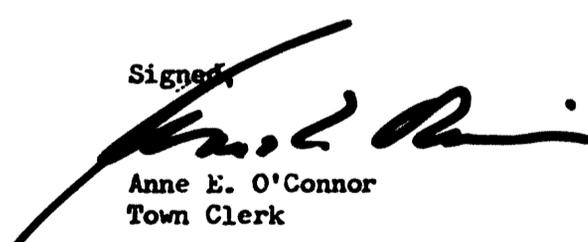
FURTHER RESOLVED, that the Supervisor and the Town Board shall take all necessary steps to secure the prompt collection of residents' garbage and refuse and any other measure to effectuate this resolution.

Seconded by Councilman Bolander.

All voted Aye.

On resolution offered by Councilman Niehaus, seconded by Councilman Bolander and unanimously adopted, Special Town Board meeting was adjourned until Wednesday, February 3rd, 1971 at 8:00 PM at the Town Hall Board Room.

Signed,



Anne E. O'Connor  
Town Clerk