TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 8/12/85 8:01 P.M.

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

Supervisor Dusanenko declared the Town Board Meeting open. Assemblage saluted the Flag.

Supervisor requested a moment of silence in honor of James Cottle, Clarkstown Fire Inspector, who had recently died. He asked the Town Clerk to please send a letter of sympathy to the family on behalf of the Town.

Supervisor said there would be a presentation made by Mr. James Murphy, State Representative of CSEA regarding the Employee Assistance Program.

Mr. James Murphy,
CSEA State Representative

Mr. Murphy said that CSEA is currently involved in working with the management of various municipalities in the State of New York in establishing employee assistance programs. These programs have been proven to save money in addition to saving families, lives and jobs. Basically these programs assist employees and their family members with a variety of personal problems which may impact on the job. This is a union management program which keeps people working, keeps families together and saves money. These programs have been put in place without increasing any budget. Through training of volunteers from within they are able to run these programs. In this area there are programs at the Rockland Psychiatric Center, Letchworth Developmental Center, Helen Hayes Hospital. He stated that Rockland County has a program for their employees.

Mr. Murphy said should the Town be interested they would be very happy to work with other unions, such as PBA's. He mentioned that the State Police has an employee assistance program and the CSEA represents civilian employees in that work site. The State Troopers also share in this program as well as PBA's around the state. He said if the Town is interested in establishing this they are ready to share years of experience with them and work cooperatively in this program which ultimately benefits the taxpayers. Mr. Murphy left material for Town Board Members to study and urged them to contact Lee Pound, CSEA President if they are interested.

Supervisor declared the public portion of the meeting open.

Appearance: Mrs. Edith Fleisher
Box 406
Spring Valley, New York 10977

Mrs. Fleisher presented the Town Clerk with a petition from commuters who use the Nanuet Railroad Station. She said the people who signed this petition are protesting the proposed fees for parking.

Supervisor said he believed that that item would be eliminated tonight and all parking fees will be rescinded until further notice.

Mrs. Fleisher asked if anyone had spoken to the Post Office requesting that their lot be used temporarily. Supervisor said that was a suggestion worth pursuing. Supervisor said he was meeting with Lederle tomorrow morning and he would pursue some other suggestions.

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Appearance: Mr. Joseph Lim
18 Hallmark Drive
New City, New York 10956

Mr. Michael Saccardo
92 Strawtown Road
West Nyack, New York 10994

Mrs. Michael Saccardo
92 Strawtown Road
West Nyack, New York 10994

These people deferred their three minutes to Mr. Harold Altmeyer.

Appearance: Mr. Harold Altmeyer
22 Hallmark Drive
New City, New York 10956

He said he spoke for approximately 400 commuters who would supposedly be using the Kemmer Lane facility. He spoke at length regarding the problems of the commuters in Clarkstown. He inquired as to the amounts to be expended for parking lots and asked when the Kemmer Lane facility and the Seeger Drive facility would be available for commuter use?

Appearance: Mr. Carmen Caputo
4 Topaz Court
Spring Valley, New York 10977

Mr. Caputo spoke in favor of the proposed new site for the post office because he lives in Clarkstown but has a Spring Valley address. This has caused many problems for the people living in that area with respect to fire, police and ambulance protection.

Appearance: Mr. Fred Hager
Kings Highway
Valley Cottage, New York 10989

Mr. Hager said he had commuted to New York for many years without the luxury of a Town Board to provide him with commuter parking. He said it is not the responsibility of the entire town to provide parking for some people.

Mr. Hager also spoke regarding the Homestead Act. He asked if the Town Board was going to appeal the recent court decision in rejecting the implementation of the Homestead Act. Supervisor said this is a matter of litigation and he would rather that no member of the Town Board respond but have Mr. Costa, Town Attorney, respond. Town Attorney stated that as of this moment the Town Board has made no decision with respect to the course of action to be taken. There are a number of very serious issues to be explored in depth and the Board is awaiting further advice from the Town Attorney before moving on this. Mr. Hager urged the Board to appeal that decision.

Appearance: Mr. Chuck Borgman
Bardonia, New York 10954

Mr. Borgman said he was a member of the Organized Taxpayers Association. He questioned the large amount of bond funding. He felt the people should be be surveyed as to whether they were in favor of them. He inquired about referendum for such items.

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On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Extension of the Water District to include Egolf was opened, time: 9:00 P.M.

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On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing re: Extension of the Water District to include Egolf was closed, ORDER SIGNED, time: 9:03 P.M.

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On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing regarding Acquisition of Property located at the Northeast Corner, Route 304 and Congers Road, New City, N.Y. (Map 58, Block B, Lot 17 Mr. and Mrs. John Saponaro) was opened, time: 9:03 P.M.

On motion of Supervisor Dusanenko seconded by Councilman Holbrook, the Public Hearing re: Acquisition of Property located on the Northeast Corner, Route 304 and Congers Road, New City, N.Y was DENIED, time: 9:10 P.M.

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Co. Holbrook said the question was raised about the parking on the other side of West Evergreen. Maybe we should look into that piece if we are interested in expanding parking in that direction.

RESOLUTION NO. (628-1985)

DENYING PROPOSAL TO UTILIZE PROVISIONS OF EMINENT DOMAIN PROCEDURE LAW TO ACQUIRE PROPERTY ON THE CLARKSTOWN TAX MAP AS MAP 58-BLOCK G - LOT 17 (SAPANARO)

Supervisor Dusanenko offered the following resolution:

RESOLVED, that a public hearing was held on August 12, 1985, pursuant to Section 204 of the Eminent Domain Procedure Law, and the Town Board hereby determines that property described on the Clarkstown Tax Map as Map 58 - Block G - Lot 17 is not at the present time required for municipal purposes, and be it

FURTHER RESOLVED, that the proposal to utilize the provisions of the Eminent Domain Procedure Law to acquire said premises is hereby denied.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

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Mrs. Sheridan read the following letter:

"Village of Spring Valley
Incorporated July 9, 1902
Rockland County, New York

August 12, 1985

Town Board of Clarkstown
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Gentlemen:

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I am sorry that all five members were not present at the joint meeting of our two boards. I take this opportunity to let you know of my opinion on the subject.

Requests for annexation is a very serious subject which should be decided solely on the merits of the proposal. The Village Board of Spring Valley has already voted unanimously in favor of the proposal and the applicant is also in favor of the proposal. The principal speaker for the public, former councilman John Lodico also indicated that the proposal is in the best interest of Spring Valley.

Therefore, the question for you to decide is what is in the best interest of the Town of Clarkstown.

The subject property is surrounded by the New York State Thruway, the railroad tracks and the balance by the village line of Spring Valley so that it is impossible to enter the property from the unincorporated area of the Town of Clarkstown and can only be entered through the lands which are also owned by the same applicant that lie within the Village of Spring Valley. The portion of the land that lies within the Village of Spring Valley is in the form of a triangle. If the portion that is sought to be annexed were annexed it would make the property more or less into the shape of a rectangle thus giving the owners an opportunity to develop the entire property with adequate space for proper development.

Both parcels are presently zoned for industrial development so the zoning is compatible.

At the public hearing information was given which indicated that the lands which are sought to be anexed are assessed for a very small amount of money by the Town of Clarkstown. When the state sold all of its lands to the applicants the Village of Spring Valley assessed the larger parcel which lies within the Village for $600,000.00, since the Village assesses at 50% of market.

Joining two parcels together in one municipality under the same zoning will enable the assessor of the Town of Clarkstown to put an enhanced value on both parcels. Once the properties are developed both municipalities would be enhanced financially many times over the present situation.

Development of property in two municipalities is difficult at best and may well be impossible. Development in one municipality will give each municipality a huge tax ratable which is sorely needed by the over taxed residents of both communities. No residential area of either municipality will be adversely affected as there is no abutting residential area nearby.

I sincerely hope that you will accept these comments in the spirit in which they are given and will vote affirmatively on the request for annexation.

Sincerely yours,

/s/Jack H. Rosenberg
Jack H. Rosenberg

JHR:eg"

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RESOLUTION NO. (629-1985)

DENYING UTILIZATION OF THE EMINENT DOMAIN PROCEDURE LAW RE: MAP 58, BLOCK G, LOT 16 (LPT REALTY)

Supervisor Dusanenko offered the following resolution:

Continued on Next Page

RESOLUTION NO. (629-1985) Continued

RESOLVED, that a public hearing was held on June 25, 1985, pursuant to Section 204 of the Eminent Domain Procedure Law, and the Town Board hereby determines that property described on the Clarkstown Tax Map as Map 58 - Block G - Lot 16 is not at the present time required for municipal purposes, and be it

FURTHER RESOLVED, that the proposal to utilize the provisions of the Eminent Domain Procedure Law to acquire said premises is hereby denied.

Seconded by Co. Holbrook All voted Aye

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RESOLUTION NO. (630-1985) RESCINDING RESOLUTION NO. 594 ESTABLISHING FEES FOR PARKING

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Co. Maloney offered the following resolution:

WHEREAS, Resolution adopted by the Town Board on July 15, 1985 seeks to establish designated commuter parking lots and issuance of permits for the use of same, and

WHEREAS, implementation of such Resolution is not possible at this time due to unforseen problems,

NOW, THEREFORE, be it

RESOLVED, that Resolution Number 594 is hereby rescinded.

Seconded by Co. Holbrook All voted Aye

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RESOLUTION NO. (631-1985) CREATING A COMMITTEE TO INVESTIGATE AND REPORT TO THE TOWN BOARD WITH RESPECT TO THE VACANCY RATE FOR APARTMENTS

Co. Lettre offered the following resolution:

WHEREAS, tenants in Normandy Village, Nanuet, New York, have concerns that a rent emergency may exist in the Town of Clarkstown, and

WHEREAS, several tenants have petitioned the Town Board to declare a rent emergency pursuant to the provisions of the Emergency Tenants Protection Act, and

WHEREAS, the Town Board is concerned that should such a rent emergency exist that there be adequate investigation to determine the appropriate course of action to be taken;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby creates a committee to investigate and report to the Town Board on or before November 30, 1985, which report shall make findings and recommendations with respect to the vacancy rate for apartments in the unincorporated portion of the Town of Clarkstown, the existence or not of a rent emergency, the likely impact upon the present future and housing stock in the Town of Clarkstown should a rent emergency be declared and any other information deemed pertinent by such committee, and be it

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RESOLUTION NO. (631-1985) Continued

FURTHER RESOLVED, that the following persons are appointed to serve on such committee at a term to expire on November 30, 1985, and be it

FURTHER RESOLVED, that the committee shall meet on or before September 10, 1985, to organize and select from amongst themselves a chairman, and be it

FURTHER RESOLVED, that the sum of $1,500 is hereby appropriated to provide for the services of a stenographer or secretary to take and record the minutes and proceedings of all the meetings of said committee, and be it

FURTHER RESOLVED, that the committee is hereby authorized and empowered to conduct hearings and to take written statements of all interested parties.

COMMITTEE MEMBERS

Mr. Louis Alpert
Mrs. Lee Bernstein
Mr. Samuel Newman
Mr. George Zuckerman

Seconded by Co. Holbrook All voted Aye

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With regard to the following resolution, Supervisor Dusanenko asked Mr. Geneslaw to give his traffic report.

Mr. Geneslaw said that the Town Board postponed action waiting for a report from a traffic engineer that was retained by Tilcon and Dr. Davis. The traffic engineer has made his report, in particular, the issue that was most important originally was the location of the internal road and its meeting with Route 304. There initially was some discussion about moving that intersecting point. The traffic engineer's report is recommended leaving it in the same place. The resolution that is before you to send to DOT had to do with the location of the intersection at 304 and meeting DOT requirements. The DOT requirements for widening and turning lanes will have to be met in any case. The only differences between the Tilcon consultant's report and what the Planning Board has already done has to do with the width of the internal road and its location at Long Clove.

Supervisor said so that they can have trucks negotiate curves at a later date, is that correct?

Mr. Geneslaw said that the right-of-way that they are requesting is 80 feet in width. The right-of-way the Planning Board had selected for the internal road is 60 feet in width. I can't think of any cases where Town roads have had a right-of-way in excess of 60 feet. It does not happen in the tunnel by-pass. It does not happen in Clarkstown Executive Park. It does not happen in the office development, east of Prentice Hall.

Supervisor said, it happens in county roads, does it not?

Mr. Geneslaw said yes, it may happen on county roads and it may happen on state roads. We are talking here about an internal road to the development.

