

073

CONTINUATION OF SPECIAL TOWN BOARD MEETING
6/23/78

Town Hall

6/27/78

4:45 P.M.

Present: Co. Holbrook, Longo, Malonev, Piacentile
Subv. Gerber
Town Attorney - Murray Jacobson
Director of Environmental Control
Captain Ronald Fabis

The recessed Special Town Board Meeting of June 23rd, 1978 was resumed at 4:45 p.m. by Supervisor Gerber.

Supervisor Gerber stated that a motion to terminate the lease of the Clarkstown Recycling Center, Inc. had been tabled at the June 23rd meeting. He therefore asked whether the Board members wished to re-introduce this motion. Councilman Piacentile moved and Councilman Longo seconded the following proposed resolution.

RESOLUTION NO. (1978-476)

Resolution Authorizing
Termination of Lease

Co. Piacentile offered the following resolution:

"RESOLVED, that the lease of Clarkstown Recycling Center, Inc., dated June 10, 1976, is hereby terminated immediately for the following reasons:

1. The vacant land on the leased premises has not been kept in a clean and orderly manner at all times.
2. Clarkstown Recycling Center, Inc., has failed to comply with the Rules and Regulations concerning the operation of the Clarkstown Sanitary Landfill and Recycling Center in that its agent, Joseph Miele, Jr., has engaged in unruly behavior, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the attached Notice of Termination."

Seconded by Co. Longo

* * *

NOTICE

Clarkstown Recycling Center, Inc.
745 Closter Dock Road
Closter, New Jersey

YOU ARE HEREBY NOTIFIED that your lease for a portion of the Clarkstown Sanitary Landfill, Route 303, West Nyack, New York, is hereby terminated immediately for the following reasons:

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1. The vacant land on the leased premises has not been kept in a clean and orderly manner at all times.

2. You have failed to comply with the Rules and Regulations concerning the operation of the Clarkstown Sanitary Landfill and Recycling Center in that your agent, Joseph Miele, Jr., has engaged in unruly behavior.

This termination is pursuant to the terms of the lease between the Town of Clarkstown and Clarkstown Recycling Center, Inc., dated June 10, 1976.

The equipment belonging to your company shall be removed forthwith.

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Before the vote was taken, Supervisor recognized Walter Werner, Counsel to Joseph Miele, who discussed their merits of the proposed resolution.

There followed statements and discussion by Joseph Miele on behalf of the Clarkstown Recycling Center, Inc., Leslie Bollman, Director of the Department of Environmental Control, Murray Jacobson, Town Attorney, Captain Ronald Fabis, Captain of the Clarkstown Police Department, and the members of the Town Board. Various alternatives to absolute termination of the lease were discussed but were rejected either by Mr. Werner as counsel or by Mr. Miele himself.

The vote was then taken at approximately 7:20 p.m. as follows:

Councilman Holbrook	Aye
Councilman Longo	Aye
Councilman Maloney	Aye
Councilman Piacentile	Aye
Supervisor Gerber	Aye

Supervisor Gerber adjourned the meeting at 7:30 p.m.

* * * * *

Submitted by,

Stanley Burns
Stanley Burns,
Acting Secretary