

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

10/11/88

8:00 P.M.

Present: Supervisor Holbrook  
Council Members Carey, Kunis, Maloney and Smith  
Murray N. Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

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

Supervisor opened the Public Portion of the meeting and  
assemblage saluted the Flag.

RESOLUTION NO. (951-1988) ACCEPTING MINUTES OF TOWN  
BOARD MEETINGS OF SEPTEMBER  
15 AND SEPTEMBER 27, 1988

Co. Carey offered the following resolution:

RESOLVED, that the minutes of the Town Board Meetings  
of September 15, 1988 and September 27, 1988 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 Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (952-1988) AWARDING BID FOR BID  
#32-1988 - HEATONS POND DAM  
RECONSTRUCTION (CIMINO  
CONTRACTING CORP.) - CHARGE  
AGAINST CAPITAL NO. 2  
BUDGET H 7140-04-409 AND H  
9710-06-409

Co. Carey offered the following resolution:

RESOLVED, based upon the recommendation of Mayo, Lynch  
and Associates, Inc., Engineers, Laurence Kohler, Director of  
Purchasing and Edward J. Ghiazza, Superintendent of Recreation and  
Parks that:

BID #32-1988  
HEATONS POND DAM RECONSTRUCTION

is hereby awarded to Cimino Contracting Corp., 1014 Saw Mill River  
Road, Yonkers, New York 10710, in the amount of \$495,900.00, to be  
charged against Capital No. 2 Budget H 7140-04-409 and H 9710-06-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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TBM - 10/11/8  
Page 2

RESOLUTION NO. (953-1988)

AWARDING BID FOR BID  
#88-1988 - LIQUID CALCIUM  
CHLORIDE (JAMES REED SALES,  
INC.)

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Superintendent of Highways and the Director of Purchasing that

BID #88-1988  
LIQUID CALCIUM CHLORIDE

is hereby awarded to

JAMES REED SALES, INC.  
P.O. Box 130  
Grahamsville, New York 12740

at the proposed cost of \$0.73 per gallon.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (954-1988)

AWARDING BID FOR BID  
#87-1988 - FRINK SNOW PLOW  
REPLACEMENTS PARTS (JOHN J.  
KING OF MONROE, INC.)

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Superintendent of Highways and the Director of Purchasing that

BID #87-1988  
FRINK SNOW PLOW REPLACEMENT PARTS

is hereby awarded to

JOHN J. KING OF MONROE, INC.  
P.O. Box 235 - Route 17M  
Monroe, New York 10950

as per their proposal of 2% discount off current list prices.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (955-1988)

CORRECTING RESOLUTION NO.  
(946-1988) RE: AWARDING  
BID FOR BID #84-1988 -  
TRAFFIC SIGNAL INSTALLATION

RESOLUTION NO. (955-1988) Continued

WEST CLARKSTOWN ROAD AND  
TUNNEL BY-PASS ROAD, SPRING  
VALLEY (WARDE ELECTRIC  
CONTRACTING, INC.)

Co. Carey offered the following resolution:

RESOLVED, that resolution #946-1988 is hereby corrected  
to read,

RESOLVED, that based upon the recommendation of the  
Director of D.E.C. and the Director of Purchasing that

BID #84-1988  
TRAFFIC SIGNAL INSTALLATION - WEST  
CLARKSTOWN ROAD AND TUNNEL BY-PASS  
ROAD, SPRING VALLEY

is hereby awarded to

WARDE ELECTRIC CONTRACTING, INC.  
100 Wells Avenue  
Congers, New York 10920

as per their proposal total project cost of \$67,777.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (956-1988)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #95-1988 -  
PRECAST CONCRETE DRAINAGE  
STRUCTURES

Co. Maloney offered the following resolution:

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

BID #95-1988  
PRECAST CONCRETE DRAINAGE STRUCTURES

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,  
November 2, 1988 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

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (957-1988)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #93-1988 -  
FURNITURE/EQUIPMENT

Co. Maloney offered the following resolution:

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

BID #93-1988  
FURNITURE/EQUIPMENT

bids to be returnable to the Office of the Director of Purchasing,  
10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday,  
November 1, 1988 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  
or Purchasing.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (958-1988)

AUTHORIZING TOWN ATTORNEY  
TO INSTITUTE PROCEEDING FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 143, BLOCK  
A, LOT 13 (MELLOZZO)

Co. Carey offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of  
Clarkstown provides that the Town Board may, by resolution,  
authorize the Superintendent of Highways or other designee to remove  
any nuisance, hazard or litter from any property within the Town of  
Clarkstown upon the failure of the property owner, tenant or  
occupant to comply with written notice from the Police Department,  
Fire Inspector, Building Inspector, Superintendent of Highways or  
delegees to remove such nuisance, hazard or litter as defined in  
Section 79-3 of the Code of the Town of Clarkstown existing on  
private property, and

WHEREAS, it has been reported by the Building Inspector  
and Fire Inspector that premises known and designated on the Tax Map  
of the Town of Clarkstown as MAP 134, BLOCK A, LOT 13, located at  
Hall Street and Dickerson Avenue, Central Nyack, New York, reputedly  
owned by JOHN MELLOZZO and FLORENCE MELLOZZO, has been the subject  
of a violation notice issued against the property owners for lack of  
proper maintenance of the property in that there is debris,  
scattered litter, an abandoned station wagon on the southerly  
property line and several sinks in the front yard, which to the  
extent such accumulation has occurred on said property has created a  
nuisance and hazard to the health, safety and welfare of the  
community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized  
to institute a proceeding to compel the removal of the violation and

Continued on Next Page

RESOLUTION NO. (958-1988) Continued

elimination of the nuisance and hazard allegedly existing on said premises, pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 134, BLOCK A, LOT 13, reputedly owned by JOHN MELLOZZO and FLORENCE MELLOZZO, and be it

FURTHER RESOLVED, that said Notice and Order shall advise the property owner(s) that upon failure to remove and otherwise correct the nuisance existing on said property that the Town Board may, after a public hearing, cause such nuisance, hazard and litter to be removed by the Superintendent of Highways or other designee and that the cost of such removal shall be charged and assessed against the property owners in accordance with the provisions of Section 79-6 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 15th day of November, 1988, at 8:20 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owners by personal service, if possible, and by certified mail, return receipt on or before October 25, 1988.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (959-1988)