Supervisor asked aren't we talking about a road that heavy trucks and heavy equipment have to utilize; not just a little country lane?

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Mr. Geneslaw said, yes, it is trucks that heavy equipment will have to use. The area is zoned for industrial development.

Supervisor said, is it possible if we adopt it at this location that we could recommend in the same resolution the Planning Board at least widen the road at the intersection with Long Clove Road so trucks can safely negotiate those turns?

Mr. Geneslaw said the Planning Board did require improvements to the intersection. Certainly you can do it. I would suggest it be done in a separate resolution so that the resolution to DOT is clear with respect to the access point and the resolution to the Planning Board has to do with the internal dimensions of the road.

Supervisor Dusanenko said would you share at least my concern, unless others feel the same, with the Planning Board so that the intersection of this new proposed road and Long Clove Road will have wide enough turning radiuses that heavy trucks don't jump curves, etc?

Mr. Geneslaw said, I think they have already done that but certainly we can look at it again. I think at this point that everyone agrees on the point of intersection with the road that will be built by the developer and Route 304. The differences have to do with the right-of-way width and a curve on Long Clove Road.

Co. Holbrook said he understood from the public hearings wasn't it true that there was opposition to this particular cut on 304?

Supervisor said there was a lot of give-and-take. Basically there were two schools of thought. One that this road should not be here so that you cut down the speed in a 55 mile an hour thoroughfare. One of the few of which that passes through non-throughway parkways through the Town of Clarkstown. The second was that this property or new road should be at the boundary of the property owned by Dr. Davis and this person so that it serves more than one property user and that the third one was that it stays at its present location and that they have the security and peace and tranquility by utilizing the existing road. Those are basically the three arguments.

RESOLUTION NO. (632-1985) AUTHORIZING NEW ROAD INTERSECTING ROUTE 304 - LONG CLOVE ASSOC.

Co. Maloney offered the following resolution:

WHEREAS, there is presently pending before the Clarkstown Planning Board an application for subdivision approval known as "Long Clove Associates," and

WHEREAS, approval of this subdivision will require the addition of a new road connecting to Long Clove Road and intersecting with Route 304, and,

WHEREAS, Route 304 is a limited access State highway and such new intersection referred to above would not be approved by the Department of Transportation unless the existing intersection of Long Clove Road with Route 9W was discontinued;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown goes on record as favoring the plan of development for the Route 9W - Route 304 vicinity which shall eliminate the existing intersection of Route 9W and Long Clove Road and replace same with new road

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RESOLUTION NO.(632-1985) Continued

intersecting with Route 304 at a location to the west of existing intersection.

Seconded by Co. Lettre

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Holbrook.....Abstained
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....No

Supervisor said that this is going to cut down on the speed on one of the few roads that has a 55 mile an hour limit - safe limit with good visibility. I can't imagine large trucks carrying stone and industrial equipment pulling onto this road and attempting to gain speed to get back to 9W. I see a lot of problems even though it may be injurious to the present property owners.

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RESOLUTION NO. (633-1985) REQUESTING PLANNING BOARD TO REVIEW THE PLAN FOR NEW ACCESS INTERSECTION CONNECTING LONG CLOVE ROAD WITH ROUTE 304

Co. Maloney offered the following resolution:

RESOLVED, that the Planning Board is requested to review the plan for the new access intersection connecting Long Clove Road with Route 304, to provide for widening for safety purposes, especially the turning radius at Long Clove Road intersection.

Seconded by Co. Lettre All voted Aye

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Item #3 on the Agenda Authorizing Town Attorney to serve Order pursuant to Chapter 37 of Town Code to remove obstruction, Map 141, Block A, Lot 10 was recommended by Les Bollman be removed from the Agenda until the next meeting.

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RESOLUTION No. (634-1985) AUTHORIZING PLANNING BOARD TO APPLY TOWN LAW 281 - CARLTON WOODS SUBDIVISION

Co. Lettre offered the following resolution:

WHEREAS, Atzl and Scatassa Associates, P.C., surveyors and planners, have made written application for use of Town Law Section 281 in connection with a subdivision known as "Carlton Woods," and

WHEREAS, the Planning Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in the subdivision as shown on a map entitled, "Average Density, Subdivision of Property for Carlton Woods," dated June 20, 1985, prepared by Atzl & Scatassa Associates, P.C., subject to the following conditions:

1. Sidewalks and curbs shall be installed along Brewery Road and Laurel Road, in accordance with the request of the School District, consultants and Planning Board.

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RESOLUTION NO. (634-1985) Continued

2. A turnaround should be provided on Lot 17 to eliminate any need for existing traffic to back out into Laurel Road.

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with this subdivision as shown and subject to the proposed subdivision map entitled, "Average Density, Subdivision of Property for Carlton Woods," last revised on June 20, 1985 and prepared by Atzl and Scatassa Associates, P.C.

Seconded by Co. Maloney All voted Aye

Supervisor Dusanenko said he voted yes with the provison that the houses face the cul-de-sac rather than Brewery Road. Supervisor said let the minutes reflect since the votes have been taken that with the permission of the builder, owner, etc., that the Planning Board, School District, and Town Board Members would like him to agree to extend those sidewalks down to Saymour Drive.

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The Town Attorney stated that in reference to Resolution No. 635 the Litter Control Bureau can act as private citizens and they can file information and supporting affidavits. However, they will not be exercising any police powers. They will receive, if the Board adopts this resolution, the protection provided by Section 18 of the Public Offices Law which is extended to any Town employee.

Supervisor said to clarify this they will not be issuing summonses but they will be making citizen complaints? Town Attorney said that is correct. Supervisor asked if they will be drawing affidavits and the Town Attorney said with his offices' assistance. Supervisor asked which department would enforce? Town Attorney said they would be filing their complaints in the Justice Court and it depends on the nature of the complaint whether it would be the Building Department or Highway department or some other department to pursue.

RESOLUTION NO. (635-1985) AUTHORIZING FORMALIZING LEGAL RELATIONSHIP BETWEEN THE TOWN OF CLARKSTOWN AND ITS LITTER CONTROL BUREAU MEMBERS

Co. Carey offered the following resolution:

WHEREAS, the Town Board wishes to use every resource at its disposal to enforce the anti-litter laws in the Town Code of the Town of Clarkstown, and

WHEREAS, the Litter Control Bureau of the Town of Clarkstown wishes to help enforce these laws by petitioning violators to the Clarkstown Justice Court,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown defend and indemnify members of the Litter Control Bureau in any civil action or proceeding, state or federal, arising out of any alleged act or omission which shall have occurred or shall have allegedly occurred while acting within the scope of employment or duties as a member of the Litter Control Bureau, pursuant to and subject to the terms and conditions of section 18 of the Public Officers Law of the State of New York.

Seconded by Co. Holbrook All voted Aye

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Supervisor Dusanenko said that Mr. Bollman reported that SEQR requirements had been met for the following Bond resolution.

RESOLUTION NO. (636-1985)

BOND RESOLUTION AUTHORIZING IMPROVEMENTS AT GERMONDS PARK AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE BALANCE

Co. Holbrook offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 12, 1985, AUTHORIZING THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF RECREATIONAL FACILITIES AT GERMONDS PARK, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,225,000, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION OF $61,250 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF $1,163,750 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

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 originally improve and embellish recreational facilities at Germonds Park, including pool renovations, resurfacing of the existing parking area, construction of a ballfield complex including comfort station, basketball courts, lighting and additional parking, and construction of a playground, all as more particularly described in a plan and report prepared for the ballfields by Dolph Rotfeld and for the pool by G.L. Raffaelli, engineers licensed by the State of New York, on file in the office of the Town Clerk 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 $1,225,000 and said amount is hereby appropriated therefor, including the appropriation of $61,250 current funds to provide the down payment required by the Law, as hereinafter defined. The plan of financing includes the expenditure of said current funds and the issuance of $1,163,750 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. Serial bonds of the Town in the principal amount of $1,163,750, 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 current funds.

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 $1,163,750 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19.(c) of the Law, is fifteen (15) 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

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RESOLUTION NO. (636-1985) Continued

thereof and such current funds in the amount of $61,250 will be provided from moneys now available therefor in the current budget of the Town as an unappropriated fund balance. The Supervisor is hereby authorized and directed to set aside said current funds 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 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 bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to 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 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 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.

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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 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 resolution is subject to premissive referendum.

Seconded by Co. Maloney All voted Aye

Supervisor commented that the improvements to this park are needed. However, I believe that an 18 hole golf course in the great Town of Haverstraw was built for less money but I will still vote yes, and hope that the bids come in for reasonable prices so that all of that million-two does not have to be spent.

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RESOLUTION NO. (636-A-1985) AUTHORIZING TOWN CLERK TO PUBLISH BOND RESOLUTION IN THE 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:

Section 1. The Town Clerk of said 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 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 August 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Clarkstown, New York, adopted August 12, 1985, authorizing the original improvement and embellishment of recreational facilities at Germonds Park, in the Town, stating the estimated maximum cost thereof is $1,225,000, appropriating said amount therefor, including the appropriation of $61,250 current funds to provide the required down payment, and authorizing the issuance of $1,163,750 serial bonds of said Town to finance the balance of said appropriation,"

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

FIRST: AUTHORIZING said Town to originally improve and embellish recreational facilities at Germonds Park, including pool renovations, resurfacing of the existing parking area, construction of a ballfield complex including comfort station, basketball courts, lighting and additional parking, and construction of a playground, all as more particularly described in a plan and report prepared for the ballfields by Dolph Rotfeld and for the pool by G.L. Rafaelli, engineers licensed by the State of New York, on file in the office of the Town Clerk and hereby approved; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $1,225,000; APPROPRIATING said amount therefor, including the appropriation of $61,250 current funds to provide the down payment required by the Law, as hereinafter defined; STATING the plan of financing includes the expenditure of said current funds, the issuance of $1,163,750 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 $1,163,750 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 current funds;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is fifteen (15) 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

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RESOLUTION (636A-1985)

current funds are available therefor in the amount of $61,250 in the current budget of the Town; 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 $1,163,750 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;

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 resolution is subject to a permissive referendum.

DATED: August 12, 1985

Patricia Sheridan
Town Clerk

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Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond 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.

Seconded by Co. Maloney All voted Aye

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Supervisor Dusanenko said that Mr. Bollman responded that SEQR requirements had been met for the following bond resolution:

RESOLUTION NO. (637-1985) BOND RESOLUTION AUTHORIZING IMPROVEMENTS TO FRENCH FARMS, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE BALANCE

Co. Holbrook offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 12, 1985, AUTHORIZING THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF RECREATIONAL FACILITIES AT CONGERS LAKE PARK, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $775,000, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION OF $38,750 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF $736,250 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

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:

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RESOLUTION NO. (637-1985) Continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to originally improve and embellish recreational facilities at Congers Lake Park, including dam reconstruction, improvements to the picnic groves, resurfacing the existing parking area and construction of additional parking, and reconstruction of the Community Center, all as more particularly described in a preliminary plan and report prepared by the Superintendent of Recreation and Parks, on file in the office of the Town Clerk 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 $775,000 and said amount is hereby appropriated therefor, including the appropriation of $38,750 current funds to provide the down payment required by the Law, as hereinafter defined. The plan of financing includes the expenditure of said current funds and the issuance of $736,250 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. Serial bonds of the Town in the principal amount of $736,250, 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 current funds.

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 $736,250 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19.(c) of the Law, is fifteen (15) 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 in the amount of $38,750 will be provided from moneys now available therefor in the current budget of the Town as an unappropriated fund balance. The Supervisor is hereby authorized and directed to set aside said current funds 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 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 bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to 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 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 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

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RESOLUTION NO. (637-1985) Continued

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 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 resolution is subject to permissive referendum.

