

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/12/85

8:09 P.M.

Present Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor Dusanenko declared the Town Board Meeting open. Supervisor called upon representatives of Brownie Troop #7 and Junior Troop #4 of Congers New York to lead in the salute to the Flag.

Supervisor introduced the girl scouts to the Town Board Members and introduced the Town Officials to the representatives of the troops.

Supervisor then called upon all of the members of the Town Board and all residents of Clarkstown to recognize Girl Scout Week which is March 10th through 16th of this year. Supervisor then read the following proclamation:

GIRL SCOUT WEEK
March 10-16, 1985

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- WHEREAS, GIRL SCOUTS OF THE U.S.A. observes the 73rd anniversary of its founding on March 12, 1985; and
- WHEREAS, since 1912 Girl Scouting has helped more than 49 million members enjoy wholesome activities; and
- WHEREAS, Girl Scouting is an important way for girls to become self-reliant, productive and self-confident women; and
- WHEREAS, Girl Scouting is an investment in tomorrow's leadership; and
- WHEREAS, this year, Girl Scouts welcome their newest members, kindergarten-age Daisy Girl Scouts; and
- WHEREAS, Girl Scout Week will be celebrated in Clarkstown from March 10 to 16;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, on behalf of the Town Board, by virtue of the authority vested in me as Supervisor, hereby proclaim March 10 through 16, 1985, as GIRL SCOUT WEEK in the Town of Clarkstown and I do further call upon all citizens of the Town of Clarkstown to recognize and support the contributions made by Girl Scouts and adult volunteers toward improving the quality of life in our community.

IN WITNESS WHEREOF I
HEREUNTO SET MY HAND AND
CAUSE THE SEAL OF THE TOWN
OF CLARKSTOWN TO BE AFFIXED
THIS 12TH DAY OF MARCH,
1985.

(S E A L)

/s/Theodore R. Dusanenko
THEODORE R. DUSANENKO, Supv.
Town of Clarkstown

Supervisor thanked all of the girl scouts and wished them a great anniversary.

Supervisor declared that the Public Portion of the meeting was now open.

Appearance: Mr. Jordan Brandeis
10 Crum Creek Road
New City, New York 10956

Mr. Brandeis said he has a claim against the Town for property damage caused by a sewer back-up. He filed a statement with the Town Clerk.

Appearance: Mr. Stephen Servilla
4 Sylvan Lane
New City, New York 10956

Mr. Servilla spoke regarding dogs running at large. He presented a copy of a letter he had written to Councilman Holbrook to be filed with the Town Clerk. He also asked questions regarding hunting in the Town. Councilman Holbrook said perhaps some attention could be directed to a tightening of the dog ordinance in the Town because other people have also questioned dogs accompanying hunters in the Town. Town Attorney said he was aware that no firearms are to be used in the Town but he would check into the use of bow and arrows.

Supervisor spoke regarding Student Government Day in the Town of Clarkstown which will take place on Wednesday, March 20, 1985. He introduced Marty Cohen of the Felix Festa Junior High School and the students present who will take the place of elected and appointed officials of the Town on that day.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing regarding Community Development Funds for 1985 was opened, time: 8:25 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing regarding Community development Funds for 1985 was closed, time: 8:27 P.M.

RESOLUTION (No. 226-1985)

AUTHORIZING TOWN CLERK TO PROVIDE COPY OF THE TOWN CODE TO THE MUNICIPAL LAW RESOURCE CENTER

Co. Lettre offered the following resolution:

RESOLVED, that the Town Clerk of the Town of Clarkstown is hereby authorized and directed to provide a copy of the Code of the Town of Clarkstown, with amendments, without charge, to the Municipal Law Resource Center for their use in researching questions of law to assist the staff of the Town Attorney's Office.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (227-1985)

RESCINDING RESOLUTION #1238-84 RE. CLOSING OF OLD MILL ROAD, WEST NYACK AND MEMORIALIZING N.Y.S.D.O.T. TO KEEP OLD MILL AND SNAKE HILL ROADS OPEN DURING THE RECONSTRUCTION OF THE SNAKE HILL RAILROAD BRIDGE

Co. Holbrook offered the following resolution:

RESOLUTION (No. 227-1985) Continued

WHEREAS, the Town of Clarkstown is in favor of the construction plans for the Snake Hill Railroad Bridge prepared by the N.Y.S. Department of Transportation, and

WHEREAS, it was originally requested that the Town close off Old Mill Road during construction for a period of up to nine months, and

WHEREAS, after reconsideration this would present a great hardship on our community, and

WHEREAS, this road is one of two east, west local streets in the southern half of the Town of Clarkstown, and

WHEREAS, Route 59, the other east, west arterial, is occasionally closed due to flooding and/or accidents, and

WHEREAS, the Clarkstown Police Department is against the closing of any roads in this area, and

WHEREAS, the Chief and Commissioners of the West Nyack Fire Department urge the Town Board to keep this road open for fire and emergency vehicles, and

WHEREAS, the Town Board has been informed that numerous commuters utilize Old Mill and Snake Hill roads in order to get to the N.Y.S. Thruway, now therefore be it

RESOLVED, that this Town Board rescind resolution #1238-84 calling for a road closing, and be it

FURTHER RESOLVED, that we request N.Y.S.D.O.T. to make provisions in its plans for the contractor to keep Old Mill and Snake Hill roads open during the reconstruction of the Snake Hill railroad bridge, and be it

FURTHER RESOLVED, that the Town Clerk send certified copies of this resolution to N.Y.S.D.O.T., Joseph Hornik, Ro. Co. Superintendent of Highways, State Senator Eugene Levy and Assemblypersons Robert Connor, Samuel Coleman, Mary McPhillips and George Pataki.