AUTHORIZING TOWN ATTORNEY  
TO INSTITUTE PROCEEDING FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 134, BLOCK  
A, LOT 13.01 (GRAZIANO)

Co. Carey offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of Clarkstown provides that the Town Board may, by resolution, authorize the Superintendent of Highways or other designee to remove any nuisance, hazard or litter from any property within the Town of Clarkstown upon the failure of the property owner, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector and Fire Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 134, BLOCK A, LOT 13.01, located at Dickerson Avenue, Central Nyack, New York, reputedly owned by FRED GRAZIANO and NANCY GRAZIANO, has been the subject of a violation notice issued against the property owners for lack of proper maintenance of the property in that there are large piles of wood,

RESOLUTION NO. (959-1988) Continued

lumber, bricks and masonry, plus miscellaneous litter and debris scattered on the property, which to the extent such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violation and elimination of the nuisance and hazard allegedly existing on said premises, pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 134, BLOCK A, LOT 13.01, reputedly owned by FRED GRAZIANO and NANCY GRAZIANO, and be it

FURTHER RESOLVED, that said Notice and Order shall advise the property owner(s) that upon failure to remove and otherwise correct the nuisance existing on said property that the Town Board may, after a public hearing, cause such nuisance, hazard and litter to be removed by the Superintendent of Highways or other designee and that the cost of such removal shall be charged and assessed against the property owners in accordance with the provisions of Section 79-6 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 15th day of November, 1988, at 8:25 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owners by personal service, if possible, and by certified mail, return receipt on or before October 25, 1988.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

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RESOLUTION NO. (960-1988)

REJECTING ALL BID PROPOSALS FOR BID #82A-1988 - SALE OF SURPLUS IBM SYSTEM 36 COMPUTER EQUIPMENT

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Comptroller and the Director of Purchasing that all bid proposals received for

BID #82A-1988  
SALE OF SURPLUS IBM SYSTEM  
36 COMPUTER EQUIPMENT

are hereby rejected.

Seconded by Co. Carey

RESOLUTION NO. (960-1988) Continued

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (961-1988)

EXTENDING AGREEMENT WITH  
FINNEGAN ASSOCIATES, INC.  
AS TO TECHNICAL ASSISTANCE  
AND SUPPORT SERVICES TO  
OFFICE OF TAX ASSESSOR -  
CHARGE TO ACCOUNT NO. A  
1355-409

Co. Carey offered the following resolution:

WHEREAS, by Resolution No. 810-1987, adopted by the Town Board on December 22, 1987, the Town Board entered into an agreement with Finnegan Associates, Inc., to provide technical assistance and support services to the Office of the Tax Assessor of the Town of Clarkstown, commencing July 1, 1987 and terminating on June 30, 1988, for a fee of \$90,000.00, and

WHEREAS, said Finnegan Associates, Inc., has performed services subsequent to June 30, 1988, and

WHEREAS, the Town Board has determined that it would be in the best interest of the Town to extend said services on a month to month basis, not to extend beyond November 15, 1988;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby extends the agreement with Finnegan Associates, Inc. on a month to month basis, not to extend beyond November 15, 1988, in regard to all technical assistance and support services to the Tax Assessor's Office of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the fee for said services shall be pro-rated and appropriated from Account No. A-1355-409 to pay for the services to be provided.

Seconded by Co. Maloney

(Before roll call Councilwoman Smith said that she would like this resolution tabled because there are two contracts existing. One for technical assistance in the amount of \$90,000.00 has terminated. Supervisor said that is the present one. Councilwoman Smith said then there is another one in existence for \$70,000.00 for data collecting. She went on to state that we have two data collectors and asked how much outside assistance are we supposed to provide? Supervisor said that was for commercial properties. Councilwoman Smith said that Mr. Longo (Assessor) should be here to explain it. She wanted this tabled because extending crutches from month to month when we don't know what it is for is poor fiscal management.

Councilman Maloney said this will be terminated November 15, 1988. Councilwoman Smith said it terminated in June or it should have. Councilman Kunis said he thought it was terminated in June. Councilman Maloney said it was not terminated and is still going on. Councilwoman Smith said she would like to have terminated it June 30, 1988. Councilman Kunis said it should be terminated

Continued on Next Page

immediately. Councilman Maloney said if you terminate them as of June 30th they have already been paid for July, August, September and October. Councilman Kunis said how did that happen if we voted not to pay them. Supervisor said we did not vote not to pay them. Councilman Kunis said when we vote not to renew a contract and the contract expires these people should not still be working for the Town. Supervisor said he was remiss in not bringing this to a resolution sooner than this. Councilman Maloney wants to have this terminated no later than November 15th. The other portion of the contract can be handled at the next meeting. Councilwoman Smith said she felt it should be terminated effective today continuing it for whatever reason is not sound. Councilman Maloney felt they should be allowed to clear up whatever might be hanging up in the air. Supervisor said there should be a date certain and that is what we are doing here. Councilman Kunis said he would like to see some type of safeguard in the system so that we do not have a similar occurrence. Councilwoman Smith said Finnegan Associates has been on notice for more than a few months that there is not to be a renewal of this contract. She said a department head exceeds his authority when he continues a monthly payment without a town board resolution. She said she was voting no because she felt it should be terminated right now.)

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....No  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (962-1988)

REFERRING PETITION FOR  
CHANGE OF ZONE RS/CS TO  
MF-4 (SUSSEX WEST) TO  
CLARKSTOWN PLANNING BOARD  
AND TO ROCKLAND COUNTY  
COMMISSIONER OF PLANNING

Co. Carey offered the following resolution:

WHEREAS, the Clarkstown Planning Board has recommended to the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property described from an RS/CS District to an MF-4 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 14, Block B, Lot 10.2;

NOW, THEREFORE, be it

RESOLVED, that on the Motion of the Town Board of the Town of Clarkstown the proposal for a change of zone from an RS/CS District to an MF-4 District on property designated on the Clarkstown Tax Map as Map 14, Block B, Lot 10.02, is hereby scheduled for a public hearing, and be it

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 15th day of November, 1988, at 8:20 P.M., relative to the proposed amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to

Continued on Next Page

RESOLUTION NO. (961-1988) Continued

be published in the official newspaper of the Town as aforesaid and file proof thereof in the Office of the Town Clerk.