Seconded by Co. Maloney All voted Aye

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RESOLUTION NO. (637-A-1985) BOND RESOLUTION AUTHORIZING THE TOWN CLERK TO PUBLISH BOND RESOLUTION IN THE 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:

Section 1. The Town Clerk of said 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 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 August 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted August 12, 1985, authorizing the original improvement and embellishment of recreational facilities at Congers Lake Park, in said Town, stating the estimated maximum cost thereof is $775,000, appropriating said amount therefor, including the appropriation of $38,750 current funds to provide the required down payment, and authorizing the issuance of $736,250 serial bonds of said Town to finance the balance of said appropriation,"

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RESOLUTION NO. (637A-1985) Continued

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

FIRST: AUTHORIZING said Town to originally improve and embellish recreational facilities at Congers Lake Park, including dam reconstruction, improvements to the picnic groves, resurfacing the existing parking area and construction of additional parking, and reconstruction of the Community Center, all as more particularly described in a preliminary plan and report prepared by the Superintendent of Recreation and Parks, on file in the office of the Town Clerk and hereby approved; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $775,000; APPROPRIATING said amount therefor, including the appropriation of $38,750 current funds to provide the down payment required by the Law, as hereinafter defined; STATING the plan of financing includes the expenditure of said current funds, the issuance of $736,250 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 $736,250 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 current funds;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is fifteen (15) 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 are available therefor in the amount of $38,750 in the current budget of the Town; 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 $736,250 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;

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 renwals thereof; and

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

DATED: August 12, 1985

Patricia Sheridan
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond 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.

Seconded by Co. Maloney All voted Aye

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Item #9 authorizing expenditure and borrowing of $850,000 for improvements to French Farms was taken off the agenda.

Supervisor asked Mr. Bollman if the requirements of SEQR had been met.

Mr. Bollman said it depends on your resolution. I recommended, yes. However, I told you that you might want to hold a Public Hearing because there were letters of objection.

Mr. Holbrook recommended they do the long form on SEQR.

Mr. Bollman said I have no objection if you want more information but Mr. Hollbrook the long form will give you nothing that you do not already have. If there is some specific area that you want further investigated, fine

Mr. Holbrook said that what they are looking to do is to hold a Public Hearing for the drainage problem they have.

The Supervisor said they will table Item #8 and at the end of the meeting, Mr. Holbrook, I will entertain your motion to set a date for a Public Hearing to ascertain the answers to such questions.

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Supervisor stated that according to Les Bollman that SEQR is completed for Resolution #638.

RESOLUTION NO. (638-1985)

BOND RESOLUTION AUTHORIZING THE ACQUISITION OF ARCHBISHOPRIC PROPERTY AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE BALANCE

Supervisor Dusanenko offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 12, 1985, AUTHORIZING THE ACQUISITION OF A CERTAIN PIECE OR PARCEL OF LAND ON NORTH MAIN STREET BETWEEN ZUKOR ROAD AND OLD ROUTE 304, ADJACENT TO STREET SCHOOL COMMUNITY CENTER, AS THE SITE OF A PARK AND RECREATION AREA, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $275,000, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION OF $13,750 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF $261,250 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

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 acquire the certain pieces or parcels of land, situate on North Main Street, between Zukor Road and Old Route 304, adjacent to the Street School Community Center, in said Town, containing in the aggregate approximately 14.29 acres. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $275,000 and said amount is hereby appropriated therefor, including the appropriation of $13,750 current funds to provide the down payment required by the

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RESOLUTION NO. (638-1985) Continued

Law, as hereinafter defined. The plan of financing includes the expenditure of said current funds and the issuance of $261,250 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. Serial bonds of the Town in the principal amount of $261,250, 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 current funds.

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 $261,250 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 21.(a) of the Law, is thirty (30) 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 in the amount of $13,750 will be provided from moneys now available therefor in the current budget of the Town as an unappropriated fund balance. The Supervisor is hereby authorized and directed to set aside said current funds 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 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 bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to 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 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 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 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

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RESOLUTION NO. (638-1985) Continued

(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 resolution is subject to permissive referendum.

Seconded by Co. Maloney All voted Aye

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RESOLUTION NO. (638-A-1985) BOND RESOLUTION AUTHORIZING THE TOWN CLERK TO PUBLISH BOND RESOLUTION IN THE JOURNAL NEWS

Supervisor Dusanenko offered the following resolution:

Section 1. The Town Clerk of said 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 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 August 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted August 12, 1985, authorizing the acquisition of a certain piece or parcel of land on North Main Street between Zukor Road and Old Route 304, adjacent to Street School Community Center, the site of a park and recreation area, in the town, stating the estimated maximum cost thereof is $275,000, appropriating said amount therefor, including the appropriation of $13,750 current funds to provide the required down payment, and authorizing the issuance of $261,250 serial bonds of said Town to finance the balance of said appropriation."

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

FIRST: AUTHORIZING said Town to acquire the certain pieces or parcels of land, situate on North Main Street, between Zukor Road and Old Route 304, adjacent to the Street School Community Center, in said Town, containing in the aggregate approximately 14.29 acres; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $275,000; APPROPRIATING said amount therefor, including the appropriation of $13,750 current funds to provide the down payment required by the Law, as hereinafter defined; STATING the plan of financing includes

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RESOLUTION NO. (638-A-1985) Continued

the expenditure of said current funds, the issuance of $261,250 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 $261,250 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 current funds;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is thirty (30) 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 are available therefor in the amount of $13,750 in the current budget of the Town; 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 $261,250 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 renwals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

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 renwals thereof; and

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

DATED: August 12, 1985

Patricia Sheridan
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond 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

Seconded by Co. Maloney All voted Aye

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Supervisor said that SEQR is not necessary as it is an expansion to an existing facility but that Mr. Bollman and Mr. Ghiazza have stated that SEQR has been completed for resolution No. 639.

RESOLUTION NO. (639-1985) BOND RESOLUTION AUTHORIZING THE IMPROVEMENTS AT NYACK COMMUNITY CENTER AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE BALANCE

Co. Maloney offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 12, 1985, AUTHORIZING THE CONSTRUCTION OF

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RESOLUTION NO. (639-1985) Continued

AN ADDITION TO THE CENTRAL NYACK COMMUNITY CENTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $265,000, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION OF $65,000 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF $200,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

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 construct an addition to the Central Nyack Community Center for use as a multi-purpose room, and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said addition is to be used. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $265,000 and said amount is hereby appropriated therefor, including the appropriation of $65,000 currently available Community Development Funds to provide the down payment required by the Law, as hereinafter defined. The plan of financing includes the expenditure of said current funds and the issuance of $200,000 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. Serial bonds of the Town in the principal amount of $200,000, 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 current funds.

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

(a) The existing building is of at least Class "B" construction as defined by Section 11.00 a. 11.(b) of the Law, and the period of probable usefulness of said specific object or purpose for which said $200,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 12.(a) (2) 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 in the amount of $65,000 will be provided from moneys now available therefor from Community Development Funds of the Town. The Supervisor is hereby authorized and directed to set aside said current funds 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 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 bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without

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RESOLUTION NO. (639-1985) Continued

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 bonds and any notes issued in anticipation of the sale of said bonds and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the 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 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 resolution is subject to permissive referendum.

Seconded by Supervisor Dusanenko All voted Aye

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RESOLUTION NO. (639-A-1985) AUTHORIZING THE TOWN CLERK TO PUBLISH BOND RESOLUTION IN THE JOURNAL NEWS

Co. Maloney offered the following resolution:

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

Section 1. The Town Clerk of said 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 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 August 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

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RESOLUTION NO. (639-A-1985) Continued

> "Bond Resolution of the Town of Clarkstown, New York, adopted August 12, 1985, authorizing the construction of an addition to the Central Nyack Community Center, stating the estimated maximum cost thereof is $265,000, appropriating said amount therefor, including the appropriation of $65,000 current funds to provide the required down payment, and authorizing the issuance of $200,000 serial bonds of said Town to finance the balance of said appropriation,"

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

FIRST: AUTHORIZING said Town to construct an addition to the Central Nyack Community Center for use as a multi-purpose room, and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said addition is to be used; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $265,000; APPROPRIATING said amount therefor, including the appropriation of $65,000 currently available Community Development funds to provide the down payment required by the Law, as hereinafter defined; STATING the plan of financing includes the expenditure of said current funds, the issuance of $200,000 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 $200,000 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 current funds;

THIRD: DETERMINING and STATING the existing building is of at least Class "B" construction and 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 are available therefor in the amount of $65,000 in the current budget of the Town; 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 $200,000 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;

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 resolution is subject to a permissive referendum.

DATED: August 12, 1985

Patricia Sheridan
Town Clerk

Section 2. After said bond reolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to

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RESOLUTION NO. (639-A-1985) Continued

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.

Seconded by Supervisor Dusanenko All voted Aye

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With respect to the next resolution Councilman Carey asked if SEQR had been complied with and Mr. Bollman stated that SEQR is not necessary.

Supervisor Dusanenko said that he understood that a cash portion of these funds, the cash portion used to borrow these additional funds which are necessary which everyone agrees should be completed as far as improvements to drainage in the great Hamlet of Valley Cottage, is needed. However, a portion of those cash funds are being borrowed from a previous bond and I would like to have those comments on the record because I have questioned the legality of such even though I support such an expenditure in borrowing.

RESOLUTION NO. (640-1985) BOND RESOLUTION AUTHORIZING THE DRAINAGE ON LAKE ROAD AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE BALANCE

Co. Lettre offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 12, 1985, APPROPRIATING $500,000, INCLUDING THE APPROPRIATION OF $25,000 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, IN ADDITION TO THE $2,030,000 HERETOFORE APPROPRIATED FOR THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF, INCLUDING SAID ADDITIONAL APPROPRIATION, IS $2,530,000, AND AUTHORIZING THE ISSUANCE OF $475,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID ADDITONAL APPROPRIATION.

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"), hereby appropriates the amount of $500,000, including the appropriation of $25,000 current funds to provide the down payment required by the Law, as hereinafter defined, in addition to the $2,030,000 heretofore appropriated pursuant to the bond and capital note resolution duly adopted by the Town Board on May 13, 1980, for the construction of vaious surface drainage improvements in the Town, including pipes, retention basins, and also including land or rights in land, original furnishings, equipment, machinery or apparatus and all other necessary appurtenances required in connection therewith in accordance with plans and specifications prepared by the Director of Department of Environmental Control, a duly licensed engineer of the State of New York. The estimated maximum cost of said specific object or purpose, including said additional appropriation and

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RESOLUTION NO. (640-1985) Continued

preliminary costs and costs incidental thereto and the financing thereof, is $2,530,000. The plan of financing said additional appropriation includes the expenditure of $25,000 current funds and the issuance of $475,000 serial bonds of the Town to finance the balance of said additional 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. Serial bonds of the Town in the principal amount of $475,000, 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 additional appropriation not provided by said current funds.

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 $475,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 3. of the Law, is thirty (30) years; however, the proposed maturity of said serial bonds shall not exceed thirty (30) years from the original date of issuance of any notes issued in anticipation of said bonds.

(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 in the amount of $25,000 will be provided from moneys now available therefor in the current budget of the Town as an unappropriated fund balance. The Supervisor is hereby authorized and directed to set aside said current funds 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 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 bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to 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 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 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.

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RESOLUTION NO. (640-1985) Continued

Section 6. The validity of the 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 commended 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 resolution is subject to permissive referendum.

Seconded by Co. Holbrook All voted Aye

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RESOLUTION NO. (640-A-1985) AUTHORIZING THE TOWN CLERK TO PUBLISH BOND RESOLUTION IN THE JOURNAL NEWS

Co. Lettre offered the following resolution:

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

Section 1. The Town Clerk of said 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 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 August 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Clarkstown, New York, adopted August 12, 1985, appropriating $500,000, including the appropriation of $25,000 current funds to provide the required down payment, in addition to the $2,030,000 heretofore appropriated for the construction of drainage improvements, in the Town, stating the estimated maximum cost thereof, including said additional appropriation, is $2,530,000, and authorizing the issuance of $475,000 serial bonds of said Town to finance the balance of said additional appropriation,"

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

FIRST: AUTHORIZING appropriating $500,000 including $25,000 current funds to provide the required down payment, in

Continued on Next Page

RESOLUTION NO. (640-A-1985) Continued

addition to $2,030,000 appropriated therefor pursuant to the Bond and Capital Note Resolution adopted May 13, 1980 for the construction of surface drainage improvements in the Town, including pipes, retention basins, and also including such equipment, machinery and apparatus as shall be necessary, all in accordance with the maps, plans and specifications prepared by the Director of Department of Environmental Control, a duly licensed engineer of the State of New York; and STATING the estimated maximum cost of said specific object or purpose including said additional appropriation, preliminary costs and costs incidental thereto and the financing thereof, is $2,530,000; STATING the plan of financing said additional appropriation includes the expenditure of said current funds, the issuance of $475,000 serial bonds of the Town to finance the balance of said additional 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 $475,000 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 current funds;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is thirty (30) years; however, the proposed maturity of said serial bonds shall not exceed thirty (30) years from the original date of issuance of any notes issued in anticipation of said serial bonds, 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 are available therefor in the amount of $25,000 in the current budget of the Town; 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 $475,000 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;

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 resolution is subject to a permissive referendum.