Seconded by Co. Maloney

All voted Aye

RESOLUTION NO. (228-1985)

AUTHORIZING ELLEN COHEN,
DIRECTOR CLARKSTOWN
COUNSELING CENTER TO ATTEND
CONFERENCE

Co. Maloney offered the following resolution:

RESOLVED, that Ellen Cohen, Director, Clarkstown Counseling Center, is hereby authorized to attend the Professional Development Seminar in New York City on April 12, 1985 and be it

FURTHER RESOLVED, that all proper expenses for such seminar be charged to A 1010-414. (This charge is reimbursable by DSAS).

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (229-1985)

AUTHORIZING LOU PROFENNA,
COMPTROLLER TO ATTEND
CONFERENCE

Co. Maloney offered the following resolution:

RESOLVED, that Louis J. Profenna is hereby authorized to attend the New York State Finance Officer's Association conference to be held from March 20, 1985 - March 22, 1985 at Albany, New York

AND BE IT FURTHER RESOLVED that all proper expenses for such conference be charged to A 1010-414.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (230-1985)

AUTHORIZING SUPERVISOR TO
FILE APPLICATION WITH NEW
YORK STATE OFFICE FOR THE
AGING RE RECREATION PROGRAM
FOR THE ELDERLY

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Edward J. Ghiazza, Supt. of Recreation and Parks, the Supervisor is hereby authorized to file a Recreation Program for the Elderly Application with the New York State Office for the Aging for the period commencing April 1, 1985 to March 31, 1986, and be it

FURTHER RESOLVED, that the total aid for this period will be \$2,575.00.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO (231-1985)

SETTING PUBLIC HEARING RE
AMENDMENT TO LOCAL LAW NO.
7-1981 AS AMENDED ENTITLED
A LOCAL LAW CONCERNING
AMUSEMENT DEVICES

Co. Holbrook offered the following resolution:

WHEREAS, Councilman Holbrook, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 7-1981, AS AMENDED, ENTITLED, 'A LOCAL LAW CONCERNING AMUSEMENT DEVICES'", and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of April, 1985 at 9:05 P.M.; or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (232-1985)

SETTING DATE FOR PUBLIC
HEARING AMENDING ZONING
ORDINANCE - MAP 13, BLOCK
D, LOT 25

Co. Maloney offered the following resolution:

WHEREAS, the Town Board wishes to consider amending the Zoning Ordinance of the Town of Clarkstown as follows:

Change from an MF-1 zoning district to an LIO zoning district property to the northeast corner of the intersection formed by Prospect Street and Fisher Avenue, designated on the Clarkstown Tax Map as Map 13, Block D, Lot 25;

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be held on the 23rd day of April, 1985, at 9:05 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, in connection with said proposed amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory 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, and be it

FURTHER RESOLVED, that this resolution be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their report and recommendation.

Seconded by Supervisor Dusanenko

On roll call the vote was as follows:

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

RESOLUTION NO. (233-1985)

SETTING DATE FOR PUBLIC
HEARING AMENDING ZONING
ORDINANCE - MAP 14, BLOCK
B, LOT 10.02

Co. Maloney offered the following resolution:

WHEREAS, the Town Board wishes to consider amending the Zoning Ordinance of the Town of Clarkstown as follows:

Change from a CS/RS zoning district to an MF-3 zoning district property fronting on Main Street south of the Nanuet Hebrew Center, Nanuet, New York, known as Sussex at Nanuet, designated on the Clarkstown Tax Map as Map 14, Block B, Lot 10.02;

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be held on the 23rd day of April, 1985, at 9:15 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, in connection with said proposed amendment, and be it

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RESOLUTION NO. (233-1985) Continued

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory 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, and be it

FURTHER RESOLVED, that this resolution be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their report and recommendations.

Seconded by Co. Holbrook

On roll call the vote was as follows:

- Co. CareyYes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko..No

RESOLUTION NO. (234-1985)

AUTHORIZING MAINTENANCE OF
SIDEWALKS - INTERSECTION
IMPROVEMENT, ROUTE 304 AT
GERMONDS ROAD

Co. Maloney offered the following resolution:

WHEREAS, the New York State Department of Transportation proposes the construction of the intersection improvements of Route 304 and Germonds Road S.H. 9005 in the Town of Clarkstown, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the construction of sidewalks, pursuant to Section 10, Subdivision 22, Section 46, or Section 349-c of the Highway Law, and will provide for the replacement of existing sidewalks, pursuant to Section 10, Subdivision 24 of the Highway Law, as shown on the contract plans relating to the project, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work as shown on the contract plans relating to the project,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown approve the replacement of such existing sidewalks, and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of Clarkstown will maintain or cause to be maintained the replaced sidewalk performed as above stated and as shown on the contract plans, including the control of snow and ice, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to transmit five (5) copies of the foregoing resolution to the State Department of Transportation.