FURTHER RESOLVED, that the proposal is hereby referred to the Clarkstown Planning Board for report pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	No
Councilman Maloney.....	Yes
Councilwoman Smith.....	No
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (963-1988)

REFERRING AMENDMENT TO  
OFFICIAL MAP TO PLACE 60  
FOOT INDUSTRIAL ROAD  
THROUGH PARCELS DESIGNATED  
ON CLARKSTOWN TAX MAP AS  
MAP 123, BLOCK D, LOTS  
4.02, 4.03 and 15.01 AND  
TAX MAP 124, BLOCK A, LOT  
23.05 TO JOIN UP WITH  
INDUSTRIAL ROAD SHOWN ON  
SUBDIVISION MAP OF  
CLARKSTOWN EXECUTIVE PARK

Co. Maloney offered the following resolution:

WHEREAS, a recommendation has been made by the Planning Board, that the Town Board of the Town of Clarkstown take action pursuant to Section 273 of the Town Law to amend the Official Map of the Town of Clarkstown to place on said map a 60 ft. industrial road through parcels designated on the Clarkstown Tax Map as Map 123, Block D, Lots 4.02, 4.03 and 15.01, also Tax Map 124, Block A, Lot 23.05, to join up with the industrial road as shown on the overall subdivision map of Clarkstown Executive Park, and

WHEREAS, the Town of Clarkstown wishes to consider such proposed amendment to the Official Map;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 29th day of November, 1988, at 8:15 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, to consider amending the Official Map of the Town of Clarkstown, to place on said map a 60 ft. industrial road through parcels designated on the Clarkstown Tax Map as Map 123, Block D, Lots 4.02, 4.03 and 15.01, also Tax Map 124, Block A, Lot 23.05, to

Continued on Next Page

## RESOLUTION NO. (963-1988) Continued

join up with the industrial road as shown on the overall subdivision map of Clarkstown Executive Park, and be it

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

FURTHER RESOLVED, that the Town Attorney shall fulfill the additional requirements of Section 106-32(c) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred (500) feet of the affected property, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Planning Consultant is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law.

Seconded by Co. Kunis

(Before roll call Councilwoman Smith asked what the purpose would be of putting this back on the map unless we intend to condemn the properties needed to make the road to through? Town Attorney said the reason for putting something on an official map is not necessarily that you are going to condemn property but that if in the future you do so they don't build in the bed of the street so that the cost of condemnation becomes prohibitive. Councilwoman Smith said it is already built in the bed of the street and would cost more than a half a million dollars to condemn the properties to make this road go through so she did not know what purpose it would serve to put it back on the map.

Town Attorney asked if there was a building already in the public street? Councilman Maloney said there was no building in the public street. Mr. Bollman said a road would go through a portion of the property but not through the building. Councilwoman Smith said you would have to waive certain requirements. Mr. Bollman said the people who are now landlocked would have an alternate out because they now have a designated street. Councilwoman Smith said the only access there now is Executive Boulevard. Mr. Bollman said there are some that are landlocked even to that because of Marangi.

Councilman Kunis asked why was Marangi approved if now his buffer zones will not meet the zoning requirements? Supervisor said at a public hearing the Planning Board Members could answer these questions. The Planning Board planned to keep this on the official map. Town Boards in the past have differed as to whether it should be on or off the map. He said his position is that it should have been on. He said let's have the public hearing to determine once and for all if it should be on. Mr. Jacobson said there was a letter to the Town Board from the Planning Board dated September 30th recommending.)

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (963-1988) Continued

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (964-1988)

INCREASING APPROPRIATION  
ACCOUNT A 4210-328 (BOOKS &  
PUBLICATIONS) AND  
DECREASING APPROPRIATION  
ACCOUNT A 4210-110  
(SALARIES)

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation Account A 4210-328 (Books & Publications) and decrease Appropriation Account A 4210-110 (Salaries) by \$500.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (965-1988)

DECREASING APPROPRIATION  
ACCOUNT H 8160-01-409  
(SOLID WASTE COLLECTION  
DISTRICT -FEES FOR  
SERVICES) AND INCREASING  
APPROPRIATION ACCOUNTS NOS.  
SR 8160-406, SR 8160-409  
AND SR 8160-409-2

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. H 8160-01-409 (Solid Waste Collection District-Fees for Services) by \$300,000 and increase the following Appropriation Account Numbers:

SR 8160-40r (Sanitation Districts Publicity).....	\$ 1,200
SR 8160-409 (Collection of Bulk Municipal Solid Waste).....	\$293,800
SR 8160-409-2 (Collection - Leaf Composting).....	\$ 5,000

(Councilwoman Smith asked where the \$300,000 was coming from. Supervisor said he believed it was coming from fees from Ramapo - the Special Sanitation District. Councilwoman Smith said then we are taking more out of escrow? Supervisor said no, we are taking whatever is due at this particular time that we have allocated for this year. Councilman Kunis asked how much is involved? Supervisor said last year we took in about \$1,000,000.00 and he would imagine the expenditure for this year for the Sanitation District in terms of bulk would be in the vicinity of \$900,000.00. Councilman Kunis asked if this was all Ramapo's money? Supervisor said yes, last year's fees. This year's fees from Ramapo are all being escrowed. Councilwoman Smith said then

RESOLUTION NO. (965-1988) Continued

there is nothing left from last year? Supervisor said whatever is left less what we paid out from the top.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	No
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (966-1988)

DECREASING APPROPRIATION  
ACCOUNT A 1990-505  
(CONTINGENCY)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1990-505 (Contingency) by \$3,570.00 and increase the following Appropriation Accounts:

A 1430-409 (Personnel-Fees for Services).....	\$ 200
A 1950-503 (Tax Related Costs).....	\$2,000
A 5650-419 (Commuter Parking-Misc. Services).....	\$ 110
A 5650-461 (Commuter Parking-Gas & Electric).....	\$ 200
A 8511-383 (Community Beautification-Concrete, Lumber).....	\$ 150
A 8511-409 (Community Beautification-Fees for Services).....	\$ 50
A 8511-412 (Community Beautification-Refuse, Window Cleaning).....	\$ 215
A 9000-802 (Employee Benefits-Police Retirement).....	\$ 645

