

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

1/10/80

7:46 P.M.

Present: Supervisor Dusanenko
Co. Holbrook, Lettre, Longo, Maloney
Everett Johns, Town Attorney

Members of the Town Board signed Consent to Hold Special Meeting of the Town Board, waiving notice of said meeting.

RESOLUTION NO. (41-1980) APPOINTING ACTING CLERK
(EVERETT J. JOHNS)

Co. Longo offered the following resolution:

RESOLVED, that Everett J. Johns is hereby appointed acting clerk to the Town Board meeting of January 10, 1980.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (42-1980) AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
(BONIATIS ANASTASIA)

Co. Longo offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove violation on premises owned by:

BONIATIS ANASTASIA
Mt. View Avenue
Valley Cottage, New York

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as:

Map 122, Block A, Lot 10

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (43-1980) AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
(MR. & MRS. CHARLES
CORLETTA)

Co. Longo offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove violation on premises owned by:

MR. AND MRS. CHARLES CORLETTA
River Rise Road
New City, New York

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as:

Map 81, Block B, Lot 19.2

Seconded by Co. Maloney All voted Aye.

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AAE505

RESOLUTION NO. (44-1980)

AUTHORIZING EXPENSE FOR
DEMOLITION OF BUILDING
(BOX 418 STORMS ROAD,
VALLEY COTTAGE)

Co. Longo offered the following resolution:

WHEREAS, a condition dangerous to life and health existed at the premises situate at Box 418 Storms Road, Valley Cottage, New York, and more particularly described on the Clarkstown Tax Map as Map 122, Block A, Lot 24, being a building destroyed by fire; and

WHEREAS, imminent danger to the public health, safety and welfare necessitated the immediate demolition of said building pursuant to and in conjunction with the Fire Inspector of the Town of Clarkstown, the Building Inspector of the Town of Clarkstown, the Fire Chief of the Valley Cottage Fire Department, and the Rockland County Fire Coordinator;

NOW, THEREFORE, be it

RESOLVED, that the expense for the demolition of such unsafe building be a charge against the land on which it is located and shall be levied and collected in the same manner as provided in Article Fifteen of the Town Law for the levy and collection of a special ad valorem levy.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (45-1980)

CONSENT TO FINANCING OF
PROJECT BY ORANGE COUNTY
INDUSTRIAL DEVELOPMENT
AGENCY WITH SEIKI CORPORATION)

Co. Longo offered the following resolution:

WHEREAS, the Orange County Industrial Development Agency has received an application for the financing of a project by Seiki Corporation, 65-A Mall Drive, Commack, New York 11725, in the Town of Clarkstown, County of Rockland and State of New York, and

WHEREAS, it has been established that the Town of Clarkstown and the County of Rockland do not have industrial development agencies as contemplated by the General Municipal Law, and

WHEREAS, Article 118A, Section 854, Subdivision 4, provides that the Orange County Industrial Development Agency might assist in the financing and promotion of a project in the County of Rockland conditioned upon the prior consent of the governing body or bodies, of all the other municipalities in which any part of the project is to be located, and

WHEREAS, it is represented that the only municipalities are the Town of Clarkstown and the County of Rockland, and their prior consent is requested;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Clarkstown that it hereby consents to the financing of a project by the Orange

County Industrial Development Agency, with the applicant corporation above referred to in their geographic jurisdiction pursuant to Article 18A of the General Municipal Law, of the State of New York and more specifically do hereby give their consent as required under Section 854 of such Article, to the above recitations of this resolution, and be it

FURTHER RESOLVED, that the facts set forth in the whereas clauses herein are hereby incorporated herein and are to be read as a factual part of this resolution, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (46-1980)

AUTHORIZING TOWN ATTORNEY TO DEFEND ACTION (THE NEW CITY COMPANY AGAINST FRANK SPINALE, SPINGO, INC. TOWN OF CLARKSTOWN, ETC.)

Co. Longo offered the following resolution:

WHEREAS, an action has been instituted against the Town of Clarkstown entitled as follows:

THE NEW CITY COMPANY, a New York co-partnership,

Plaintiff,

-against-

FRANK SPINALE, SPINGO, INC., TOWN OF CLARKSTOWN, STATE OF NEW YORK, DELTOWN FOODS, INCORPORATED, "JOHN DOE" and "JANE DOE" said names "JOHN DOE" and "JANE DOE" being fictitious, true names being unknown to plaintiff, intending thereby to designate the tenant or occupant of the mortgaged premises,

Defendants.

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (47-1980)

SETTING PUBLIC HEARING RE SANITARY LANDFILL RULES AND REGULATIONS (A115-1 A.(1); A115-1 A.(3); A115-5; A115-9)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted by resolution dated December 18, 1974, certain Sanitary Landfill Rules and Regulations-1975, and provided that same become effective January 1, 1975, and

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RESOLUTION NO. (47-1980) Continued

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Rules and Regulations as follows:

Amend A115-1 A. (1) to read as follows:

(1) 8:00 A.M. to 3:30 P.M., Monday through Friday (passenger vehicles).