Seconded by Co. Carey

All voted Aye

RESOLUTION NO. (235-1985)

AUTHORIZING LES BOLLMAN,
DIRECTOR OF ENVIRONMENTAL
CONTROL TO ATTEND SEMINAR

Continued on next page

RESOLUTION NO. (235-1985) Continued

Co. Maloney offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, Department of Environmental Control of the Town of Clarkstown, is hereby authorized to attend a seminar on Solid Waste Management at the Ramada Inn, Albany, New York on May 6 and 7, 1985 and be it

FURTHER RESOLVED, that all proper charges be charged against appropriation account #A 1010-414.

Seconded by Co. Carey

All voted Aye

ABE664

RESOLUTION NO. (236-1985)

AUTHORIZING SUPERINTENDENT OF RECREATION AND PARKS TO EXECUTE NECESSARY CHANGE ORDERS - CENTRAL NYACK COMMUNITY CENTER IMPROVEMENTS

Co. Lettre offered the following resolution:

WHEREAS, Town Board Resolution No. 1123 dated November 27, 1984, awarded Bid No. 32A-1984 Central Nyack Community Center Improvements to R & R Construction of Lake Road, Rockland Lake, New York, in the amount of \$24,118.00., and

WHEREAS, additional work including doors, electrical service and ventilation is required,

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Recreation and Parks is hereby authorized to execute the necessary change orders on behalf of the Town of Clarkstown, based upon the recommendation of Karl Hess, AIA Architect, not to exceed \$6,000.00, and

FURTHER RESOLVED, that funds for same be charged to Community Development Funds.

Seconded by Co. Maloney

All voted Aye

RESOLUTION NO. (237-1985)

AUTHORIZING JOE LEWIS, SUPERVISOR MINI TRANS, TO ATTEND CONFERENCE

Co. Holbrook offered the following resolution:

RESOLVED, that Joseph Lewis, Supervisor, Mini Trans, of the Town of Clarkstown, is hereby authorized to attend the N.Y.S. Safety Board (Bus) Conference at Poughkeepsie, N.Y. March 12, 1985, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$50.00 be charged against A 5630-414.

Seconded by Co. Carey

All voted Aye

RESOLUTION NO. (238-1985)

ACCEPTING REGULAR TOWN
BOARD MINUTES OF JANUARY 22
AND FEBRUARY 11, 1985

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meetings of January 22 and February 11, 1985 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (239-1985)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO RENT
EQUIPMENT FOR MAINTENANCE
AND/OR CONSTRUCTION OF
HIGHWAYS

Co. Holbrook offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to lease the following classes of equipment at no more than the specified per diem rates:

- 1. Truck and roll-off container, up to \$1,000.00 per diem.
- 2. 25 yard and 30 yard garbage compactor, up to \$500.00 per diem.
- 3. Backhoe, up to \$750.00 per diem
- 4. Bucket loader, up to \$750 00 per diem.
- 5. Crane, up to \$1,500 00 per diem.
- 6. 10 ton roller, up to \$750 00 per diem
- 7. Paving machine, up to \$1,500.00 per diem

Seconded by Co. Carey

All voted Aye

RESOLUTION NO. (240-1985)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS AND ROCKLAND
COUNTY SUPERINTENDENT OF
HIGHWAYS TO DO A
FEASIBILITY STUDY ON THE
CONSTRUCTION OF SIDEWALKS
ON SICKLETOWN ROAD, WEST
NYACK

Co. Lettre offered the following resolution:

RESOLVED, that the Superintendent of Highways of the Town of Clarkstown is hereby authorized to conduct a feasibility study in consultation with the Rockland County Superintendent of Highways to consider the construction of sidewalks on the south side of Sickletown Road, West Nyack, New York, between the interesection of Van Houten Fields to Foxwood Road.

Seconded by Co. Holbrook

All voted Aye

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RESOLUTION NO. (241-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO SOLICIT BIDS
FOR MATERIALS TO COMPLETE
DRAINAGE WORK ON THE
ANGELILLO AND CORDONE
PROPERTIES

Co. Holbrook offered the following resolution:

WHEREAS, by resolution dated November 27, 1984, the Town Board has authorized the Supervisor to enter into an agreement with JOSEPH ANGELILLO and ANNETTE ANGELILLO, and with ANTOINETTE CORDONE, which agreements require the Town to take the necessary corrective action with respect to repair and correct erosion damage which has occurred on a drainage course affecting properties owned by the persons referred to above, and

WHEREAS, an estimate of cost of materials necessary to accomplish the project is such that the requirements of General Municipal Law Section 103 apply;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized and directed to solicit bids for materials necessary to complete the drainage work on the Angelillo and Cordone properties, and be it

FURTHER RESOLVED, that the Superintendent of Highways is requested to provide the Director of Purchasing with the list of materials necessary to accomplish the work and to provide the labor for installation of same.

Seconded by Co Carey

On roll call the vote was as follows:

Co. CaryYes
Co. Holbrook.....Yes
Co. Lettre.....No
Co. Maloney.....Yes
Supv. Dusanenko.....Yes

RESOLUTION NO.(242-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO SOLICIT
PROPOSALS FOR QUALIFIED
TRAFFIC ENGINEERS

Co. Holbrook offered the following resolution:

RESOLVED, that the Director of Purchasing is authorized and directed to solicit proposals for qualified Traffic Engineers for a comprehensive review of all traffic control devices and markings in the Town of Clarkstown and provide a report concerning all which may not meet with the requirements of law, and be it

FURTHER RESOLVED, that the Director of Purchasing is further authorized to seek proposals from Traffic Engineers who would be willing to prepare grant applications for federal or state funding for traffic control improvements on a contingency fee basis, subject to final approval by the Town Board should any grant proposals be accepted, and be it

Continued on Next Page

ABE664

RESOLUTION NO. (242-1985) Continued

FURTHER RESOLVED, that all proposals obtained by the Director of Purchasing shall be provided to the Traffic and Traffic Safety Advisory Board for its review and recommendations to the Town Board.

