

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

2/7/89

11:33 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney and Smith
Murray N. Jacobson, Town Attorney
Neila Alemi, Acting Secretary

The Town Board signed a waiver to hold a Special Town Board Meeting. Supervisor Holbrook opened the Special Town Board Meeting at 11:33 P.M.

The Town Board agreed that Neila Alemi would act as Secretary and would take the minutes for the Special Town Board Meeting.

RESOLUTION NO. (107-1989)

RESOLUTION WAIVING NOTICE
OF A SPECIAL MEETING

Co. Carey offered the following resolution:

RESOLVED, that the Town Board Members hereby, as individuals and collectively, waive notice of a special meeting and hereby determine to hold a special meeting on February 7, 1989, at 11:33 P.M. in Room 311 of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the consent to hold such special meeting in a form annexed hereto shall be duly signed by all the Town Board Members.

The Consent to a special meeting of the Town Board of the Town of Clarkstown shall be filed in the Town Clerk's Office.

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

RESOLUTION NO. (108-1989)

RESOLUTION AUTHORIZING THE
TOWN ATTORNEY TO INSTITUTE
PROCEEDING FOR REMOVAL OF
VIOLATION ON PREMISES KNOWN
AS MAP 139, BLOCK B, LOT 20
(KLOEK) PURSUANT TO CHAPTER
79 OF THE TOWN CODE

Co. Maloney 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 delegates 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

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RESOLUTION NO. (108-1989) Continued

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 139, BLOCK A, LOT 20, located at 162 New York Avenue, Congers, New York, reputedly owned by BARBARA KLOEK, has been the subject of a violation notice issued against the property owner(s) for lack of proper maintenance of the property in that there are two unlicensed vehicles, miscellaneous litter and debris, and dead ash trees at the rear of 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 139, BLOCK B, LOT 20, reputedly owned by BARBARA KLOEK, 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 28th day of February, 1989, at 8:10 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 February 10, 1989.

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

RESOLUTION NO. (109-1989)

RESOLUTION AUTHORIZING AND DIRECTING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE ENERGY OFFICE REGARDING AWARD FOR SIGNAL TIMING OPTIMIZATION PROGRAM

Co. Maloney offered the following resolution:

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RESOLUTION NO. (109-1989) Continued

WHEREAS, the Town of Clarkstown has applied to the New York State Energy Office for participation in the Signal Timing Optimization Program with respect to the project signal network concerning Main Street, South Middletown Road, Nanuet, and

WHEREAS, the New York State Energy Office has approved the Town of Clarkstown's application and shall forward same to the New York State Department of Law and the Office of the State Comptroller for their review and approval, pursuant to Chapter 645 of the Laws of 1986 of the State of New York;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with the New York State Energy Office on behalf of the Town of Clarkstown for participation in the Signal Timing Optimization Program with respect to the project signal network concerning Main Street, South Middletown Road, Nanuet, and be it

FURTHER RESOLVED, that the New York State Energy Office shall award the Town of Clarkstown financial assistance in the amount of \$5,000.00 for the period February 1, 1989 to December 1, 1989, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall comply with all Federal regulations that govern the administration of this program, as well as all other terms and conditions referred in the notice of financial assistance award and award agreement, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to January 31, 1989.

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

RESOLUTION (110-1989)

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI (CHEMICAL BANK V. ASSESSOR, BOARD OF REVIEW, TOWN OF CLARKSTOWN AND NANUET FREE SCHOOL DISTRICT)

Co. Maloney offered the following resolution:

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled CHEMICAL BANK vs. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN, THE TOWN OF CLARKSTOWN and THE NANUET UNION FREE SCHOOL DISTRICT Index Nos. 5543/84, 6092/85, 5259/86, 5119/87 and 3864/88 affecting parcel 123 E, Lot 8.01, for the years 1984/85, 1985/86, 1986/87, 1987/88 and 1988/89, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings and discontinue with prejudice and without costs, on the following terms and conditions:

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RESOLUTION NO. (110-1989) Continued

1. That the premises owned by the petitioners described on the assessment roll as Map 123, Block E, Lot 8.01 be reduced for the year 1984/85 from \$127,300 to \$114,570;

2. That the proceedings commenced by the petitioner respecting Map 123, Block E, Lot 8.01 be discontinued for the years 1985/86, 1986/87, 1987/88 and 1988/89,

3. That reimbursement for the year 1984/85 on the parcel described as Map 123, Block E, Lot 8.01 be made within 90 days through the office of the Commission of Finance. If payment is made within 90 days, no interest will be charged, and

4. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid, and such settlement is recommended by the Assessor of the Town of Clarkstown; and the attorneys for the Nanuet Union Free School District have consented to such settlement.

NOW, THEREFORE, be it resolved that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement."

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

RESOLUTION (111-1989)

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE AMBULANCE CORPS FOR BASIC AMBULANCE SERVICE AND ADVANCED LIFE SUPPORT SERVICE FOR THE YEAR 1989

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is presently receiving emergency ambulance and advanced life support service by contract from the four Ambulance Corps which serve the incorporated and unincorporated portions of the Town of Clarkstown, and

WHEREAS, the Town Board wishes to continue to contract for such ambulance service;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement in a form approved by the Town Attorney with the following Ambulance Corps in order to provide for emergency ambulance service and advanced life support service to the Town of Clarkstown for the calendar year 1989, upon payment of sums set forth below in quarterly installments at the beginning of each quarter during the calendar year 1989:

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RESOLUTION NO. (111-1989) Continued
BASIC AMBULANCE
SERVICE

	<u>BASIC AMBULANCE SERVICE</u>	<u>ALS</u>	<u>TOTAL</u>
Congers-Valley Cottage Volunteer Ambulance Corps, Inc.	\$ 63,380.00	\$217,034.00	\$280,414.00
New City Volunteer Ambulance Corps/ Rescue Squad, Inc. Corps/	\$ 60,000.00	\$217,034.00	\$277,034.00
Nanuet Community Ambulance Corps, Inc.	\$ 76,400.00	\$217,034.00	\$293,434.00
Nyack Community Ambulance Corps	<u>\$ 29,860.00</u>	<u>\$ 87,898.00</u>	<u>\$117,758.00</u>
Totals	<u>\$229,640.00</u>	<u>\$739,000.00</u>	<u>\$968,640.00</u>

Seconded by Co. Kunis

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted the Special Town Board Meeting was declared closed at 11:37 P.M.

Respectfully submitted,



Neila Alemi
Acting Secretary