Amend A115-1 A. (3) to read as follows:

(3) 8:00 A.M. to 2:00 P.M., Saturdays (passenger vehicles).

Amend A115-5. Fees. By adding sections (2), (3), (4) and (5) which shall read as follows:

(2) An additional charge by the ton at two dollars and fifty cents (\$2.50) per ton shall be charged for all open vehicles, standard packers, compactor boxes and all containers of any kind whatsoever. The term "compactor box" shall be defined as that type of container joined to a stationary compactor assembly or portable compactor box with hydraulic ram assembly attached.

In the event the weigh scale is inoperable, the charge will be by the cubic yard at a charge of one dollar (\$1.00) per cubic yard.

(3) From vehicles with passenger car registration, resident permit: no fee.

(4) From pick-up trucks, vans, and larger trucks a charge by the ton at five dollars (\$5.00) per ton. In the event the scale is inoperable, the charge will be:

Pick-up 1/2 ton commercial \$2.50 minimum

Vans 1/2 ton commercial \$2.50 minimum

Larger trucks (according to size of load) \$10.00 to \$150.00 at the discretion of the Gate Keeper for unlicensed collectors.

(5) Shredding of branches, trees and limbs: two dollars (\$2.00) minimum, based on one-half ton pick-up trucks. Larger vehicles shall be charged at the option of the Director of the Department of Environmental Control or his Agent. The largest size trees accepted for shredding shall be three (3) inches caliper. Larger than three-inch caliper trees shall be cut in lengths not to exceed five (5) feet.

Amend A115-9. Operational regulations to read as follows:

A. The Director of the Department of Environmental Control or his Agent has charge of the project and his direction must be followed. Failure to comply with any direction of the Director or Agent shall result in immediate suspension of sanitary landfill privileges until such direction is complied with. In addition, the violator shall be subject to penalties as set forth in Sec. A115-11. Each such infraction shall constitute a separate violation and in the event that such violation shall continue for a period of more than one (1) day, each day that said violation continues shall be deemed a separate violation subject to the penalties of Sec. A115-11.

RESOLUTION NO. (47-1980) Continued

B. The Director of the Department of Environmental Control or his Agent will verify that annual and monthly fees for trucks have been paid and that each truck has a decal identification. Upon notification from the Sanitary Landfill Clerk of non-payment of fees, he shall refuse admittance to the truck involved.

C. The Gate Keeper shall collect fees for single loads at fixed rates, issue receipts therefor and transmit monies collected to the Sanitary Landfill Clerk at the end of each day accompanied by the verified report.

D. The Director of the Department of Environmental Control or his Agent will pack the filled area and cover refuse with an even layer of earth fill at the end of each day.

E. The Director of the Department of Environmental Control or his Agent will maintain a suitable number of rat feeding stations at all times and use pest control apparatus as required.

F. The Director of the Department of Environmental Control or his Agent will maintain a stockpile of earth fill for emergencies.

G. The Director of the Department of Environmental Control or his Agent will secure delivery slips for earth fill delivered, check and verify bills of vendor and transmit the same to the Comptroller. He will notify the Supervisor if earth fill does not meet the specifications of the contract.

H. The Director of the Department of Environmental Control or his Agent will notify the West Nyack Fire Department in the event of fire and when town fire-fighting equipment is ineffective to extinguish the fire.

I. The Director of the Department of Environmental Control or his Agent will endeavor to have a relief operator available for call in the event of vacation or sickness.

J. The Director of the Department of Environmental Control or his Agent will keep machinery clean and lubricated. In the event of a breakdown, he will notify the appropriate repair authority who will arrange for repair.

K. The Director of the Department of Environmental Control or his Agent will keep the entrance area and garage in neat condition.

L. The Director of the Department of Environmental Control or his Agent shall keep the entrance to the premises locked during other than open hours.

M. Temporary permits for use when vehicles break down will be provided by the Landfill Clerk.

N. The Director of the Department of Environmental Control or his Agent shall furnish an inventory of tools and equipment at the end of each calendar year.

O. The Director of the Department of Environmental Control or his Agent will not engage in nor permit others to engage in salvage operations, except upon written instructions from the Town Board.

RESOLUTION NO. (47-1980) Continued)

P. The Director of the Department of Environmental Control or his Agent will notify the Supervisor of any person not complying with these rules.

Q. The Director of the Department of Environmental Control or his Agent will ensure that all open trucks do not uncover the load until at the dumping site.

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 26th day of February, 1980, at 8:15 P.M., relative to amending the Sanitary Landfill Rules and Regulations as above, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the Office of the said Town Clerk.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (48-1980)

ADJOURNING SPECIAL TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that the Town Board meeting of January 10, 1980 is hereby adjourned.

Seconded by Co. Lettre

All voted Aye.

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Respectfully submitted,


EVERETT J. JOHNS