Seconded by Co. Carey

All voted Aye

RESOLUTION NO. (243-1985)

SETTING PUBLIC HEARING RE.
COMMUTER PARKING, NANUET
RAILROAD STATION

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a public hearing pursuant to the Eminent Domain Procedure Law to consider the proposed acquisition by taking by eminent domain of the fee, or, in the alternative, a surface easement on property adjacent to the Nanuet Railroad Station consisting of approximately 10.664 acres designated on the Clarkstown Tax Map as Map 13, Block D, Lot 23.01 for the purpose of providing permanent commuter parking in conjunction with the proposed expansion of the Nanuet Railroad Station, which public hearing will be held April 9, 1985, at 9:16 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney prepare and serve notice of such statutory hearing and that the Town Clerk cause the same to be published at least five consecutive days in the official newspaper of the Town of Clarkstown and file proof thereof in the Office of the said Town Clerk.

Seconded by Co. Carey

All voted Aye

RESOLUTON NO. (244-1985)

AWARDING BID #17-1985 FIRST
AID SUPPLIES TO MICRO
BIO-MEDICS, INC. AND PARK
SURGICAL SUPPLY

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that

BID #17-1985
FIRST AID SUPPLIES

is hereby awarded to the following suppliers:

MICRO BIO-MEDICS, INC.
717 SO. THIRD AVE.
MT. VERNON, N.Y. 10550

PARK SURGICAL SUPPLY
5001 NEW UTRECHT AVE.
BROOKLYN, N.Y. 11219

as per the attached schedule of items and prices

Seconded by Co. Maloney

All voted Aye

RESOLUTION NO. (245-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #28-1985 BODY FOR
ANIMAL CONTROL OFFICERS'
NEW VEHICLE

Co. Holbrook offered the following resolution:

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

BID #28-1985
BODY FOR ANIMAL CONTROL OFFICERS NEW VEHICLE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M., Tuesday, April 2,
1985, 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 Director
of Purchasing.

Seconded by Co. Maloney

All voted Aye

ABE664

RESOLUTION NO. (246-1985)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR REPLACEMENT OF
FIVE WINDOWS AT CONGERS
COMMUNITY CENTER

Co. Holbrook offered the following resolution:

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

BID #29-1985
REPLACEMENT OF FIVE WINDOWS AT CONGERS COMMUNITY CENTER

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on April 9, 1985,
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 Director
of Purchasing.

Seconded by Co. Maloney

All voted Aye

RESOLUTION NO. (247-1985)

ACCEPTING RESIGNATION, ANN
MARIE KELLY, PARKS AND
RECREATION

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Ann Marie Kelly, 15
Christie Drive, New City, New York as Typist - Parks Board &
Recreation Commission - is hereby accepted, effective and
retroactive to March 8, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (248-1985)

ACCEPTING RESIGNATION
ARTHUR J. ALCIDE, PARKS AND
RECREATION

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Arthur J. Alcide, 11 Cortland Drive, New City, New York as Custodian I - Parks Board & Recreation Commission - is hereby accepted, effective March 13, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (249-1985)

APPOINTING DOLORES LODICO,
COMPTROLLER'S OFFICE,
COMPUTER OPERATIONS AND
ACCOUNT KEEPING SUPERVISOR

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certifications of Eligibles Computer Operations and Account Keeping Supervisor #84208, which contains the name of Dolores Lodico,

NOW, THEREFORE, be it,

RESOLVED, that Dolores Lodico, 2 Birch Lane, New City, New York, is hereby appointed to the (permanent) position of Computer Operations and Account Keeping Supervisor - Town Comptroller's Office - at the current 1985 salary of \$25,072.00, effective March 13, 1985.

Seconded by Councilman Holbrook

All voted Aye

RESOLUTION NO. (250-1985)

APPOINTING TIMOTHY
O'SULLIVAN, (TEMPORARY)
CODE INSPECTOR, BUILDING
DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Timothy O'Sullivan, 23 Windmill Lane, New City, New York, is hereby appointed to the position of (temporary) Code Inspector - Building Department - at the current 1985 salary of \$16,735.00, effective and retroactive to March 4, 1985 for the period up to and including March 8, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (251-1985)

APPOINTING EDWARD HEWITT,
MEMBER, FIRE BOARD OF
APPEALS

Co. Maloney offered the following resolution:

RESOLVED, that Edward Hewitt, 8A Bittman Lane, New City, New York, is hereby appointed to the position of Member - Fire Board of Appeals (to fill the unexpired term of Lawrence Willows, Sr.) - to serve without compensation - term to commence on March 13, 1985 and to expire on February 27, 1987.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (252-1985

REAPPOINTING MARYJANE
DINEEN, MEMBER, CONSUMER
AFFAIRS COMMISSION

Co. Maloney offered the following resolution:

RESOLVED, that Maryjane Dineen, 36 Carolina Drive, New City, New York, is hereby reappointed to the position of Member - Consumer Affairs Commission - to serve without compensation - term to commence on April 5, 1985 and to expire on April 4, 1988.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (253-1985)

REAPPOINTING NORMAN
PEACHEY, MEMBER, TRAFFIC
AND TRAFFIC SAFETY ADVISORY
BOARD

Co. Maloney offered the following resolution:

RESOLVED, that Norman Peachey, 260 Germonds Road, West Nyack, New York, is hereby reappointed to the position of Member - Traffic and Traffic Safety Advisory Board - at the current 1985 salary of \$1,100.00, term effective April 1, 1985 and to expire on March 31, 1990.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (254-1985

REAPPOINTING WILLIAM NEST,
MEMBER, BOARD OF ETHICS

Co. Maloney offered the following resolution:

RESOLVED, that William Nest, Sr., 3 Hillside Drive, New City, New York, is hereby reappointed to the position of Member - Board of Ethics - to serve without compensation - term effective March 26, 1985 and to expire on March 25, 1990.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (255-1985)

CREATING TYPIST POSITION
(IN LIEU OF TELEPHONE
OPERATOR TYPIST POSITION)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 25, 1985 that the position of Typist (in lieu of the Telephone Operator Typist position, encumbered by Patricia O'Brien) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Typist (Floater, duties to include switchboard and mail room relief and coverage) - is hereby created, effective March 25, 1985.

Seconded by Co. Holbrook

All voted Aye

ABE664

RESOLUTION NO. (256-1985)

APPOINTING TOMASINA SCALA,
TYPIST (FLOATER),
SWITCHBOARD AND MAIL ROOM

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR-1-85-15 which contains the name of Tomasina Scala,

NOW, THEREFORE, be it

RESOLVED, that Tomasina Scala, 29-A Amundsen Lane, New City, New York, is hereby appointed to the position of Typist (Floater, duties to include switchboard and mail room relief and coverage) at the 1985 salary of \$11,385.00, effective March 25, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (257-1985)

REASSIGNING PATRICIA
O'BRIEN, TYPIST, PURCHASING
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified by letter, dated January 31, 1985, that Patricia O'Brien can be reassigned from the position of Telephone Operator Typist, to the position of Typist - Purchasing Department,

NOW, THEREFORE, be it

RESOLVED, that Patricia O'Brien, 33 Whitman Street, Congers, New York is hereby reassigned to the position of Typist, Purchasing Department, at the current 1985 salary of \$12,633.00, effective March 25, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (258-1985)

APPOINTING JOHN HAYDEN,
POLICE OFFICER, POLICE
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of John Hayden,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, John Hayden, 39 Windmill Lane, New City, New York is hereby appointed to the position of Police Officer - Police Department - at the salary of \$25,190.00, effective April 1, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (259-1985)

APPOINTING MICHAEL MULLINS,
POLICE OFFICER, POLICE
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Michael Mullins,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Michael Mullins, Box 541A Branchville Road, Valley Cottage, New York is hereby appointed to the position of Police Officer - Police Department - at the salary of \$25,190.00, effective April 1, 1985.

Seconded by Co. Holbrook

All voted Aye

ABE664

RESOLUTION NO. (260-1985)

APPOINTING ROBERT LYNN,
POLICE OFFICER, POLICE
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Robert Lynn,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Robert Lynn, 131 West Nyack Road, West Nyack, New York is hereby appointed to the position of Police Officer - Police Department - at the salary of \$25,190.00, effective April 1, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (261-1985)

APPOINTING MICHAEL E.
VALENTINO, POLICE OFFICER,
POLICE DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Michael E. Valentino,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Michael E. Valentino, 24 Primrose Lane, New City, New York is hereby appointed to the position of Police Officer - Police Department - at the salary of \$25,190.00, effective April 1, 1985.

Seconded by Co. Holbrook

All voted Aye

RESOLUTION NO. (264-1985) Continued

WHEREAS, the office of the Town Superintendent of Highways currently is a two year term, and

WHEREAS, the Town Board desires to extend the term of office from two years to four years,

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Clarkstown that pursuant to Section 24-a of the Town Law, the term of the office of the Superintendent of Highways of the Town of Clarkstown shall be four years, and be it

FURTHER RESOLVED, that said resolution shall be submitted to the qualified electors of the Town of Clarkstown for their approval or disapproval at the next biennial town election, pursuant to the procedure provided by Article 7 of the Town Law.

Seconded by Co. Holbrook

All voted Aye.

ABE664

RESOLUTION NO. (265-1985)

AUTHORIZING THE PREPARATION OF BOUNDARY LINE SURVEY (COMMUTER PARKING LOT - PROPERTY OWNED BY AMERICAN CYANAMID, INC. MAP 13, BLOCK D, LOT 23.01) - CHARGE TO ACCOUNT NO. A 1420-409

Co. Maloney offered the following resolution:

RESOLVED, that Henry Horowitz, Inc., 55 Virginia Avenue, West Nyack, New York, is hereby authorized to prepare a boundary line survey depicting all installations and recorded easements for a sum not to exceed \$5,000.00 for use in specifically identifying property owned by American Cyanamid, Inc., which is described on the Clarkstown Tax Map as Map 13, Block D, Lot 23.01, which property is proposed to be acquired by the Town of Clarkstown for commuter parking by agreement with the property owner or, in lieu of agreement, by right of eminent domain subject to all requirements of law, and be it

FURTHER RESOLVED, that the above fees shall be a charge to Account No. A 1420-409.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (266-1985)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID 27A-1985 FOR REPLACEMENT OF ROCK SALT STORAGE BUILDING FOR THE HIGHWAY DEPARTMENT

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Attorney that the Director of Purchasing be hereby authorized to advertise for new bids for:

BID 27A-1985
REPLACEMENT OF ROCK SALT STORAGE BUILDING
FOR THE HIGHWAY DEPARTMENT

RESOLUTION NO. (266-1985) Continued

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, March 26, 1985 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 Director of Purchasing.