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (967-1988)

DECREASING APPROPRIATION  
ACCOUNT A 1670-212  
(DUPLICATING EQUIPMENT) AND  
INCREASING APPROPRIATION  
ACCOUNT A 1670-402 (RENTAL  
OF EQUIPMENT) (MAIL & COPY)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1670-212 (Duplicating Equipment) and increase Appropriation Account A 1670-402 (Rental of Equipment) by \$2,500.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (967-1988) Continued

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (968-1988)

DECREASING APPROPRIATION  
ACCOUNT A 3020-409 (FEES  
FOR SERVICES) AND  
INCREASING APPROPRIATION  
ACCOUNT A 3020-230  
(COMMUNICATION EQUIPMENT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 3020-409  
(Fees for Services) and increase Appropriation Account A 3020-230  
(Communication Equipment) by \$350.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (969-1988)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND PROCEEDING  
(ASSOCIATES OF ROCKLAND  
COUNTY V. COLUCCI)

RESOLUTION NO. (969-1988) Continued

Co. Maloney offered the following resolution:

WHEREAS, a proceeding has been instituted against the  
Town of Clarkstown entitled as follows:

In the Matter of the Application of

ASSOCIATES OF ROCKLAND COUNTY

Petitioner,

For a Judgment Pursuant to Article 78 CPLR,

-against-

GERALD D. COLUCCI, as Building Inspector  
of the Town of Clarkstown,

Respondent.

NOW, THEREFORE, be it

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

(Supervisor asked Mr. Jacobson, Town Attorney, if this  
referred to the road being on the map? Mr. Jacobson said this has

Continued on Next Page

RESOLUTION NO. (969-1988) Continued

to do with a road that was supposed to be constructed and it was not done. Based on the fact that they have not complied with the requirements of the subdivision the Building Inspector has refused to issue a CO on the shell building and therefore, they commenced this action. Councilman Kunis asked if this is the road that was supposed to be constructed to be connected to the road that has since been demapped? Mr. Jacobson said he thought they were related but he did not believe it was the same road. This was another connector that was on the subdivision.)

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (970-1988)

REFERRING AMENDMENT TO  
ZONING ORDINANCE TO  
ROCKLAND COUNTY  
COMMISSIONER OF PLANNING  
(PARKING SPACES)

Co. Maloney offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended from time to time, and

WHEREAS, the Town Board of the Town of Clarkstown is considering to further amend to said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Rockland County Commissioner of Planning for their recommendation and report:

Amend Section 106-10(A), Table 8, General Use Regulations, LO District, Column 6, Item 10. Laboratories

From: "10. Laboratories. At least one parking space for each 200 sq. ft. of gross floor area."

To: "10. Laboratories. At least one parking space for each 500 sq. ft. of gross floor area."

Amend Section 106-10(A), Table 12, General Use Regulations, RS District, Column 6, Item 17. Dry-cleaning, rug-cleaning, laundry, plants, printing and publishing, or storage and warehouses

From: "17. Dry-cleaning, rug-cleaning, laundry, plants, printing and publishing, or storage and warehouses. At least one parking space for each 300 sq. ft. of gross floor area."

To: "17. Dry-cleaning, rug-cleaning, laundry, plants, printing and publishing, or storage and warehouses. At least one parking space for each 1,000 sq. ft. of gross floor area."

Continued on Next Page

RESOLUTION NO. (970-1988) Continued

Amend Section 106-10(A), Table 14, General Use Regulations,  
LIO District, Column 6, Item 6(a). Offices, banks

From: "6(a). Office, banks. At least one parking space for each 300 sq. ft. of gross floor area."

To: "6(a). Office, banks. At least one parking space for each 200 sq. ft. of gross floor area."

Amend Section 106-10(A), Table 14, General Use Regulations,  
LIO District, Column 6, Item 9. Light manufacturing

From: "9. Light manufacturing. At least one parking space for each 500 sq. ft. of gross floor area."

To: "9. Light manufacturing. At least one parking space for each 300 sq. ft. of gross floor area."

Amend Section 106-10(A), Table 15, General Use Regulations,  
M District, Column 6, Item 10. Laboratories:

From: "10. Laboratories. At least one parking space for each 200 sq. ft. of gross floor area."

To: "10. Laboratories. At least one parking space for each 500 sq. ft. of gross floor area."

Amend Section 106-10(A), Table 15, General Use Regulations,  
M District, Column 6, Item 13. Warehouses, wholesaling,  
freight terminals:

From: "13. Warehouses, wholesaling, freight terminals. At least one parking space for each 300 sq. ft. of gross floor area."

To: "13. Warehouses, wholesaling, freight terminals. At least one parking space for each 1,000 sq. ft. of gross floor area."

and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Smith

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

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RESOLUTION NO. (971-1988)

AUTHORIZING KARL A.  
KIRCHNER TO APPRAISE  
CORPORATE PROPERTY  
INVESTORS RE TAX CERTIORARI  
PROCEEDINGS FOR YEARS  
85/86, 87/88 and 88/89

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (971-1988) Continued

WHEREAS, CORPORATE PROPERTY INVESTORS has commenced tax certiorari proceedings against THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN for the years 1985/86, 1987/88 and 1988/89; and

WHEREAS, it is necessary to obtain appraisals in order to properly defend said proceedings;

NOW, THEREFORE, be it

RESOLVED, that KARL A. KIRCHNER of One Kings Highway, Tappan, New York be and he thereby is retained appraiser for the TOWN OF CLARKSTOWN to conduct preliminary and trial appraisals for each of the tax years referred to above, not to exceed \$5,000.00.

