

TOWN OF CLARKSTOWN  
SPECIAL TOWN BOARD MEETING

Town Hall

2/7/80

8:35 P.M.

Present: Supervisor Dusanenko  
Councilmen 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. (106-1980)

APPOINTING ACTING  
TOWN CLERK FOR SPECIAL  
TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that Everett J. Johns is hereby appointed  
Acting Town Clerk for the Special Town Board Meeting of February 7,  
1980.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (107-1980)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO LEASE ONE  
(1) COMPACTOR

Co. Longo offered the following resolution:

RESOLVED, that the Clarkstown Highway Superintendent  
is hereby authorized to lease one compactor to the Village of Nyack  
at a rate to be established by the Clarkstown Highway Superintendent.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (108-1980)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND ACTION  
(ORANGE & ROCKLAND v.  
TOWN OF CLARKSTOWN AND  
LESLIE F. BOLLMAN)

Co. Longo offered the following resolution:

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

ORANGE and ROCKLAND UTILITIES, INC.,

Plaintiff,

-against-

TOWN OF CLARKSTOWN and LESLIE F. BOLLMAN,  
as Director of Department of Environmental  
Control,

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. Maloney

All voted Aye.

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AAE505

RESOLUTION NO. (109-1980)

AUTHORIZING ATTENDANCE  
AT DIVISION OF SUBSTANCE  
ABUSE SERVICES CONFERENCE  
(ELLEN COHEN)

Co. Maloney offered the following resolution:

RESOLVED, that Ellen Cohen is hereby authorized to attend the Division of Substance Abuse Services Conference at Grossingers, New York, from March 11 to March 14, 1980, at a cost not to exceed \$400.00, and be it

FURTHER RESOLVED, that Ellen Cohen is hereby authorized to use a town car for attendance at the above conference.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (110-1980)

CREATING POSITION OF  
CLERK (PART-TIME) TOWN  
CLERK'S OFFICE

Co. Longo offered the following resolution:

RESOLVED, that the position of Clerk - part-time - Town Clerk's Office - may be created, pending approval of the Rockland County Personnel Office.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (111-1980)

APPOINTING SEWER  
EASEMENT ASSESSMENT  
AIDE (PART-TIME)  
(CHARLES ADAMS, JR.)

Co. Longo offered the following resolution:

RESOLVED, that Charles Adams, Jr., 33 Primrose Lane, New City, New York is hereby appointed to the position of Sewer Easement Assessment Aide (part-time) at the salary of \$1,500. for the period February 8, 1980 to December 31, 1980.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (112-1980)

SETTLING SEVERAL ACTIONS  
IN CONNECTION WITH  
JOSEPH MIELE, JR. AND  
CLARKSTOWN RECYCLING  
CENTER, INC.

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown, Joseph Miele, Jr., and Clarkstown Recycling Center, Inc. are currently involved in various lawsuits against the Town of Clarkstown to declare a leasehold in full force and effect, for alleged breach of contract and damages for alleged interference with the leasehold and for tort damages relating to alleged illegal interference with Joseph Miele, Jr.'s carting business, and

RESOLUTION NO. (112-1980) Continued

WHEREAS, the Town of Clarkstown has adopted a resolution dated June 27, 1978, seeking to cancel the leasehold of Clarkstown Recycling Center, Inc., and a resolution dated October 18, 1978, seeking to suspend Joseph Miele, Jr., from using the Clarkstown Sanitary Landfill for a period of thirty (30) days and a further resolution dated February 7, 1979, seeking to suspend Joseph Miele, Jr., from using the Clarkstown Sanitary Landfill for an additional period of thirty (30) days, which resolutions have been stayed by the Supreme Court pending the outcome of the litigation between the parties hereto, and

WHEREAS, the lawsuits between the parties are presently on appeal in the Supreme Court, Appellate Division, Second Department, and

WHEREAS, the parties are desirous of amicably settling their differences;

NOW, THEREFORE, be it

RESOLVED, that all pending lawsuits by and between the parties hereto be and the same are hereby settled and discontinued, without costs to any party; and be it

FURTHER RESOLVED, that in consideration of the payment by Miele to the Town of Clarkstown in the sum of \$1,000, discontinu-  
ande and withdrawal of the three pending actions on appeal and review, the actions for monetary damages by Miele and the Recycling Center, the Town of Clarkstown vacates the resolution dated June 27, 1978, which terminated the lease between the Town of Clarkstown and the Recycling Center, and the resolution dated October 18, 1979, and February 7, 1979, which suspended Miele's use of the Town's landfill, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to sign an agreement embodying the terms hereinabove set forth with Joseph Miele, Jr., and Clarkstown Recycling Center, Inc., and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to sign Stipulations of Discontinuance in connection with the various actions.

Seconded by Co. Lettre

On roll call the vote was as follows:

Supervisor Dusanenko.....	Yes
Councilman Holbrook.....	No
Councilman Lettre.....	Yes
Councilman Longo.....	Yes
Councilman Maloney.....	No

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RESOLUTION NO. (113-1980)

ADJOURNING SPECIAL TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that the Special Town Board Meeting of February 7, 1980, is hereby adjourned at 8:53 P.M.

Seconded by Co. Maloney

All voted Aye.

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AAE505

Respectfully submitted,

  
EVERETT J. JOHNS