DATED: August 12, 1985

Patricia Sheridan
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond 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.

Seconded by Co. Holbrook All voted Aye

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RESOLUTION NO. (641-1985)

BOND RESOLUTION AUTHORIZING EXPENDITURE FOR CORRECTIVE OR ADDITIONAL DRAINAGE PROBLEMS AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE BALANCE

Co. Holbrook offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 12, 1985, AUTHORIZING CONSTRUCTION OF DRAINAGE IMPROVEMENTS, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $300,000, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE APPROPRIATION OF $15,000 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF $285,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

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 construct drainage improvements in the Town, including pipes and retention basins, including such equipment and apparatus as shall be necessary, all in accordance with the maps, plans and specifications to be prepared therefor and filed in the office of the Town Clerk of the Town and approved by the Town Board. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $300,000 and said amount is hereby appropriated therefor, including the appropriation of $15,000 current funds to provide the down payment required by the Law, as hereinafter defined. The plan of financing includes the expenditure of said current funds and the issuance of $285,000 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. Serial bonds of the Town in the principal amount of $285,000, 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 current funds.

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 $285,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 3. of the Law, is thirty (30) 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 in the amount of $15,000 will be provided from moneys now available therefor in the current budget of the Town as an unappropriated fund balance. The Supervisor is hereby authorized and directed to set aside said current funds 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.

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RESOLUTION NO. (641-1985) Continued

Section 4. Each of the 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 bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to 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 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 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.

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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 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 resolution is subject to permissive referendum.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

Supervisor Dusanenko said we borrowed $2,000,000 for an emergency drainage problem, it was on the record, approximately five years ago. It took us almost five years to spend that money. Why are we borrowing money at $300,000 when every year since we are only going to be spending $100,000, we should be placing this in the general operating budget rather than borrowing.

Co. Holbrook said that Mr. Bollman might have the answer to that question.

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RESOLUTION NO. (641-1985)

Mr. Bollman said, I think that's up to you but I think there could be certain advantages when it's a bonded resolution, your control is much greater, you pass everything by resolution.

Supervisor said rather than placing it in a certain department's budget without any control. So the advantage of control is because grown people can't exercise control so we go out and borrow monies to pay more interest.

Mr. Bollman said, I am not saying that people can't handle their own budget, I'm telling you that all the drainage work that you have done for the last five years has been done under that control and that would be a change for you. If you so wish it, that's fine.

Supervisor said he voted no for the reasons stated before.

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RESOLUTION NO. (641-A-1985) AUTHORIZING THE TOWN CLERK TO PUBLISH BOND RESOLUTION IN THE JOURNAL NEWS

Co. Maloney offered the following resolution:

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

Section 1. The Town Clerk of said 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 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 August 12, 1985, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Clarkstown, New York, adopted August 12, 1985, authorizing the construction of drainage improvements, in the Town, stating the estimated maximum cost thereof is $300,000, appropriating said amount therefor, including the appropriation of $15,000 current funds to provide the required down payment, and authorizing the issuance of $285,000 serial bonds of said Town to finance the balance of said appropriation,"

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

FIRST: AUTHORIZING said Town to construct drainage improvements in the Town, including pipes and retention basins, including such equipment, machinery and apparatus as shall be necessary, all in accordance with the maps, plans and specifications to be prepared therefor and 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 $300,000; APPROPRIATING said amount therefor,

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RESOLUTION NO. (641-A-1985) Continued

including the appropriation of $15,000 current funds to provide the down payment required by the Law, as hereinafter defined; STATING the plan of financing includes the expenditure of said current funds, the issuance of $285,000 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 $285,000 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 current funds;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is thirty (30) 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 are available therefor in the amount of $15,000 in the current budget of the Town; 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 $285,000 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;

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 resolution is subject to a permissive referendum.

DATED: August 12, 1985

Patricia Sheridan
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond 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.

Seconded by Co. Lettre

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Holbrook.....Yes
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....No
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RESOLUTION NO. (642-1985) AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH NYACK HOSPITAL FOR EMPLOYEES' ASSISTANCE PROGRAM - CHARGE TO A

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RESOLUTION NO. (642-1985) Continued — 8840-424 - DECREASE CONTINGENCY ACCOUNT NO. A 1990-505 AND INCREASE APPROPRIATION ACCOUNT NO. A 8840-424

Co. Maloney offered the following resolution:

WHEREAS, the Supervisor is hereby authorized to enter into an agreement with Nyack Hospital for the Employee's Assistance Program, and be it

RESOLVED, that $5,308.00 be charged to A 8840-424 (Economic Assistance - Contractual Agreements), and be it

FURTHER RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 8840-424 by $4,308.00.

Seconded by Supv. Dusanenko

On roll call the vote was as follows:

Councilman Carey.....Abstain
Councilman Holbrook.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Supervisor Dusanenko.....Yes

****

RESOLUTION NO. (643-1985) — ACCEPTING MINUTES OF REGULAR TOWN BOARD MEETING OF JUNE 11, 1985

Co. Lettre offered the following resolution:

RESOLVED, that the minutes of the regular Town Board Meeting of June 11, 1985 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Holbrook.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Supervisor Dusanenko.....Abstain

Supervisor noted he was abstaining as he did not have time to read the minutes in question.

****

RESOLUTION NO. (644-1985) — GRANTING APPROVAL TO THE NYACK LION'S CLUB TO HOLD TURKEY SHOOT

Co. Holbrook offered the following resolution:

WHEREAS, the Nyack Lion's Club of Nyack, New York has requested the consideration of the Town Board of the Town of Clarkstown to hold a Turkey Shoot as a fund raiser for their organization, and

WHEREAS, the proposed Turkey Shoot is to be held on September 8, 15, 22, 29, 1985 on the property of Charles Christian on Route 9W. Rain date is October 6, 1985.

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (644-1985) Continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Nyack Lion's Club to hold a Turkey Shoot on the dates specified, and be it

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Turkey Shoot.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (645-1985) AUTHORIZING SUPERINTENENT OF HIGHWAYS TO ERECT ADDITIONAL TRAFFIC SIGNS AND REPLACE EXISTING STANDARD SIGNS

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Co. Holbrook offered the following resolution:

WHEREAS, Howard Lampert, P.E., a traffic and highway engineering consultant, was retained by the Town of Clarkstown to investigate and make recommendations for implementation of proper traffic control devices within the Town of Clarkstown, and

WHEREAS, report dated July 19, 1985 from the traffic and highway consultant recommends posting of additional or improved Town speed limit signs at various locations within the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized and directed to erect additional signs and replace existing standard signs at various locations in the Town of Clarkstown in accordance with the recommendations in the report referred to above, and be it

FURTHER RESOLVED, that charges and expenses for implementation of this resolution be charged to Account No. DA 5140-379.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (646-1985) AUTHORIZING PARTICIPATION IN AND SUBSCRIPTION TO AFFIRMATIVE ACTION REGISTER - CHARGE TO ACCOUNT NO. A 6410-405

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown is committed to the provisions and ideals of an affirmative action program pursuant to Title VI of the Civil Rights Act of 1964, and

WHEREAS, in order to comply and show a good faith effort to notify and consider qualified female, minority and handicapped candidates for job openings, it is desirable that the Town of Clarkstown subscribe to and advertise in the Affirmative Action Register;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown will participate in and subscribe to the Affirmative Action Register for purposes of

Continued on Next Page

RESOLUTION NO. (646-1985) Continued

notifying qualified female, minority and handicapped candidates of job openings in the Town, and be it

FURTHER RESOLVED, that any costs of such participation shall be charged to Account No. A 6410-405, and be it

FURTHER RESOLVED, that the Personnel Clerk is hereby authorized and directed, whenever practical, to list anticipated job openings with the Affirmative Action Register.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (647-1985) AUTHORIZING RELEASE OF MAINTENANCE BOND WITH REGARD TO DEDICATED SUBDIVISION

Co. Lettre offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, maintenance bond furnished to the Town of Clarkstown in connection with dedication of the road(s) and improvements on June 26, 1984, in a subdivision known as PELHAM MANOR, TOO is terminated and the bond considered released.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (648-1985) ACCEPTING ROADS AND RELATED IMPROVEMENTS - SUBDIVISION OF PROPERTY FOR CLOVERDALE - SNOWDROP DRIVE, LARKSPUR COURT, COSMOS DRIVE AND LUPINE COURT

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney, deed dated January 4, 1984, from Patricia Ann Homes, Inc., Roy Olsen, John Jacobsen and C. Robert Clemensen, and deed dated January 24, 1984, from Konster Development Corp., conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Subdivision of Property for Cloverdale" filed in the Office of the Clerk of the County of Rockland on December 1, 1985, in Book 98 of Maps at Pages 8 and 9 as Map Nos. 5327 and 5328 as follows:

SNOWDROP DRIVE	2900 L.F.
LARKSPUR COURT	335 L.F.
COSMOS DRIVE	485 L.F.
LUPINE COURT	235 L.F.

are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland Conty Clerk's Office upon receipt of a continuation report of clear title to date of recording, and be it

FURTHER RESOLVED, that the agreement guaranteeing the roads and improvements for a period of one (1) year, with security posted by the developer, in the amount of $20,040.00 is hereby accepted, and be it

Continued on Next Page

RESOLUTION NO. (648-1985) Continued

FUTHER RESOLVED, that the Town Clerk is hereby directed to send a certified copy of this resolution to the Superintendent of Highways and to the New York State Department of Transportation.

Seconded by Co. Holbrook All voted Aye.

****

With regard to the following resolution the Supervisor requested that the record show that the developer first had a cash deposit but is now replacing that with a bond.

RESOLUTION NO. (649-1985) ACCEPTING ROADS AND RELATED IMPROVEMENTS FOR SAYMOR ESTATES - SAYMOR DRIVE AND INWOOD DRIVE

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 623/1985 is hereby rescinded and replaced with the following:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney, deed from J.M.K. Building Corp. dated June 6, 1985, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of SAYMOR ESTATES, filed in the Rockland County Clerk's Office on July 31, 1981, in Book No. 97, at Page 34 as Map No. 5278, as follows:

SAYMOR DRIVE	888 L.F.
INWOOD DRIVE	425 L.F.

is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording; and be it

FURTHER RESOLVED, that Maintenance Bond No. 939733 dated September 20, 1983, J.M.K. Building Corp. as Principal and John Knutsen, Magny Knutsen and John Knutsen, Jr. as Co-Principals, and Republic Insurance Company as Surety, is hereby accepted, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to send a certified copy of this resolution to the New York State Department of Transportation and to the Superintendent of Highways.

Seconded by Co. Holbrook All voted Aye.

****

RESOLUTION NO. (650-1985) AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING" SIGNS (WEST NYACK ROAD FROM BENSON AVENUE WEST TO KLEIN AVENUE, WEST NYACK)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to intall signs to read "No Parking". These signs should be erected on the south side of West Nyack Road from Benson Avenue, west to Klein Avenue, West Nyack, New York, 10994, and be it

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RESOLUTION NO. (651-1985) Continued

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Nicholas A. Longo, for implementation.

Seconded by Co. Holbrook All voted Aye.

****

With regard to the following resolution Supervisor said that the Assessor should be directed that in the event there is litigation in which his assistance is needed that any reservations previously made be forfeited in order that he be present to assist the Town Attorney and this Town Board.