Seconded by Co. Smith

(Town Attorney in answer to a query from Councilwoman Smith explained that this resolution had to do with a very heavy tax certiorari by Corporate Property Investors against the Town to get their tax assessment lowered and based on that we need some appraisal services. He said we are suggesting Karl Kirchner because he is good on testimony and we figure this is going to go to trial. Councilwoman Smith asked what is their contention? Councilman Maloney said what is the amount? Supervisor said it is somewhere in the neighborhood of \$5,000,000.00. Councilman Kunis said this is the first he heard about it. Supervisor said it had been referred to the Town Attorney's office so the Council Members heard about it at about the same time he did. Councilman Maloney asked that it be tabled. Supervisor said we have to defend it and if we had had it last week it would have been on last week's agenda. He said we need an expert witness to challenge their contention. Councilman Kunis said he had heard they are they looking for a reduction from \$45,000,000.00 to \$13,000,000.00. Supervisor said he had not looked at the papers but he did know it was a substantial amount.)

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Kunis.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

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RESOLUTION NO. (972-1988)

AMENDING RESOLUTION NO.  
731-1988 RE ROAD  
IMPROVEMENT OF LENOX  
AVENUE, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 731-1988 adopted by the Town Board on July 12, 1988, authorizing the creation and construction of a road improvement for a "T structure road," for Lenox Avenue, Congers, is hereby amended to read as follows:

WHEREAS, by Resolution adopted on April 12, 1988, on Motion of the Town Board of the Town of Clarkstown, the Director of Environmental Control was authorized to make an estimate of expenses to establish a road improvement district for premises fronting on Lenox Avenue, Congers, New York, for a frontage distance of approximately 1,800 lineal feet, as indicated on the attached Schedule "A," and

Continued on Next Page

RESOLUTION NO. (972-1988) Continued

WHEREAS, by report dated February 18, 1988, the Director of Environmental Control duly presented to the Town Board an estimate of cost of the proposed project, and

WHEREAS, by resolution adopted on April 12, 1988, the Town Board ordered that a public hearing be held on the 24th day of May, 1988 at 8:00 P.M., to consider the creation of such road improvement district, and

WHEREAS, copies of said Order were duly published and posted according to law, and said Town did, at the time and place specified in said Order, duly meet and consider the matter of construction of said improvement, and heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the public hearing was held on the 24th day of May, 1988, and the Town Board reserved decision, and

WHEREAS, at the Town Board meeting of June 14, 1988, the Town Board did consider the creation of such road improvement district,  
and

WHEREAS, the maximum amount proposed to be expended for the improvement as described in the estimate of the Director of Environmental Control is \$147,000.00, and

WHEREAS, the Town Board of the Town of Clarkstown has received a Short Environmental Assessment Form pursuant to SEQRA, from our consultant Leslie F. Bollman, Director of Environmental Control, which the Board has discussed and considered such report in making their decision herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines from the evidence offered at the public hearing and all documents made part of the record that it is in the public interest to make the said improvement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown, does hereby authorize and approve the improvement of a portion of Lenox Avenue, for a frontage distance of approximately 1,800 lineal feet, as indicated on the attached Schedule "A," and be it

FURTHER RESOLVED, that the maximum amount to be expended for the said improvement is One Hundred Forty-Seven Thousand (\$147,000.00) Dollars, and be it

FURTHER RESOLVED, that the Director of Environmental Control shall survey, or cause to be surveyed, the above described portion of Lenox Avenue, Congers, and establish the lines and grades thereof, and file copies of such survey and a profile of the grade in the office of the Town Clarkstown of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized and directed, after completion of the survey work described herein, to prepare the project plans for completion by the Department of Highway personnel, and thereafter to oversee the work required for such improvement, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized and directed to apportion the cost of the project for assessment against the benefitted parcels using a

Continued on Next Page

## RESOLUTION NO. (972-1988) Continued

per front foot formula so that all parcels having primary access on Lenox Avenue shall pay a rate which is one and one-half (1-1/2) times the rate paid by those parcels which do not have primary access to the improved road being constructed on Lenox Avenue, and be it

FURTHER RESOLVED, that primary access be defined as the use of the said improved road for ingress and egress to property or to parking areas on property, and be it

FURTHER RESOLVED, that based upon the report of Leslie F. Bollman, Director of Environmental Control, dated August 12, 1988, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the proposed road improvement project referred to herein shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that pursuant to Section 200 (10) of the Town Law, this resolution shall be subject to Permissive Referendum, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown, shall within ten (10) days after the adoption of this resolution cause a Notice to be published in full in the Journal News, a newspaper published in West Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law.

SCHEDULE "A"LENOX AVENUE ROAD IMPROVEMENT

<u>TAX MAP DESIGNATION</u>	<u>NAME &amp; ADDRESS</u>	<u>FRONTAGE</u>
126 - C - 15	Ronald & Barbara Oppenheimer	80'
126 - C - 13	Walter & Adrienne Hayward	100'
126 - C - 10	Paul & Betsy Repka	80'
126 - C - 7.01	William Daukza	80'
126 - C - 7.06	Gerald & Kathleen Tobin	100'
126 - C - 7.05	Frank Zellner, Jr.	100'
126 - C - 7.07	John Trombino	100'
126 - C - 7.03	Susan Casteneda	40'
126 - C - 7.04	Raymond Semsey	40'
126 - C - 7	Raymond E. Semsey, Jr.	100'
126 - C - 1	Charles Rodgers	80'
126 - C - 12.05	Kenneth Grace	20'
126 - C - 12.03	Pulikkottu & Annamma Jacob	60'
126 - C - 12.04	Pulikkottu & Annamma Jacob	40'
126 - C - 11	Frederick E. Wiecke	20'
126 - C - 11.09	Robert Broughton	20'
126 - C - 12.01	Andrew Christofiadis	70'
126 - C - 11.01	William & Debra Kelder	90'
126 - C - 11.03	Raymond & Giovanna Cocucci	20'
126 - C - 12.07	Michael & Linda Stempel	105'
126 - C - 12.08	Sharad & Priti Shah,	135'
126 - C - 4	Majid & Flora Moghadam	70'
126 - C - 3	Germano & Laura Tombara	70'
126 - C - 2.04	Anthony Grecco	80'
126 - C - 2.02	E. Dagny Lindland	100'

Seconded by Co. Carey

(Councilman Kunis asked if work had been started at this site and Supervisor said they blasted the rock. Councilwoman

Continued on Next Page

RESOLUTION NO. (972-1988) Continued

Smith asked if it would be done this season? Supervisor said they anticipate curbs and drainage in this season.)