Seconded by Co. Lettre

All voted Aye.

Councilman Carey read four personnel resolutions relating to the Town Attorney's office but it was requested that these items be held off for discussion at a brief recess which was called at this time. Town Board recessed at 8:50 P.M. for ten minutes.

After recess the supervisor called for a tabling resolution for Agenda Items 27a, 27b, 27c and 27d, which are the resolutions referred to immediately above.

RESOLUTION NO. (267-1985)(FAILED)

TABLING RESOLUTIONS
268-1985, 269-1985,
270-1985 AND 271-1985
REGARDING POSITIONS IN THE
TOWN ATTORNEY'S OFFICE

Supv. Dusanenko offered the following resolution:

RESOLVED, that agenda items 27a (268-1985), 27b (269-1985), 27c (270-1985) and 27d (271-1985) are hereby tabled.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

With regard to the following resolution Supervisor Dusanenko stated that it was his understanding that there were two such attorneys at present. Councilman Carey said that was correct. Supervisor said when attorneys have different schedules, so that justice may be served, they both have been doing an excellent job and they divide the work load so that in the event of sickness or because of court scheduling the Town has been well represented by two persons. This resolution would now create one person to do such.

RESOLUTION NO. (268-1985)

CREATING POSITION OF DEPUTY
TOWN ATTORNEY FOR TAX
CERTIORARI MATTERS

Co. Carey offered the following resolution:

WHEREAS, the Town Board wishes to create the position of Deputy Town Attorney for Tax Certiorari Matters;

NOW, THEREFORE, be it

RESOLUTION NO. (268-1985) Continued

RESOLVED, that the Personnel Clerk on behalf of the Town Board is hereby authorized and directed, in consultation with the Town Attorney, to prepare a job description and seek the approval of the Rockland County Personnel Office for the position of Deputy Town Attorney for Tax Certiorari Matters (noncompetitive), and be it

FURTHER RESOLVED, that said position is hereby created subject to the approval of the Rockland County Personnel Office.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (269-1985)

TERMINATING EMPLOYMENT OF
SPECIAL COUNSEL FOR TAX
CERTIORARI MATTERS

Co. Carey offered the following resolution:

RESOLVED, that the employment of Special Counsel for Tax Certiorari Matters as authorized by Resolution No. 961 of the Town Board dated October 25, 1983, is hereby terminated effective April 30, 1985, and be it

FURTHER RESOLVED, that the Town Clerk shall forward copies of this resolution to the affected persons.

Seconded by Co. Holbrook

Councilman Carey said this resolution would be sent to the persons affected as heretofore they went from month to month but now they will have thirty days notice of their termination.

Supervisor asked if it was correct that this would terminate the employment as special counsel of both Arnold Becker and Joel J. Flick. Councilman Carey said that was correct.

On roll call the vote was as follows:

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

RESOLUTION NO. (270-1985)

TERMINATING EMPLOYMENT OF
LABOR CONSULTANT FOR TOWN
OF CLARKSTOWN (FRANCIS X.
MASCOLA) AND OF SPECIAL
COUNSEL FOR LABOR MATTERS
(RONALD A. LONGO) -
CONSOLIDATING THESE
POSITIONS INTO ONE POSITION
OF DEPUTY TOWN ATTORNEY FOR
LABOR MATTERS

Co. Carey offered the following resolution:

Continued on Next Page

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RESOLUTION NO. (270-1985) Continued

WHEREAS, by Resolution No. 31-1984 of the Town Board of the Town of Clarkstown Francis X. Mascola was appointed as Labor Consultant for the Town of Clarkstown for a term which commenced on January 1, 1984, and which continues month to month until terminated by the Town Board, and

WHEREAS, Ronald A. Longo, Esq., was appointed as Special Counsel for Labor Matters by Resolution No. 32-1984 of the Town board of the Town of Clarkstown for a term which commenced on January 1, 1984, and which continues month to month until terminated by the Town Board, and

WHEREAS, the Town board wishes to consolidate the positions of Labor Consultant and Special Counsel for Labor Matters into a single position of Deputy Town Attorney for Labor Matters;

NOW, THEREFORE, be it

RESOLVED, that effective April 30, 1985, the services of Labor Consultant and Special Counsel for Labor Matters are hereby terminated, and be it

FURTHER RESOLVED, that the Town Clerk shall provide notice to the affected parties by forwarding a copy of this resolution to same.

Seconded by Co. Holbrook

Supervisor said that these two gentlemen at negotiations have served this Town Board at the direction of a majority and in representing the interests of this Town in PBA negotiations which should start before the end of this year and/or CSEA grievances, etc. - he would recommend that we have more than one person involved for the best interests of the Town so that in the event of vacation, illness or whatever the person with the latest update of negotiations or grievances has the assistance of someone else to fill in.