RESOLUTION NO. (651-1985) AUTHORIZING ATTENDANCE AT NEW YORK STATE ASSESSORS' ASSOCIATION ANNUAL CONFERENCE (ROSS J. VALENZA) - CHARGE TO ACCOUNT NO. 1010-414

Co. Lettre offered the following resolution:

RESOLVED, that Ross J. Valenza, Assessor of the Town of Clarkstown, is hereby authorized to attend the New York State Assessors' Association Annual Conference from September 29, 1985 to October 2, 1985, and be it

FURTHER RESOLVED, that all proper charges not to exceed $300.00 be charged against Account No. 1010-414.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (652-1985) AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL HYDRANTS - TWO (2) WEST SIDE SPRING ROAD AND EAST SIDE ROUTE 303 NORTH OF CENTER LINE OF EMERALD DRIVE (COUNTRY RIDGE - VALLEY COTTAGE)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install two (2) fire hydrants as follows:

1. West side of Spring Road approximately 510 feet north of Hydrant #25-193.

2. East side Route 303 approximately 210 feet north of center line of Emerald Drive, and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Tricia Balko, Service Investigation Clerk.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (653-1985) ACCEPTING DEED FOR ROAD WIDENING FROM BARD ROCK CORP. (JAMES A. ELLIOTT PROPERTY)

Continued on Next Page

RESOLUTION NO. (653-1985) Continued

Co. Maloney offered the following resolution:

WHEREAS, as a condition to the approval of the Final Map with regard to a subdivision of property for JAMES A. ELLIOTT, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Demarest Mill Road;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, the Superintendent of Highways and the Town Attorney, deed dated September 4, 1984, from Bard Rock Corp., gratuitously conveying a strip of land along Demarest Mill Road, West Nyack, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (654-1985) DECREASING APPROPRIATION ACCOUNT NO. A 4210-110 (COUNSELING-SALARIES) AND INCREASING APPROPRIATION ACCOUNT NO. A 4210-204 (OFFICE MACHINES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 4210-110 (Counseling-Salaries) and increase Appropriation Account No. A 4210-204 (Office Machines) by $1,200.00).

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (655-1985) DECREASING APPROPRIATION ACCOUNT NO. A 7210-407 (REFRESHMENT STANDS-EQUIPMENT REPAIRS) AND INCREASING APPROPRIATION ACCOUNT NO. A 7210-319 (MISC. SUPPLIES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7210-407 (Refreshment Stands - Equipment Repairs) and increase Appropriation Account No. A 7210-319 (Misc. Supplies) by $100.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (656-1985) DECREASING APPROPRIATION ACCOUNT NO. A 1420-211 (TOWN ATTORNEY - LAW BOOKS & SUPPLEMENTS) AND INCREASING APPROPRIATION ACCOUNT NO. A 1420-328 (BOOKS & PUBLICATIONS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1420-211 (Town Attorney - Law Books & Supplements) and increase

Continued on Next Page

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RESOLUTION NO. (656-1985) Continued

Appropriation Account No. A 1420-328 (Books & Publications) by $41.00.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (657-1985) DECREASING APPROPRIATION ACCOUNT NO. B 8020-313 (PLANNING - OFFICE SUPPLIES & PRINTING) AND INCREASING APPROPRIATION ACCOUNT NO. B 8020-201 (FURNITURE & FIXTURES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B 8020-313 (Planning - Office Supplies & Printing) and increase Appropriation Account No. B 8020-201 (Furniture & Fixtures) by $125.00.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (658-1985) DECREASING APPROPRIATION ACCOUNT NO. A 1315-438 (COMPTROLLER - MAINTENANCE AGREEMENTS) AND INCREASING APPROPRIATION ACCOUNT NO. A 1315-201 (FURNITURE & FURNISHINGS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1315-438 (Comptroller - Maintenance Agreements) and increase Appropriation Account No. A 1315-201 (Furniture & Furnishings) by $71.00.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (659-1985) DECREASING APPROPRIATION ACCOUNT NO. A 7310-114 (PARKS & RECREATION: PART-TIME) AND INCREASING APPROPRIATION ACCOUNT NO. A 7141-111 (PARKS & RECREATION: OVERTIME)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7310-114 (Parks & Recreation: Part-Time) and increase Appropriation Account No. A 7141-111 (Parks & Recreation: Overtime) to cover overtime for the community centers due to rental of facilities in the amount of $3,000.00.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (660-1985) DECREASING APPROPRIATION ACCOUNT NO. A 7610-301

Continued on Next Page

RESOLUTION NO. (660-1985) Continued

(PARKS & RECREATION: FOOD) AND INCREASING APPROPRIATION ACCOUNT NO. A 7141-301 (PARKS & RECREATION: FOOD)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7610-301 (Parks & Recreation: Food) and increase Appropriation Account No. A 7141-301 (Parks & Recreation: Food) to cover expenses for the Pre-School Program in the amount of $500.00.

Seconded by Co. Carey All voted Aye.

****

AAG517

RESOLUTION NO. (661-1985) DECREASING APPROPRIATION ACCOUNT NO. A 7610-329 (PARKS & RECREATION: RECREATIONAL SUPPLIES) AND INCREASING APPROPRIATION ACCOUNT NO. A 7141-329 (PARKS & RECREATION: RECREATIONAL SUPPLIES) TO COVER EXPENSES FOR SUPPLIES AT THE COMMUNITY CENTERS IN THE AMOUNT OF $6,000.00

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7610-329 (Parks & Recreation: Recreational Supplies) and increase Appropriation Account No. A 7141-329 (Parks & Recreation: Recreational Supplies) to cover expenses for supplies at the community centers in the amount of $6,000.00.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (662-1985) DECREASING CONTINGENCY ACCOUNT NO. A 1990-505 AND INCREASING APPROPRIATION ACCOUNT NO. A 5650-419 (COMMUTER PARKING - MISC. SERVICES)

Co. Maloney offered the following resolution:

WHEREAS, road improvements are required in the commuter parking lots,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 5650-419 (Commuter Parking - Misc. Services) by $31,359.40.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (663-1985) DECREASING APPROPRIATION ACCOUNT NO. DB 5110-381 (HIGHWAY-BITUMINOUS) AND INCREASING APPROPRIATION

Continued on Next Page

RESOLUTION NO. (663-1985) Continued

ACCOUNT NO. DB 5110-443
(PRIVATE EQUIPMENT RENTAL)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. DB 5110-381 (Highway-Bituminous) and increase Appropration Account No. DB 5110-443 (Private Equipment Rental) by $10,000.00.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (664-1985) DECREASING APPROPRIATION ACCOUNT NO. A 1355-370 (DATA PROCESSING SUPPLIES) AND INCREASING APPROPRIATION ACCOUNT NO. A 1355-213 (TAX ROLL BINDERS)

Co. Maloney offered the following resolution:

WHEREAS, the Assessor has requested a transfer of funds to cover the cost of tax roll binders,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A 1355-370 (Data Processing Supplies) and increase Appropriation Account No. A 1355-213 (Tax Roll Binders) by $310.00.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (665-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #58-1985 (EMERGENCY FLARES)

Co. Maloney offered the following resolution:

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

BID #58-1985
EMERGENCY FLARES

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 Thursday, September 5, 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. Carey All voted Aye.

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RESOLUTION NO. (666-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #56-1985 (ELECTRIC WORK IN SALT STORAGE DOME)

Continued on Next Page

RESOLUTION NO. (666-1985) Continued

Co. Maloney offered the following resolution:

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

BID #56-1985
ELECTRIC WORK IN SALT STORAGE DOME

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 Wednesday, September 18, 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. Carey All voted Aye.

****

AAG517

RESOLUTION NO. (667-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #55-1985 (PHOTOCOPIER SUPPLIES)

Co. Maloney offered the following resolution:

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

BID #55-1985
PHOTOCOPIER SUPPLIES

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 Friday, September 13, 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. Carey All voted Aye.

****

RESOLUTION NO. (668-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #59-1985 (MOTOR OIL, LUBRICATING, HIGH DETERGENT FOR INTERNAL COMBUSTION ENGINES

Co. Maloney offered the following resolution:

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

BID #59-1985
MOTOR OIL, LUBRICATING, HIGH DETERGENT
(FOR INTERNAL COMBUSTION ENGINES)

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 Wednesday, September 4, 1985 at which time bids will be opened and read, and be it

Continued on Next Page

RESOLUTION NO. (668-1985) Continued

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (669-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #60-1985 (HYDRAULIC CONTAINER HANDLING SYSTEM FOR HIGHWAY DEPARTMENT)

Co. Maloney offered the following resolution:

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

BID #60-1985
HYDRAULIC CONTAINER HANDLING SYSTEM
FOR HIGHWAY DEPARTMENT

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 Thursday, September 19, 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. Carey All voted Aye.

****

RESOLUTION NO. (670-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #62-1985 (SIDEWALKS, LAKE ROAD, CONGERS)

Co. Maloney offered the following resolution:

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

BID #62-1985
SIDEWALKS, LAKE ROAD, CONGERS

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 Thursday, September 5, 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. Carey All voted Aye.

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RESOLUTION NO. (671-1985) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #61-1985 (OFFICE FURNITURE)

Continued on Next Page

RESOLUTION NO. (671-1985) Continued

Co. Maloney offered the following resolution:

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

BID #61-1985
OFFICE FURNITURE

bids to be returnable to the Office of the Clarkstown Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, September 23, 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. Carey All voted Aye.

****

RESOLUTION NO. (672-1985) AWARDING BID FOR BID #57-1985 FOR REPAIR OF CATERPILLAR D-8 BULLDOZER SER. #77V18709 (H.O. PENN MACHINERY CO.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Director of Purchasing that

BID #57-1985
REPAIR OF CATERPILLAR D-8 BULLDOZER
SER. #77V18709

is hereby awarded to:

H.O. PENN MACHINERY CO.
P.O. BOX 3238
NOXON ROAD
POUGHKEEPSIE, NEW YORK 12603

as per their low bid proposal of $27,440.00

Seconded by Co. Holbrook All voted Aye.

****

RESOLUTION NO. (673-1985 AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE ERECTION OF AND MAINTENANCE OF TRAFFIC SIGNAL ON ROUTE 304 IN VICINITY OF MONTEREY GARDENS SENIOR CITIZEN HOUSING FACILITY

Co. Lettre offered the following resolution:

WHEREAS, there is a senior citizens apartment complex known as Monterey Gardens located on New York State Route 304 in the Hamlet of Bardonia, Town of Clarkstown, and

WHEREAS, motor vehicle accidents have occurred involving pedestrians crossing Route 304 at Monterey Gardens, and

Continued on Next Page

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RESOLUTION NO. (673-1985) Continued

WHEREAS, there is potential for further accidents occurring at this location which may be prevented if a traffic control device was installed on Route 304 at Monterey Gardens, and

WHEREAS, Bardonia Associates, the owner of Monterey Gardens has agreed to gratuitously convey to the Town of Clarkstown by delivery of a bargain and sale deed with Covenants against Grantor's Act, a portion of the entranceway from Route 304 into Monterey Gardens, being approximately 95' in length and 65' in width, and has executed and delivered in escrow to the Town of Clarkstown all the documents necessary to effectuate said conveyance, and

WHEREAS, it would be in the interest and to the benefit of the health, safety and welfare of the residents in the vicinity of Monterey Gardens and of the Town of Clarkstown in general if the New York State Department of Transportation shall install a traffic control signal at said entranceway from Route 304 into Monterey Gardens;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby intends to accept for dedication a portion of the private entranceway into Monterey Gardens from Route 304, being a portion of the paved driveway approximately 95' long by 65' wide thereby making said parcel a Town road intersecting with New York State Route 304, and be it

FURTHER RESOLVED, that the Town of Clarkstown hereby formally requests that the New York State Department of Transportation install a traffic signal on Route 304 at the entranceway to Monterey Gardens at no cost or expense to the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with the New York State Department of Transportation for the installation and maintenance of a traffic signal on Route 304 at Monterey Gardens, Bardonia, Town of Clarkstown, New York.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (674-1985) ACCEPTING CONSERVATION EASEMENT RE: ASTRI HILLS SUBDIVISION (MAP 121, BLOCK A, LOT 29.01)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Town Attorney and in accordance with a proposed subdivision plat entitled ASTRI HILLS prepared by Henry Horowitz, Inc., a Conservation Easement affecting the entire rear portion of Map 121, Block A, Lot 29.01 in said subdivision about to be filed is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (675-1985) ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING AT GERMONDS PARK

Continued on Next Page

RESOLUTION NO. (675-1985) Continued

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown Parks Board and Recreation Commission has requested additional lighting to be installed at Germonds Park, Germonds Road, West Nyack, and

WHEREAS, Orange and Rockland Utilities, Inc. submitted a proposal dated June 26, 1985 for additional lighting at Germonds Park,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the proposal dated June 26, 1985 for additional lighting at Germonds Park, as attached.

Seconded by Co. Holbrook All voted Aye.

****

AAG517

RESOLUTION NO. (676-1985) ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC., FOR STREET LIGHTING AT NORTH FREMONT AVENUE, NANUET

Co. Maloney offered the following resolution:

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

WHEREAS, a survey of surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Service Investigation Clerk, and

WHEREAS, the surrounding property owners have indicated that they are in accord with this proposed lighting,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts proposals from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

North Fremont Avenue Nanuet
(Existing pole #58663/39777 - (1) 5800 lumen sodium vapor)

Seconded by Co. Holbrook All voted Aye.