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (973A-1988)

BOND RESOLUTION  
APPROPRIATING FUNDS TO  
PROVIDE REQUIRED DOWN  
PAYMENT FOR IMPROVEMENT AND  
EMBELLISHMENT OF RECREATION  
FACILITIES AT HEATONS POND  
AND AUTHORIZING THE  
ISSUANCE OF SERIAL BONDS

Co. Carey offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED OCTOBER 11, 1988, APPROPRIATING THE AMOUNT OF \$65,000, INCLUDING THE APPROPRIATION OF \$3,250 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, IN ADDITION TO THE \$330,000 HERETOFORE APPROPRIATED FOR THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF RECREATIONAL FACILITIES AT HEATONS POND, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOW ESTIMATED TO BE \$395,000, AND AUTHORIZING THE ISSUANCE OF \$61,750 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID ADDITIONAL APPROPRIATION.

Recital

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the original improvement and embellishment of recreational facilities at Heatons Pond, at the estimated maximum cost of \$330,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on July 15, 1985 and amended on February 24, 1987, and it now has been determined that due to increased costs of labor and materials the cost thereof is now estimated to be \$395,000 and it is necessary to increase the appropriation therefor by \$65,000;

NOW, THEREFORE,

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 \$65,000, in addition to the \$330,000 heretofore appropriated for the original improvement and embellishment of recreational facilities at Heatons Pond, including reconstruction of the dam and spillway, all as more particularly described in the plan and report prepared and filed in the office of the Town Clerk 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 \$395,000 and the amount of \$65,000 is hereby appropriated therefor, including the

Continued on Next Page

## RESOLUTION NO. (973A-1988) Continued

appropriation of \$3,250 current funds to provide the down payment required by the Law, as hereinafter defined, in addition to the \$330,000 heretofore appropriated therefor pursuant to the bond resolution adopted by the Town Board on July 15, 1985 and amended on February 24, 1987. The plan of financing includes the expenditure of said \$3,250 current funds and the issuance of \$61,750 serial bonds of the Town to finance the balance of said \$65,000 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 \$61,750, 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 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 \$61,750 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; however, the serial bonds authorized pursuant to this resolution or any bond anticipation notes issued in anticipation thereof shall mature prior to November 14, 2000.

(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 \$3,250 will be provided from moneys now available therefor in the current budget of the Town under the heading "H 9710-06-409." 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 their 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 bond

Continued on Next Page

RESOLUTION NO. (973A-1988) Continued

anticipation 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.

\* \* \*

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

AYES: Supervisor Holbrook, Councilman Carey, Councilman Kunis, Councilman Maloney, Councilwoman Smith

NOES: None

The resolution was declared adopted.

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RESOLUTION NO. (973B-1988)

AUTHORIZING TOWN CLERK TO  
PUBLISH AND POST BOND  
RESOLUTION (HEATONS POND)

Co. Carey offered the following resolution:

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES 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 on the sign board of the Town maintained pursuant to the Town law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on October 11, 1988, 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 October 11, 1988, appropriating the amount of \$65,000, including the appropriation of \$3,250 current

Continued on Next Page

## RESOLUTION NO. (973B-1988) Continued

funds to provide the required down payment, in addition to the \$330,000 heretofore appropriated for the original improvement and embellishment of recreational facilities at Heatons Pond, in said Town, stating the estimated maximum cost thereof is now estimated to be \$395,000, appropriating said amount therefor, and authorizing the issuance of \$61,750 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: RECITING that the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the original improvement and embellishment of recreational facilities at Heatons Pond, at the estimated maximum cost of \$330,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on July 15, 1985 and amended February 24, 1987, and it now has been determined that due to increased costs of labor and materials the cost thereof is now estimated to be \$395,000 and it is necessary to increase the appropriation therefor by \$65,000;

SECOND: APPROPRIATING the amount of \$65,000 in addition to the \$330,000 heretofore appropriated for the original improvement and embellishment of recreational facilities at Heatons Pond, including reconstruction of the dam and spillway, all as more particularly described in the plan and report prepared and filed in the office of the Town Clerk and approved by the Town Board; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$395,000; APPROPRIATING the amount of \$65,000 therefor, including the appropriation of \$3,250 current funds to provide the down payment required by the Law, as hereinafter defined, in addition to the \$330,000 heretofore appropriated therefor pursuant to the bond resolution adopted by the Town Board on July 15, 1985 and amended on February 24, 1987; STATING the plan of financing includes the expenditure of said \$3,250 current funds, the issuance of \$61,750 serial bonds of the Town to finance the balance of said \$65,000 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;

THIRD: AUTHORIZING the issuance of \$61,750 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 additional appropriation not provided by said current funds;

FOURTH: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$61,750 serial bonds are to be issued is fifteen (15) years; however, the serial bonds authorized pursuant to this resolution or any bond anticipation notes issued in anticipation thereof shall mature prior to November 14, 2000; 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 \$3,250 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 \$61,750 serial bonds will exceed five (5) years;

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

Continued on Next Page

RESOLUTION NO. (973B-1988) Continued

SIXTH: 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

SEVENTH; DETERMINING that the bond resolution is subject to a permissive referendum.

Dated: October 11, 1988

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.

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

AYES: Supervisor Holbrook, Councilman Carey,  
Councilman Kunis, Councilman Maloney, Council-  
woman Smith

NOES: None

The resolution was declared adopted.

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With regard to the following resolution Councilman Kunis asked why there was to be an additional \$150,000.00? Mr. Les Bollman, Director of Environmental Control gave a detailed explanation. Mr. Bollman noted that the road is coming in at about the same total estimate even though it is about two years later. Supervisor said the road will be opened up to Smith Road. Mr. Bollman said it is the first new road in the Town of Clarkstown in many years. Supervisor said he had thought about the name "New Clarkstown Road." There is a West Clarkstown Road that comes down and New Clarkstown Road would come from the intersection of West Clarkstown Road through the property and all the way to the railroad tracks. He thought that would be an appropriate name rather than naming it after some individual. It is Clarkstown. It is a new road and the first new road in a long time and he thought it would give definition to what that road is - the new road.

Councilwoman Smith asked weren't the Veterans asking the Supervisor to name some new road? Supervisor said they were talking about subdivision streets primarily. Supervisor said it is a part of Clarkstown and to identify it as such with a road would be important to people who are there.