Councilman Lettre stated that he believed that when Mr. Longo was brought up for appointment the Supervisor had opposed it and at that time Mr. Mascola was doing the duties of both positions. Councilman Lettre said this was a contradiction on the Supervisor's part. The Supervisor had opposed it when the person came in but now is saying we need him. The Supervisor stated that was correct and he stands to be corrected.

Councilman Lettre said that the majority of the Town board feels that it has not worked out advantageously for the Town.

On roll call the vote was as follows:

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

Councilman Maloney stated that he was voting no on these resolutions only because of the fact that he feels there should have been more discussion on the ramifications of this and the advantages to the Town. This is a very important decision being made and he felt it was good to have Special Counsel for Labor Matters as Mr. Longo was and also a Special Labor Consultant for negotiations. He said there was enough time to discuss this further and that is why he is voting no.

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With regard to the following resolution Supervisor asked how many Deputy Town Attorneys were presently employed by the Town Attorney's office? Town Attorney stated there were five. Supervisor asked how many para-legals were employed? Town Attorney said he has one part-time para-legal. Supervisor asked how many full time staff were employed? Town Attorney said four secretaries. Supervisor stated that he wished that he had such a staff.

Supervisor said the Town of Orangetown has one Town Attorney and perhaps one or two deputies and two secretarial positions. Their population is a little bit more than half our population. Resolutions such as ones we have in front of us are usually preprepared, tabled by the Town Board of the Town of Orangetown regardless of their personal or political feelings so that we do not have to utilize the services of a Town attorney more often to undo some of the actions we have taken. For all of those reasons the Supervisor said he did not consider this was a good item to consider at this time.

ABE664 Councilman Lettre said it is factual that two other Town Attorneys would be created by the action that was taken and is proposed to be taken but it should also be noted in the final analysis there will be a savings to the taxpayers of the Town of Clarkstown. To change a title and put someone into the Town Attorney's office does not mean that it is detrimental to the Town of Clarkstown or that Mr. Costa is getting someone else on that staff to do more work for him. It is the same amount of bodies and a savings to the taxpayers of the Town of Clarkstown. The bottom line should be competent work being done for the people of the Town of Clarkstown and if we can save money at the same time that would be a fiscally sound way to go about doing business.

Supervisor said this has a potential for savings and he agreed with Councilman Lettre in that case. At the same time as the day to day administrator there are often times when he calls the Town Attorney's office and out of the six attorneys he cannot contact one. We will now be playing hide and seek for two additional ones.

Town attorney said that his office should be staffed by at least one attorney every day all day except for lunch hour. Supervisor said that was not the case. He did not care to debate it but that has not been his experience. Councilman Lettre stated that he had never walked into the Town Attorney's office and been unable to find an attorney present and he felt the Supervisor's comments were unjustified and possibly untrue.

RESOLUTION NO. (271-1985)

CREATING POSITION OF DEPUTY
TOWN ATTORNEY FOR LABOR
MATTERS SUBJECT TO ROCKLAND
COUNTY PERSONNEL OFFICE
APPROVAL

Co. Carey offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown wishes to create the position of Deputy Town Attorney for Labor Matters;

NOW, THEREFORE, be it

RESOLVED, that the Personnel Clerk on behalf of the Town Board is hereby authorized and directed, in consultation with the Town Attorney, to prepare a job description and seek the approval of the Rockland County Personnel Office for the position of Deputy Town Attorney for Labor Matters (noncompetitive), and be it

FURTHER RESOLVED, that said position is hereby created subject to the approval of the Rockland County Personnel Office.

Seconded by Co. Holbrook

Continued on Next Page

RESOLUTION NO. (271-1985) Continued

Before his roll call, Councilman Holbrook said that he wanted to point out that this is not increasing the staff of the Town Attorney to do the routine day to day operations of the Town Attorney's office and he resented the implication that that is so. The Town Attorney's office is manned and is covered on a daily basis. He said he was tired of the Supervisor using the Town Attorney's office as a whipping boy every time something is done on this Town Board with which the Supervisor does not agree. He urged the Supervisor to grow up and realize that what they are trying to do is provide services to the Town at a better cost and more efficiently and get professional advice.

Councilman Maloney stated that he was voting no for the reasons he had previously cited.

Supervisor Dusanenko said that he had proposed a 6% tax increase for this year. The Supervisor voted against the budget this year which wound up increasing taxes from 6% to 10% and increased garbage fees by 20%. He said he would have hoped for the concern then because we are still adding new positions which may or may not save money. Time will tell but we are still adding new positions and we are only in the third month of the year. We will see what will happen if there is any money left at the end of this year. He said he was voting no.

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include MacDonald Deming, was opened, time: 9:16 P.M.

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing re: Extension of the Clarkstown consolidated Water Supply District No. 1 to include MacDonald Deming, was closed, ORDER SIGNED, time: 9:20 P.M.

Supervisor said that in order to have the second phase of our leachate collection system completed at the Clarkstown Sanitary Landfill the Town Attorney has prepared a bonding resolution which would necessitate a majority plus one or four votes from this Town Board this evening.