****

RESOLUTION NO. (677-1985) AWARDING BID FOR BID AWARD #53-1985 - CONCRETE CULVERT PIPE AND CONCRETE CATCH BASIN BLOCK/BRICK

Co. Maloney offered the following resolution:

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

BID #53-1985
CONCRETE CULVERT PIPE
CONCRETE CATCH BASIN BLOCK/BRICK

is hereby awarded to:

Continued on Next Page

RESOLUTION NO. (677-1985) Continued

KENVIL NEWCRETE PRODUCTS
P.O. Box C Dell Avenue
Kenvil, New Jersey 07847

LEONARD CONCRETE PIPE CO., INC.
375 Mather Street
Hamden, Connecticut 06514

J. DE PAULIS MASON SUPPLY INC.
300 Route 303 North
Congers, New York 10920

MULTIPLEX CONCRETE CO., INC.
64 Glenwood Place
East Orange, New Jersey 07017

FEDERAL BLOCK CORP.
129 Walsh Avenue
P.O. Box 4090
New Windsor, New York 12550

as per schedule on file in the Purchasing Department.

Seconded by Co. Holbrook All voted Aye.

****

Supervisor said for the record that agenda item #33 re: granting permission to New City Fire Department to post banners on Main Street and waiving of Litter Law was not necessary to be voted on as Mr. Longo assured the Town Councilmen prior to this meeting that both the New City Fire Department and the Rockland County Historical Society can apply at his department for permission to place a banner over Town roadways for fund raising or historical events.

Town Attorney noted that no one on the Town Board can waive the Litter Law for anyone.

****

RESOLUTION NO. (678-1985) SETTING A PUBLIC HEARING RE: DELETING A PORTION OF THOMAS COURT, NANUET AND CERTAIN DESIGNATED LOTS ON MAP OF NANUET HOMES SUBDIVISION FROM THE OFFICIAL MAP AND ZONING MAP OF THE TOWN OF CLARKSTOWN

Co. Holbrook offered the following resolution:

WHEREAS, a subdivision map entitled, "Map of Nanuet Homes, Town of Clarkstown, Rockland County, New York," (the "Subdivision Map") last dated October, 1940, prepared by Muller and Morson, Inc., was filed in the Rockland County Clerk's Office on December 6, 1940, which map created the road known as "Thomas Court," and certain designated lots in BLock A of the Subdivision Map, and

WHEREAS, pursuant to the filing of the Subdivision Map, Thomas Court was placed on the Official Map and the Zoning Map of the Town of Clarkstown, and

WHEREAS, a portion of Thomas Court and a number of lots in Block A of the Subdivision Map are still wholly undeveloped and unimproved, and

Continued on Next Page

RESOLUTION NO. (678-1985) Continued

WHEREAS, on February 1, 1965, Ernest Mauro and Marcella Mauro, the then owners of that portion of the Subidivision Map as mentioned above pursuant to Section 560 of the Real Property Tax Law of the State of New York, did disclaim and abandon the subdivision of said portion of such tract of land, and

WHEREAS, said disclaimer was recorded in the Rockland County Clerk's Office on February 3, 1965, and filed in Liber 787 at page 355, and

WHEREAS, that portion of Thomas Court and the designated lots, pursuant to the above mentioned disclaimer, were not removed from the Official Map or Zoning Map of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board shall hold a public hearing on September 19, 1985 at 8:15 P.M., pursuant to Section 273 of the Town Law, to consider a proposed amendment to the Official Map and the Zoning Map of the Town of Clarkstown to delete certain designated lots and that portion of Thomas Court as described below, being the same tract of land formally disclaimed by Ernest Mauro and Marcella Mauro and filed with the Rockland County Clerk's Office as indicated above and being the following lands, to wit:

> ALL those certain lots, pieces or parcels of land and premises Situate, lying and being in the Town of Clarkstown, County of Rockland, and State of New York, known and designated as "Lot Nos. 9, 10, 11, 12, 13, 14, 16 and 17" in Block "A" on "Map of Nanuet Homes, Town of Clarkstown, Rockland County, New York, surveyed July, 1940," filed in the Rockland County Clerk's Office on December 6, 1940, together with so much of Thomas Court as shown on said map as lies easterly and southerly from a projection of the easterly line of "Lot No. 8" in Block "A" on the aforesaid map; and

FURTHER RESOLVED, that the proposal for the removal of the above described mapped street is hereby referred to the Town of Clarkstown Planning Board for their recommendations, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the 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 Town Clerk.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (679-1985) ACCEPTING DEED FOR PROPERTY LOCATED IN HAMLET OF NANUET GRAY/BASSETT - TITLE INSURANCE, RECORDING FEES AND TAX ADJUSTMENTS CHARGE TO CAPITAL ACCOUNT NO. 2

Co. Holbrook offered the following resolution:

WHEREAS, by Resolution No. 527-1985 the Town Board had authorized the acquisition of a parcel consisting of approximately 1.59 acres located adjacent to the Town of Clarkstown Highway Department facility in lieu of condemnation, and

WHEREAS, an offer to purchase the land in the amount of $123,000.00 was accepted by Ms. Catherine Bassett and Mrs. Margaret Gray Brown, owners of the subject property, and a deed dated July 18, 1985 was duly tendered to the Town of Clarkstown;

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RESOLUTION NO. (679-1985) Continued

NOW, THEREFORE, be it

RESOLVED, that the deed described above is hereby accepted and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that the further sum of $1,200.00 is hereby appropriated to pay for title insurance, recording fees, and tax adjustments to the seller which shall be charged to Capital Account No. 2.

Seconded by Co. Maloney All voted Aye.

****

RESOLUTION NO. (680-1985) GRANTING CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 83-65 (NO. 85-19) (KING CONTRACTING CORP.)

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

KING CONTRACTING CORP. (William King)
161 Lake Road
Valley Cottage, New York 10989

NOW, THEREFORE, BE IT

RESOLVED, that the following Certificate of Registration be issued:

No. 85-19 issued to King Contracting Corp., Inc.

Seconded by Supv. Dusanenko All voted Aye.

****

RESOLUTION NO. (681-1985) AUTHORIZING TOWN ATTORNEY TO HIRE APPRAISER RE PROPERTY ADJACENT TO CONGERS LAKE MEMORIAL PARK (MAP 126, BLOCK C, LOT 29.01) - CHARGE TO MONEY-IN-LIEU-OF-LAND ACCOUNT

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to hire an appraiser to prepare an appraisal report for property designated on the Clarkstown Tax Map as Map 126, Block C, Lot 29.01, located adjacent to Congers Lake Memorial Park, for a sum not to exceed $2,000.00, and be it

FURTHER RESOLVED, that the sum of $2,000.00 be charged to the Money-in-Lieu-of-Land Account.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (682-1985) AUTHORIZING ATTENDANCE AT COMPUTER CLASS (OLDENBURGER AND GRAY) -CHARGE TO ACCOUNT NO. A 7310-414

Continued on Next Page

RESOLUTION NO. (682-1985) Continued

Co. Maloney offered the following resolution:

RESOLVED, that JoAnne Oldenburger, Recreation Supervisor, and Eileen Gray, Stenographer, are hereby authorized to attend computer classes conducted by Burroughs Corporation from September 15, 1985 through September 18, 1985 in Washington, D.C., and be it

FURTHER RESOLVED, that all proper expenses be charged to Appropriation Account A 7310-414.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (683-1985) GRANTING PERMISSION TO CLARKSTOWN AUXILIARY POLICE TO DISPENSE ALCOHOLIC BEVERAGES AT PICNIC AT LAKE NANUET PARK

AAG517

Co. Maloney offered the following resolution:

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Auxiliary Police to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at the following event:

Picnic at Lake Nanuet Park
Sunday, September 8, 1985

Seconded by Co. Carey All voted Aye.

****

At this point there was discussion regarding agenda item #40 - (Decision regarding the annexation of property of the Town of Clarkstown to the Village of Spring Valley.) Supervisor said he thought that everyone was in favor of it. It was his understanding that a resolution had to be passed according to a memo which Mr. Costa, Town Attorney had sent to the Supervisor's office late this afternoon that there had to be findings of fact. Town Attorney stated that was correct. Supervisor asked Town Attorney if this had been prepared? Town Attorney said that his memo stated that not having received any direction from the Board he had not prepared such. Supervisor said can we use the same findings of fact as used by the Village of Spring Valley? Town Attorney stated that he would not recommend it. Councilman Carey said it would not serve Clarkstown's purpose.

Supervisor said that since this was the first time since he had been supervisor that such an item had been in front of him he asked what do we do? How do we allow an annexation? Town Attorney stated that his memo indicated that the Board had up to ninety (90) days within which to review the record and make your determination. If you want to make your determination before the next meeting and you do not have the ability to do it tonight then you will have to call a special meeting for that purpose.

Supervisor said he would like to make this recommendation this evening. He said he did not mind tabling this

Continued on Next Page

until the end of the meeting and coming back to it. He said he needed give and take on the reasons for doing this but why do we want to hold this up for another two or three weeks or up to ninety (90) days?

Councilman Carey said his concern was with the map note regarding the road that would be dedicated and built to specifications and that there should be an okay from the Department of Transportation as far as the railroad crossing is concerned.

Councilman Maloney stated that his concerns were the same as Councilman Carey's but he also did not want to see this delayed and would like to get going and have some answers by the next Town Board Meeting so that we could actually move on it. The question of annexation seems to be in favor with the majority of the members of the Board. He said he would not like to see this go on for another ninety (90) days.

Supervisor said we are all in favor of something for a change, namely this annexation. He said he understood Councilman Carey's and Concilman Maloney's concerns for map notes to perhaps be included on that map prior to our making our final decision. He said he would share with them the following information.

Supervisor asked Mr. Costa if we adopt this resolution this land will be located in the Village of Spring Valley, is that correct? Town Attorney said for developmental, zoning and planning purposes. Supervisor said would the control of such be under the Spring Valley Planning and Building and Zoning Codes? Town Attorney said that is correct. Supervisor said then we would have no control over that afterwards? Town Attorney said that is also correct. Suprvisor said then what are we waiting for a guarantee that we can never collect on? Town Attorney said he did not understand how that question relates to the comments made.

Councilman Holbrook said are you arguing for or against the annexation? Supervisor said we are all for the annexation. We are all for the builder building that road at his expense but at the same time how can we wait for something that is impossible to receive when the second we adopt that it is going to fall under the auspices of the Village of Spring Valley and not the Town of Clarkstown - re: building, zoning, etc. so what are we going to wait for? Town Attorney said Councilman Carey's comments were directed toward wanting to see the actual site plan for the property adjacent to the property in question which would impose upon the developer the obligation to construct one portion of the Town's planned by-pass road through to Smith Road. Town Attorney said he thought Councilman Carey's comment referred to the fact that the New York State Department of Transportation has yet to render its decision about the railroad crossing. Town Attorney said he thought the developer made a comment at the public hearing held on July 30th that their commitment to build a road was only if the grade crossing was approved. At least they were prepared to build a road necessary for their own access but not to go beyond that unless the grade crossing was approved.

Supervisor asked what action will be taken on this matter this evening?

Councilman Lettre said he thought no action and Councilman Holbrook said to reserve decision.

Supervisor said did we not give a commitment to the petitioners that we would make a decision this evening and should not our commitment mean something as those who give commitments to us?

Councilman Carey said in relation to the Board and the things that we say and the things that we do the bottom line on all

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of this is what is good for Clarkstown. He said that what he said this evening points directly at that situation. This is what he is looking for. He wants assurance that the road is going to go in there and he wants assurance that it is going to be paid for by the developer and he wants assurance that we get the okay from the Department of Transportation relative to that railroad crossing. Then we will be able to move along. Otherwise we are just buying a pig in a poke and he said he was not prepared to do that.

Supervisor said he concurred with Councilman Carey. He said we are all concerned but how good is one's guarantee. We gave a guarantee (Supervisor, Councilman Carey and Councilman Holbrook) that we were going to make a decision this evening. We gave that guarantee at a joint Town Board/Village of Spring Valley Public Hearing. At the same time we are asking the builder to give us a guarantee and we want him to keep his guarantee even though we haven't kept ours. From all the experience we have all had in a contract - you can have everything in a contract in a pledge. If someone is going to beat you they are going to beat you no matter what kind of guarantees you have with the exception of holding cash. Then they usually do it. You can have bonding, you can have contracts, you can have covenants like Kingsgate. You can have everything in the world. If someone wants to beat you, they're going to beat you. If you want to be fair to them they will be fair to you and that's the best way.

Councilman Carey said that is Utopia and we don't live in Utopia. We are dealing here with a situation where we have the Town of Clarkstown vis a vis the Village of Spring Valley. It comes down to what is good for the people of Clarkstown and that's it.

Supervisor asked the Town Board what is your pleasure? Are we taking any action this evening or not? Councilman Carey said no. Supervisor moved to adopt and asked for a second but received none.

****

RESOLUTION NO. (684-1985) ACCEPTING RESIGNATION OF PART-TIME BUS DRIVER - MINI-TRANS (SARAH GRAF)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Sarah Graf, 11 First Street, Haverstraw, New York - part-time Bus Driver - Mini Trans Department - is hereby accepted - effective and retroactive to July 1, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (685-1985) ACCEPTING RESIGNATION OF PART-TIME BUS DRIVER - MINI-TRANS (EVENS J. GEORGES)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Evens J. Georges, 103 Cooper Drive, South Nyack, New York, part-time Bus Driver, Mini-Trans Department - is hereby accepted, effective and retroactive to July 1, 1985.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (686-1985) ACCEPTING RESIGNATION OF PART-TIME BUS DRIVER - MINI-TRANS (ROBERT KRAUSE)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Robert Krause, 141-A Quaspeck Boulevard, Valley Cottage, New York - part-time Bus Driver - Mini-Trans Department - is hereby accepted - effective and retroactive to July 1, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (687-1985) GRANTING LEAVE OF ABSENCE TO COURT ATTENDANT - TOWN JUSTICE COURT (ROBERT F. ROY, JR.)

Co. Lettre offered the following resolution:

WHEREAS, Robert F.Roy, Jr., has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement of January 1, 1984 provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, that Robert F. Roy, Jr., 107 Massachusetts Avenue, Congers, New York, Court Attendant - Town Justice Department - is hereby granted a leave of absence - without pay - for the period September 3, 1985 to October 7, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (688-1985) ACCEPTING RESIGNATION OF TELEPHONE OPERATOR TYPIST (DANITA ROSE)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Danita Rose, P.O. BOX 267, Tuxedo, New York - Telephone Operator Typist - is hereby accepted - effective and retroactive to July 19, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (689-1985) APPOINTING POSITION OF TELEPHONE OPERATOR TYPIST (ARLEEN JANIS)

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #85102A Telephone Operator Typist which contains the name of Arleen Janis,

NOW, THEREFORE, be it

RESOLVED, that Arleen Janis, 23 Bridle Road, Spring Valley, New York - is hereby appointed to the position of Telephone

Continued on Next Page

RESOLUTION NO. (689-1985) Continued

Operator Typist - at the current 1985 annual salary of $11,385.00, effective August 26, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (690-1985) ACCEPTING RESIGNATION OF COUNSELING AIDE - COUNSELING CENTER (LINDA CANNON)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Linda Cannon, 14 Irion Drive, New City, New York - Counseling Aide - Counseling Center - is hereby accepted - effective August 22, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (691-1985) APPOINTING POSITION OF COUNSELING AIDE - COUNSELING CENTER (JERRY BLOW)

Co. Lettre offered the following resolution:

RESOLVED, that Jerry Blow, 46 Maple Avenue, Box 1815, New City, New York, is hereby appointed to the position of Counseling Aide - Counseling Center - at the current 1985 annual salary of $13,490.00, effective August 26, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (692-1985) TRANSFERRING POSITION OF STOCK CLERK TO CUSTODIAL WORKER - PARKS BOARD & RECREATION COMMISSION (ANTONIO LETO)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Parks Board & Recreation Commission, Antonio Leto, 96 South Conger Avenue, Congers, New York is hereby transferred from the position of Stock Clerk to Custodial Worker - Parks Board & Recreation Commission - at the annual salary of $12,388.00, effective August 12, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (693-1985) APPOINTING POSITION OF STOCK CLERK - PARKS BOARD & RECREATION COMMISSION (JOSEPH BOLACK)

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Stock Clerk #85112 which contains the name of Joseph Bolack,

Continued on Next Page

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RESOLUTION NO. (693-1985) Continued

NOW, THEREFORE, be it

RESOLVED, that the based upon the recommendation of the Parks Board & Recreation Commission, Joseph Bolack, 531 Gilbert Avenue, Pearl River, New York is hereby appointed to the position of Stock Clerk - Parks Board & Recretion Commission - at the annual salary of $12,388.00, effective August 12, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (694-1985) APPOINTING POSITION OF (CONTINTENT-PERMANENT) TYPIST - POLICE DEPARMENT (MARION GIONTA)

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles CR-1 85-60 Typist which contains the name of Marion Gionta,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Marion Gionta, 75 Margaret Keoghan Drive, Pearl River, New York is hereby appointed to the position of Typist (Contingent-Permanent) - Police Department - at the annual salary of $11,385.00, effective August 12, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (695-1985) APPOINTING POSITION OF RADIO OPERATOR - POLICE DEPARTMENT (HARRY ELDREDGE)

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Radio Operator #83011 which contains the name of Harry Eldredge,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Harry Eldredge, 8 Highview Avenue, Stony Point, New York is hereby appointed to the position of Radio Operator - Police Department - at the annual salary of $14,700.00, effective August 12, 1985.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (696-1985) ACCEPTING RESIGNATION OF MEMBER - LITTER CONTROL BUREAU (LORRAINE WEIGOLD)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Lorraine Weigold, 8 Greendale Road, New City, New York - Member - Litter Control Bureau - is hereby accepted - effective and retroactive to July 16, 1985.

Seconded by Co. Carey All voted Aye

****

RESOLUTION NO. (697-1985)

REAPPOINTING POSITION OF MEMBER - PARKS BOARD & RECREATION COMMISSION (THOMAS E. BOURKE)

Co. Lettre offered the following resolution:

RESOLVED, that Thomas E. Bourke, 19 Hereford Lane, New City, New York - is hereby reappointed to the position of Member - Parks Board and Recreation Commission - to serve without compensation - term effective August 16, 1985 and to expire on August 15, 1990.

Seconded by Co. Carey

All voted Aye.

****

Supervisor Dusanenko moved proposed resolutions Nos. 41 o through 41 x (personnel items) but received no second.

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With regard to the following resolution Supervisor noted that Councilman Lettre was reminding us that the second WHEREAS clause was as per the Consent order with New York State Department of Environmental Conservation.

RESOLUTION NO. (698-1985)

AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO SOLICIT PROPOSALS FROM CHARLES R. VELZY ASSOCIATES FOR LEACHATE CONTROL AT THE CLARKSTOWN SANITARY LANDFILL - CHARGE TO CAPITAL ACCOUNT NO. 2-H8160-31-409

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown has entered into a Consent Order with the New York State Department of Environmental Conservation which regulates the Town's continued operation of the Clarkstown Sanitary Landfill, and

WHEREAS, said Consent Order as modified requires the Town to install a leachate collection system and to make provision for the safe removal of any and all leachate which may be potentially damaging to the environment, and

WHEREAS, the Town has expended considerable sums in the installation of a leachate collection system and has planned further improvements to the Clarkstown Sanitary Landfill to complete said project, and

WHEREAS, it has been reported by Charles R. Velzy Associates, the Town's landfill engineering consultant, that leachate presently being collected at the Clarkstown Sanitary Landfill will be accepted by Rockland County Sewer District No. 1 for final disposal if sufficient pre-treatment of the leachate is performed in order to make the leachate meet existing treatement plant requirements, and

WHEREAS, a pumping station and transmission line capable of transporting said leachate to a point of connection with existing Town sanitary sewers tributary to Rockland County Sewer District No. 1 facilities is required,

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (698-1985) Continued

RESOLVED, in accordance with the report and recommendation of Charles R. Velzy Associates made to the Town Board, the Director of Environmental Control of the Town of Clarkstown is hereby authorized and directed to enter into an agreement in a form acceptable to the Town Attorney with Charles R. Velzy Associates for the design of a pumping station and transmission line to connect with existing Town sanitary sewers tributary to Rockland County Sewer District No. 1 system, said design to include all necessary drawings and specifications, so that provisions for the safe removal and disposal of leachate from the Clarkstown Sanitary Landfill may proceed, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized to incur liability for the above services not in excess of $30,000.00 without further resolution of the Town Board, and be it

FURTHER RESOLVED, that expenditures pursuant to this resolution shall be charged to Capital Account No. 2-H8160-31-409.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (699-1985) AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO ENTER INTO AGREEMENT WITH CHARLES R. VELZY RE: POSSIBLE EXTENSION OF MBSIA NO. 2 TO PROVIDE SEWER SERVICE TO RESIDENTS IN VICINITY OF OLD PHILLIPS HILL ROAD, NEW CITY, NEW YORK - CHARGE TO MBSIA NO. 2 ACCOUNT

Co. Holbrook offered the following resolution:

WHEREAS, Charles R. Velzy Associates, the consulting engineer retained by the Town of Clarkstown with respect to improvements to Master Benefit Sewerage Improvement Area No. 2 MBSIA #2 has reported to the Town Board that Rockland County Sewer District No. 1 is about to commence work on the construction of an interceptor sewer in Phillips Hill Road, New City, New York, and

WHEREAS, the Town's consulting engineer recommends that the Town of Clarkstown consider expansion of MBSIA No. 2 facilities to provide sewer services to residents in the vicinity of Old Phillips Hill Road, who presently rely on septic systems, and

WHEREAS, the Town's consulting engineer also recommends that the Town authorize an additional $32,000.00 for payment to Rockland County Sewer District #1 for providing house connections to the Phillips Hill Road interceptor. (See memo to Director, Department of Environmental Control dated July 26, 1985.)

NOW, THEREFORE, be it

RESOLVED, that the Department of Environmental Control is authorized to enter into an agreement in a form acceptable to the Town Attorney to authorize Charles R. Velzy Associates for a consulting fee not to exceed $2,500.00 to investigate and report with recommendations concerning the possible extension of MBSIA No. 2 facilities to provide sewer services in the above area, and be it

FURTHER RESOLVED, that the Department of Environmental Control is authorized to reimburse RCSD #1 for expenses incurred for

Continued on Next Page

RESOLUTION NO. (699-1985) Continued

providing house connections to the Phillips Hill Road interceptor, and be it

FURTHER RESOLVED, that the expenditure authorized by this resolution shall be charged to MBSIA No. 2 account.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (700-1985) AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH HENRY HOROWITZ FOR ENGINEERING STUDY TO AMELIORATE FLOODING CONDITIONS ALONG CONVENT ROAD AND JERRY'S AVENUE, NANUET - CHARGE TO DRAINAGE BOND CAPITAL ACCOUNT NO. 2

AAG517

Co. Holbrook offered the following resolution:

WHEREAS, Henry Horowitz, Inc. has submitted a proposal for an engineering study on potential remedial measures to ameliorate flooding conditions along Convent Road and Jerry's Avenue, Nanuet, which has been reviewed and recommended by the Director of the Department of Environmental Control,

NOW, THEREFORE, be it

RESOLVED, that Henry Horowitz, Inc., 55 Virginia Avenue, West Nyack, New York 10994, is hereby awarded the engineering study at a cost not to exceed $12,500.00, the funds to be provided from the drainage Bond Capital Account No. 2, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the above firm in a form satisfactory to the Town Attorney.

Seconded by Co. Maloney All voted Aye.

****

Supervisor wanted it noted for the record that with regard to the following resolution black top for the roads was not included as that is in another budget.

RESOLUTION NO. (701-1985) AMENDING RESOLUTION NO. 949-1984 REGARDING DRAINAGE WORK IN THE VICINITY OF SHAGBARK COURT - CHARGE TO DRAINAGE BOND CAPITAL ACCOUNT #2

Co. Holbrook offered the following resolution:

WHEREAS, Resolution No. 949-1984 adopted on October 9, 1984 authorized an expenditure of $48,500.00 to be charged to the Drainage Bond Capital Account #2 for drainage work in the vicinity of Shagbark Court,

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 949-1984 be amended to read that the sum of $51,349.75 be charged to Drainage Bond Capital Account #2 for the completion of this project.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (702-1985) DECLARING WEDNESDAY, AUGUST 14, 1985 AS "ANTI-APARTHEID DAY" IN THE TOWN OF CLARKSTOWN

Co. Holbrook offered the following resolution:

WHEREAS, many communities throughout the United States are concerned with the present situation in South Africa and the government's disregard for human rights,

NOW, THEREFORE, be it

RESOLVED, that Wednesday, August 14, 1985 be declared "Anti-Apartheid Day" in the Town of Clarkstown, and be it

FURTHER RESOLVED, to send certified copies to Ann Nash of ADHOC at 4 Keim Drive, Pomona, New York 10970 and Ms. Frances Pratt, President of Nyack Branch, NAACP, 99 Cooper Drive, South Nyack, New York 10960 and Dr. Robert Henderson, President, Spring Valley Branch, NAACP, P.O. Box 156, Spring Valley, New York 10977.

Seconded by Co. Maloney All voted Aye.

****

With regard to the following resolution Supervisor requested Town Attorney to note that one of the Town Attorney's deputies should be available to travel with the Supervisor to attend the conference named in the resolution.

RESOLUTION NO. (703-1985) AUTHORIZING SUPERVISOR AND REPRESENTATIVE OF TOWN ATTORNEY'S OFFICE TO ATTEND NYS ALT CONFERENCE - CHARGE TO ACCOUNT NO. 1010-414.

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor and a representative of the Town Attorney's office be authorized to attend NYS ALT Conference August 22, 1985 - Northport, New York and that all appropriate charges be charged to Conferences and Schools - Account #1010-414.

Seconded by Co. Carey All voted Aye.

****

RESOLUTION NO. (704-1985) AUTHORIZING AND DIRECTING TOWN ATTORNEY'S OFFICE TO MEET WITH OFFICIALS OF CSEA TO PREPARE LEGAL DOCUMENTATION FOR EARLY RETIREMENT INCENTIVE PROGRAM

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Ramapo, Village of Spring Valley and County of Rockland have already approved the Early Retirement Incentive Program at a considerable savings to taxpayers, and

WHEREAS, participation in the same program by the Town of Clarkstown could result in reduced employee costs for taxpayers, and

WHEREAS, the Suprvisor's Office has obtained necessary information from the New York State Retirement System as to window periods,

Continued on Next Page

RESOLUTION NO. (704-1985) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney's office is hereby authorized and directed to meet with the officials of the CSEA and prepare the necessary legal documentation and Notice of Public Hearing for the Town to institute such a program.

Seconded by Supv. Dusanenko All voted Aye.

****

RESOLUTION NO. (705-1985) AUTHORIZING DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN LICENSED LAND SURVEYOR RE: CONDUCTION OF FIELD INVESTIGATION NEW YORK TRAP ROCK QUARRY - CHARGE TO ACCOUNT NO. A 1420-409

AAG517

Co. Holbrook offered the following resolution:

WHEREAS, residents in the vicinity of the New York Trap Rock Quarry are concerned that quarrying activities have extended beyond the zoning line heretofore established, and

WHEREAS, the Town Board wishes to investigate these circumstances;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to retain William A. Yuda, a licensed land surveyor, to conduct a field investigation and report to the Town Board whether or not the quarrying activities at the east end of the quarry have gone beyond the designated zoning line, and be it

FURTHER RESOLVED, that the sum of $2,500.00 is hereby appropriated to pay the cost of said survey and report, and be it

FURTHER RESOLVED, that the amount is charged to Account No. A 1420-409.

Seconded by Co. Maloney All voted Aye.

****

With regard to the following resolution Supervisor asked Mr. Longo, Superintendent of Highways if this was the best price we could get for this. Mr. Longo said this was the best piece of equipment they could get for that price. Supervisor said let Mr. Longo's remarks that this is the best piece of equipment and the best price be shown for the record.

Councilman Lettre said that Mr. Longo had said it was the best piece of equipment to serve the purpose and the needs of the job that it will be doing and that it is the best price for that piece of equipment. Supervisor stated that Councilman Lettre's remarks (stating that Mr. Lettre obviously had heard the Superintendent's remarks much better than the Supervisor had) be shown for the record.

Supervisor asked Superintendent of Highways Nicholas A. Longo to please repeat his remarks. Superintendent of Highways said that we do not even need a resolution. Supervisor asked then why are we going to a resolution? Superintendent Longo said it was

Continued on Next Page

given to the Town Board so that the Town Board would know what is going on.

RESOLUTION NO. (706-1985) AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO LEASE ONE (1) RUBBER TIRE LOADER FROM CATERPILLAR FINANCIAL SERVICES CORPORATION - CHARGE TO ACCOUNT NO. DB 5110-443

Co. Holbrook offered the following resolution:

RESOLVED, that the Superintendent of Highways of the Town of Clarkstown is hereby authorized to lease one rubber tire loader from Caterpillar Financial Services Corporation, at the monthly rental fee of not more than two thousand ($2,000.00) dollars in accordance with a proposed rental agreement in a form satisfactory to the Town Attorney, which fee shall be charged to Account No. DB 5110-443, and be it

FURTHER RESOLVED, that no payments are to be made until after delivery and acceptance of the equipment.

Seconded by Co. Maloney

Supervisor said for the record he wondered why all of a sudden we are having these resolutions go before the Town Board when they did not happen before and therefore he would abstain.

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Holbrook.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Supervisor Dusanenko.....Abstain

****

RESOLUTION NO. (707-1985) AUTHORIZING AND DIRECTING THE SUPERVISOR TO ENTER INTO AGREEMENT WITH DEGENSHEIN AND DENKER RE: KNAPP BUILDING

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized and directed to enter into an agreement in a form acceptable to the Town Attorney with Degenshein and Denker, architects, to review or redraw bid plans and specifications for the renovation of the Knapp building located on the corner of Maple Avenue and Demarest Road, and be it

FURTHER RESOLVED, that the bids previously submitted for the renovation project for said premises, which indicate a cost of renovation in excess of the practical worth of the premises, are hereby rejected.

Seconded by Co. Carey All voted Aye.

Supervisor asked Town Attorney if it were necessary to have another resolution authorizing Town Attorney to enter into an extended lease with Mr. Arthur Moskoff at the present facility? Town Attorney said the Town Board has always been a party to that

Continued on Next Page

RESOLUTION NO. (708-1985) Continued

lease and he said he would be contacting Mr. Moskoff tomorrow to determine if we can arrange something. Supervisor said should we authorize Town Attorney to negotiate the best lease possible? Town Attorney said he did not need any further authorization.

****

RESOLUTION NO. (708-1985) SETTING PUBLIC HEARING RE: SEQRA REVIEW FOR DEVELOPMENT OF FRENCH FARMS PROPERTY

Co. Holbrook offered the following resolution:

RESOLVED, that a public hearing shall be held on September 19, 1985 at 8:30 P.M. to consider all issues relating to SEQRA review for the proposed development for recreational use of the French Farms property located on Brewery Road, New City, New York..

Seconded by Co. Carey All voted Aye.

****

Councilman Holbrook asked about a report on the Hallinan Property in Congers and Town Attorney said it is in. Supervisor said let the record show that the original recommendation of DEC who also suggested that this Town Board not hire an outside engineer to monitor their work was upheld from the outside engineers. We spent more money to check on our own people.

There being no further business to come before the Town Board Meeting and no one further wishing to be heard, on motion of Councilman Lettre, seconded by Supervisor Dusanenko and unanimously adopted, the Town Board Meeting was declared adjourned, time 10:30 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

AAG517

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall 8/12/85 9:03 P.M.

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

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE EGOLF

On motion of Councilman Maloney, seconded by Councilman Lettre 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 asked if there was anyone wishing to be heard in favor of this proposed extension.

IN FAVOR: No one appeared.

Supervisor 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: 9:03 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

AAG517

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall 8/12/85 .9:03 P.M.

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

RE: ACQUISITION OF PROPERTY LOCATED NORTHWEST CORNER ROUTE 304 AND CONGERS ROAD, NEW CITY, NEW YORK

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 said he had an affidavit of publication received from the Journal News indicating that the Notice of Public Hearing was published as required by law on five successive days commencing on July 19, 1985 and terminating on July 23, 1985. In addition there is an affidavit of posting indicating that on August 2, 1985 the Town Clerk posted the notice of Public Hearing in various places about the Town of Clarkstown.

Town Attorney further stated that there is correspondence from the office of the Town Attorney dated July 17, 1985 addressed to John and Sandra Saponaro at 10 East Evergreen Road, New City, New York, the reputed owners of the property, advising them in writing that a public hearing scheduled for August 12, 1985 at 8:20 P.M. would be held in the auditorium of the Town Hall in Clarkstown and enclosing a notice of the public hearing.

Supervisor asked if there was anyone present from the Planning Department to state the case for such acquisition? He asked if there was anyone present from any other Town agency?

Town Attorney said the Town Board has been engaged in an ongoing effort to locate additional land in the vicinity of the Clarkstown Town Hall for future expansion of Town parking facilities. Last year a site was investigated on the southeast corner of Route 304 and Congers Road. That site was determined by the Town Board not to be an appropriate site to acquire. Subsequent to that Town Attorney was directed by the Town Board to obtain appraisal information and other information concerning two parcels of property located on the northwest corner of Route 304 and Congers Road, New City. The Town Board held a public hearing with respect to the parcel that is immediately at the corner owned by LPT Realty. That public hearing was held in June of 1985 and decision has been reserved on that.

Supervisor asked if that was the one with the garage? Town Attorney said that the garage was located across the street from Town Hall. Town Attorney said he was in contact both by phone and written communications with Mr. John Saponaro, the owner of a one family residence immediately to the north of the property owned by LPT Realty. Mr. Saponaro has indicated a willingness to enter into a contract of sale to the Town subject to obtaining reasonable market value and adequate time to remove from the premises. Mr. Saponaro is also represented by counsel and subsequent to those conversations had with him when he obtained counsel a communication was received by the Town Attorney indicating that the purchase price that Mr. Saponaro would be willing to sell the property to the Town for was a figure in excess of the Town's appraisal value. Town Attorney said his recommendation was that this public hearing be scheduled tonight so that the Board can fully consider whether it wants to proceed further in the direction of possibly acquiring additional municipally owned property adjacent to the present Town Hall.

Supervisor said this is for the premises directly north of the gas station, is that right? Town Attorney said that was

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AAG517

correct. Supervisor asked approximately how much land? Town Attorney said it is a rather small parcel, a little under a quarter of an acre. Supervisor asked what the acreage of the garage was immediately in front of it? Town Attorney said that was a little over a quarter of an acre. Supervisor said two quarter acre parcels approximately... Mr. Costa said the land area on the Sapanaro residence is 10,000 square feet.

Supervisor asked if there was anyone wishing to be heard.

Appearance: Lillian Yannazzone
11 East Evergreen Road
New City

She said she wanted to know if anyone inquired about the property on the south of Town Hall. She said she understood that the gentleman who owns the beverage company was interested in selling that property. Obviously we didn't care about the gas station. Now you're talking about property that is directly opposite my house and I like it even less. She said she gets no services from Clarkstown and that they maintain themselves. She said she has lived there for thirty years and felt that she should be considered. She asked if anyone had spoken to the owner of the beverage company about selling their property.

Co. Holbrook said that the owner of the beverage company had indicated to the Town that he might be interested in talking about that piece of property.

Supervisor said the gentleman is in the audience and had indicated that he is not interested in selling the property.

Appearance Mr. Locke
East Evergreen Road
New City

Mr. Locke said he has been living on East Evergreen Road for the past 30 years and he objected to the parking lot. He said you can go to West Evergreen and tear down a couple of shacks that should be condemned and torn down.

Mr. Locke, at the request of Councilman Holbrook, located the property on the map. He said one building is empty and the other one next to it is being rented. Councilman Holbrook asked if it was about the same size as the other property? Mr. Locke said you might wind up with a little bit less than the gas station and that other piece of property but you would not interfere with us. He said he has enough problems with Shop Rite being put right near him.

Mr. Locke asked how the Highway Department was going to get equipment down that road to plow as it is a private road? In the past the Highway Department has said they could not come down that road as it's a private road and they are not covered by their insurance. But now they are going to come down there - no way. Put parking in there (this is no threat) and if they bring the plow in, I'll take the Town to court.

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On motion of Supervisor Dusanenko, seconded by Councilman Holbrook, with No of Councilman Carey, the Public Hearing re: Acquisition of Property located Northeast Corner, Route 304 and Congers Road, New City, N.Y., was closed and DENIED, time: 9:10 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. (628-1985) DENYING WAS PASSED.)