RESOLUTION NO. (974A-1988)

BOND RESOLUTION AUTHORIZING  
APPROPRIATION OF FUNDS FOR  
REQUIRED DOWN PAYMENT  
(TUNNEL-BY PASS ROAD) AND  
AUTHORIZING THE ISSUANCE OF  
SERIAL BONDS

Continued on Next Page

RESOLUTION NO. (973B-1988) Continued

Co. Carey offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED OCTOBER 11, 1988, APPROPRIATING THE AMOUNT OF \$150,000, INCLUDING THE APPROPRIATION OF \$7,500 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT, IN ADDITION TO THE \$825,000 HERETOFORE APPROPRIATED FOR THE CONSTRUCTION OF A TUNNEL BY-PASS, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOW ESTIMATED TO BE \$975,000, AND AUTHORIZING THE ISSUANCE OF \$142,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID ADDITIONAL APPROPRIATION.

Recital

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the construction of a tunnel by-pass, at the estimated maximum cost of \$825,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on July 15, 1985, and it now has been determined that due to increased costs of labor and materials the cost thereof is now estimated to be \$975,000 and it is necessary to increase the appropriation therefor by \$150,000;

NOW, THEREFORE,

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 \$150,000, in addition to the \$825,000 heretofore appropriated for the construction of a tunnel by-pass beginning at West Clarkstown Road and running in a southerly direction to Route 59, in the Town, using flexible pavement with penetration macadam or plant mix bottom course and heavy duty bituminous concrete wearing surface, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way and other improvements in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$975,000 and the amount of \$150,000 is hereby appropriated therefor, including the appropriation of \$7,500 current funds to provide the down payment required by the Law, as hereinafter defined, in addition to the \$825,000 heretofore appropriated therefor pursuant to the bond resolution adopted by the Town Board on July 15, 1985. The plan of financing includes the expenditure of said \$7,500 current funds and the issuance of \$142,500 serial bonds of the Town to finance the balance of said \$150,000 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 \$142,500, 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 \$142,500 serial bonds authorized

Continued on Next Page

RESOLUTION NO. (973B-1988) Continued

pursuant to this resolution are to be issued within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years; however, the serial bonds authorized pursuant to this resolution or any bond anticipation notes issued in anticipation thereof shall mature prior to November 14, 2000.

(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 \$7,500 will be provided from moneys now available therefor in the current budget of the Town under the heading "H 9710-07-409." 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 or 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 note 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 their 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 bond anticipation 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.

Continued on Next Page

## RESOLUTION NO. (973B-1988) Continued

Section 7. This bond resolution is subject to permissive referendum.

\* \* \*

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

AYES: Supervisor Holbrook, Councilman Carey, Councilman Kunis, Councilman Maloney, Councilwoman Smith

NOES: None

The resolution was declared adopted.

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RESOLUTION NO. (974B-1988)

AUTHORIZING TOWN CLERK TO  
PUBLISH AND POST BOND  
RESOLUTION (TUNNEL BY PASS  
ROAD)

Co. Carey offered the following resolution:

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES 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 on the sign board of the Town maintained pursuant to the Town law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on October 11, 1988, 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 October 11, 1988, appropriating the amount of \$150,000, including the appropriation of \$7,500 current funds to provide the required down payment, in addition to the \$825,000 heretofore appropriated for the construction of a tunnel by-pass, in the Town, stating the estimated maximum cost thereof is now estimated to be \$975,000, appropriating said amount therefor, and authorizing the issuance of \$142,500 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: RECITING that the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the construction of a tunnel by-pass, at the estimated maximum cost of \$825,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on July 15, 1985, and it now has been determined that due to increased costs of labor and materials the cost thereof is now estimated to be \$975,000 and it is necessary to increase the appropriation therefor by \$150,000;

Continued on Next Page

## RESOLUTION NO. (974B-1988) Continued

SECOND: APPROPRIATING the amount of \$150,000 in addition to the \$825,000 heretofore appropriated for the construction of a tunnel by-pass beginning at West Clarkstown Road and running in a southerly direction to Route 59, in the Town, using flexible pavement with penetration macadam or plant mix bottom course and heavy duty bituminous concrete wearing surface, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way and other improvements in connection therewith; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$975,000; APPROPRIATING the amount of \$150,000 therefor, including the appropriation of \$7,500 current funds to provide the down payment required by the Law, as hereinafter defined, in addition to the \$825,000 heretofore appropriated therefor pursuant to the bond resolution adopted by the Town Board on July 15, 1985; STATING the plan of financing includes the expenditure of said \$7,500 current funds, the issuance of \$142,500 serial bonds of the Town to finance the balance of said \$150,000 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;

THIRD: AUTHORIZING the issuance of \$142,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said additional appropriation not provided by said current funds;

FOURTH: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$142,500 serial bonds are to be issued is fifteen (15) years; however, the serial bonds authorized pursuant to this resolution or any bond anticipation notes issued in anticipation thereof shall mature prior to November 14, 2000; 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 \$7,500 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 \$142,500 serial bonds will exceed five (5) years;

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

SIXTH: 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

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

Dated: October 11, 1988

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.

Continued on Next Page

RESOLUTION NO. (974B-1988) Continued

Section 3. This resolution shall take effect immediately.

\* \* \*

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

AYES: Supervisor Holbrook, Councilman Carey, Councilman Kunis, Councilman Maloney, Councilwoman Smith

NOES: None

The resolution was declared adopted.