Town Attorney said during the fall of 1984 the Town Board considered a report from its consultant, Charles R. Velzy, Engineers who are working with the Town on a leachate collection system for the Clarkstown Sanitary Landfill. Their recommendation was that the Town provide the necessary funds to complete the leachate system as well as all the engineering and monitoring which will be required to satisfy the Town's obligation with respect to the consent order it has signed with the State Department of Environmental Conservation. He said we have received from Hawkins, Delafield and Wood, attorneys who are bond counsel to the Town of Clarkstown, the necessary documentation and opinion of counsel which would establish the right for the Town to issue \$807,500.00 in serial bonds and \$42,500.00 in capital notes. This resolution must obtain at least four votes from the members of the Town Board for its successful adoption.

RESOLUTION NO. (272-1985)

BOND AND CAPITAL NOTE
RESOLUTION AUTHORIZING
PHASE II OF CONSTRUCTION OF
LEACHATE COLLECTION SYSTEM
AT SANITARY LANDFILL

Co. Holbrook offered the following resolution:

The Town Board of the Town of Clarkstown, in the County of Rockland, New York, hereby resolves (by the favorable vote of not less than two-thirds of all the members of said Town Board) as follows:

Section 1. The Town of Clarkstown, in the County of Rockland, New York, (herein called "Town"), is hereby authorized to undertake the Phase II construction of a leachate collection and drainage system at the sanitary landfill owned by the Town, including acquisition of land or rights in land, and including also necessary studies and construction of a disposal system with treatment, as required, and original furnishings, equipment and apparatus required therefor, all in accordance with the maps, plans and specifications prepared therefor by Charles R. Velzy Associates, Inc., engineers duly licensed by the State of New York on file in the office of the Town Clerk of the Town and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$850,000.00 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$42,500.00 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$807,500.00 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$42,500.00 to pay the required down payment, and Serial bonds of the Town in the principal amount of \$807,500.00, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$807,500.00 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 6a of the Law, is twenty (20) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to

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RESOLUTION NO. (272-1985) Continued

both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by Councilman Maloney and duly put to a vote on roll call, which resulted as follows:

- AYES: Messrs. Dusanenko, Holbrook, Maloney, Lettre and Carey
- NOES: None

The resolution was declared adopted.

RESOLUTION NO. (273-1985)

AUTHORIZING TOWN CLERK TO
PUBLISH BONDING RESOLUTION
IN JOURNAL NEWS

Co. Holbrook offered the following resolution:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

RESOLUTION NO. (273-1985) Continued

Section 1. The Town Clerk of the Town of Clarkstown, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "THE JOURNAL NEWS", a newspaper published in West Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted in at least six (6) public places in the Town, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Clarkstown, New York, March 12, 1985, authorizing Phase II of the construction of a leachate collection system at the sanitary landfill owned by the Town, stating the estimated maximum cost thereof is \$850,000, appropriating said amount therefor, and authorizing the issuance of \$42,500 capital notes to provide the required down payment, and authorizing the issuance of \$807,500 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to undertake the Phase II construction of a leachate collection and drainage system at the sanitary landfill owned by the Town, including acquisition of land or rights in land, and including also necessary studies and construction of a disposal system with treatment, as required, and original furnishings, equipment and apparatus required therefor, all in accordance with the maps, plans and specifications therefor as approved by the town board of the Town of Clarkstown and filed in the office of the Town Clerk; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$850,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$42,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$807,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$42,500 capital notes to provide the required down payment and \$807,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD; DETERMINING AND STATING the period of probable usefulness of the specific object or purpose is twenty (20) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$807,500 serial bonds will exceed five (5) years;

FOURTH; DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

Continued on Next Page

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RESOLUTION NO. (273-1985) Continued

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: March 12, 1985

Patricia Sheridan
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by Councilman Maloney and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Dusanenko, Holbrook, Maloney, Lettre and Carey

NOES: None

The resolution was declared adopted.

Supervisor stated that tomorrow morning he would give a letter to Mrs. Sheridan, Town Clerk, which is a copy of a letter sent to the Councilmen from William Hamilton. He asked Mrs. Sheridan to request from Mr. Colucci, Building Inspector, a report as to the truth of the contents of the letter and report back to the Town Board.

There being no further business to come before the Town Board and no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 9:30 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/12/85

8:25 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: 1985 Community Development Funds

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: 1985 Community Development Funds was opened. Supervisor Dusanenko stated that this had been properly advertised by the County of Rockland Community Development Office for 8:00 P.M. throughout many communities in Rockland County this evening.

He said there will be approximately \$2,000,000.00 of aid distributed for countywide housing projects, for rehabilitation projects through the county office and approximately \$1.5 million dollars will be distributed to villages and towns. He mentioned that four of the five towns in Rockland County and most of the fourteen or so villages within Rockland County will share in these funds.

He further stated that our allotment will be approximately \$50,000.00 and the purpose of tonight's meeting is just to hear from the public. There will be two advisory meetings between now and the end of March and then a final determination will be made.

Supervisor said that last year whatever funds we had were earmarked for improvements at the Central Nyack Community Center in the Town. Supervisor asked if anyone had any suggestions for the utilization of these funds this year.

There being no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 8:25 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

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TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/12/85

9:16 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED
WATER SUPPLY DISTRICT #1 TO INCLUDE - MACDONALD DEMING

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney asked that the record show that there is on file an affidavit as to the qualifications in evidence which will enable the Town Board to grant a proposed extension and that an affidavit was submitted by Mr. Bollman to the sufficiency and need.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of this proposed extension.

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to this proposed extension.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 9:20 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

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