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RESOLUTION NO. (975-1988)

NAMING TUNNEL BY-PASS ROAD  
"NEW CLARKSTOWN ROAD"

Co. Carey offered the following resolution:

WHEREAS, a road has been constructed from West Clarkstown Road across Smith Road through Airport Executive Park across the railroad tracks to tie into Route 59, and

WHEREAS, it is the desire of the Town Board of the Town of Clarkstown to name such road;

NOW, THEREFORE, be it

RESOLVED, that such road shall be known as New Clarkstown Road, and be it

FURTHER RESOLVED, that the Highway Superintendent take notice of this resolution and install street signs as may be necessary and that the Town Clerk pursuant to Town Law 64(9) shall within ten (10) days from the date hereof cause a copy of this resolution to be forwarded to the Planning Board, Assessor's Office, Spring Valley Post Office, Spring Valley Fire District, Nanuet and East Ramapo School Districts, Spring Valley Ambulance Corps, Clarkstown Police Department, and that a certified copy of this resolution be filed with the Rockland County Clerk and the Rockland County Engineer.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (976-1988)

ACCEPTING RESIGNATION OF  
ACCOUNT CLERK -  
COMPTROLLER'S OFFICE (LYNN  
SCHULSON)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Lynn Schulson, 21 Woodhaven Drive, New City, New York - Account Clerk - Comptroller's

Continued on Next Page

RESOLUTION NO. (976-1988) Continued

Office - is hereby accepted - effective and retroactive to September 30, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (977-1988)

APPOINTING TO POSITION OF  
PART-TIME ACCOUNT CLERK -  
COMPTROLLER'S OFFICE  
(SHARON M. SARINGO)

Co. Maloney offered the following resolution:

RESOLVED, that Sharon M. Saringo, 163 Brewery Road, New City, New York, is hereby appointed to the position of part-time Account Clerk - Comptroller's Office - at the current 1988 hourly rate of \$8.00, effective and retroactive to September 29, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (978-1988)

APPOINTING TO POSITION  
(PROVISIONAL) REAL PROPERTY  
DATA COLLECTOR - ASSESSOR'S  
OFFICE (JOSEPH LIONETTI)

Co. Maloney offered the following resolution:

RESOLVED, that Joseph Lionetti, 17 Gilmore Drive, Stony Point, New York is hereby appointed to the position (provisional) Real Property Data Collector - Assessor's Office - at the current 1988 annual salary of \$15,178.00, effective October 12, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (979-1988)

APPOINTING TO POSITION OF  
LABORER - SANITARY LANDFILL  
(GARY LANDRO)

Continued on Next Page

RESOLUTION NO. (979-1988) Continued

Co. Maloney offered the following resolution:

RESOLVED, that Gary Landro, 533 Millburn Court, Valley Cottage, New York, is hereby appointed to the position of Laborer - Sanitary Landfill - at the current 1988 annual salary of \$16,534.00, effective and retroactive to October 3, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (980-1988)

RECOGNIZING APPOINTMENT BY  
SUPERINTENDENT OF HIGHWAYS  
OF LABORER - TOWN HIGHWAY  
DEPARTMENT (ANTHONY STECK)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Anthony Steck, 4 Huffman Road, Valley Cottage, New York, as a Laborer - Town Highway Department - at thue current 1988 annual salary of \$16,534,00, effective and retroactive to October 3, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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RESOLUTION NO. (981-1988)

GRANTING EXTENSION OF SICK  
LEAVE OF ABSENCE - LABORER  
- TOWN HIGHWAY DEPARTMENT  
(JAMES VOCE)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Artgicle XVIII, Section 3(K) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., James Voce, 33 Parkside Drive, Congers, New York - Laborer - Town Highway Department - is hereby granted an extension of his Sick Leave of Absence - at one-half pay - effective and retroactive to October 3, 1988 to October 15, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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TBM - 10/11/88  
Page 31

RESOLUTION NO. (982-1988)

CREATING THREE (3)  
POSITIONS OF CROSSING GUARD

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on October 6, 1988 that three (3) positions of Crossing Guard - can be created,

NOW, THEREFORE, be it

RESOLVED, that three (3) positions of Crossing Guard - are hereby created - effective October 12, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (983-1988)

GRANTING PERMISSION TO  
CLARKSTOWN PARKS BOARD AND  
RECREATION COMMISSION TO  
DISPENSE ALCOHOLIC  
BEVERAGES - CONGERS I  
SENIOR CITIZEN CLUB  
HALLOWEEN PARTY

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 Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at the Congers I Senior Citizen Club Halloween Party on October 26, 1988 at the Congers Community Center, Gilchrest Road, Congers, New York.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....Yes  
Councilman Kunis.....Yes  
Councilman Maloney.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (984-1988)

SETTING PUBLIC HEARING ON  
PROPOSED LOCAL LAW ENTITLED  
"ACCESSORY APARTMENTS"

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (984-1988) Continued

WHEREAS, Supervisor Holbrook, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"ACCESSORY APARTMENTS"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 29th day of November, 1988, at 8:30 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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

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

FURTHER RESOLVED, that the proposed local law shall be referred to the Rockland County Commissioner of Planning as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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Supervisor Holbrook called upon Deputy Town Attorney Mark Posner to give an update regarding a proposed revision of the Ethics Law. Mr. Posner said the Ethics Law is nearing completion and will be on the desks of the Town Board Members by October 20th. If passed, this would be the first such legislation in Rockland County by any municipality including, the County. He said we have a lack of models upon which to base our legislation so the research that has gone into this is a culmination of our past Ethics Law, the current requirements of the State enabling legislation, which is approximately 67 pages long, and various new process requirements which are going to result by the actions of the new, increased and more worked Board of Ethics. There will be many more responsibilities for this Board of Ethics including holding hearings and a lot more bureaucratic paperwork as a result of issuing notices of deficiency, notices of delinquency if the notices of deficiency are not complied with, the holding of hearings, and various other powers, including subpoena power and power to administer oaths.

Mr. Posner said there are some other pieces of legislation which, though not enacted, have been given to us by other county governments, such as Suffolk and Sullivan Counties.

Continued on Next Page

RESOLUTION NO. (984-1988) Continued

Those pieces of legislation have been culled through to take out those aspects which do not pertain to a municipal government, such as a town. The amount of time which has been devoted to this has been to make sure that this particular ethics law is totally comprehensive and is tightly worded to avoid any loopholes with respect to financial disclosures and with respect to the various responsibilities of covered employees. There are a tremendous number of definitions and requirements for covered employees in terms of financial disclosure. The Ethics Law itself applies to all Town employees not merely those who would be required to file. Hopefully, we will be able to set a public hearing on this matter at the next Town Board meeting on October 25th.

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RESOLUTION NO. (985-1988)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #96 - CURBS  
FOR LENOX AVENUE

Co. Maloney offered the following resolution:

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

BID #96 - 1988  
CURBS FOR LENOX AVENUE

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, November 10, 1988 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

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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 8:40 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk