

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

8/8/89

8:07 P.M.

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

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

RESOLUTION NO. (726-1989)

RESCINDING RESOLUTION NO.
595 AND REJECTING ALL
PROPOSALS PURSUANT TO SAID
RESOLUTION FOR SOLID WASTE
TRANSFER STATION AND
DISPOSAL SERVICES

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 595 adopted by the Town Board on June 20, 1989, is hereby rescinded, and be it

FURTHER RESOLVED, that the Town Board hereby rejects all proposals for a solid waste transfer station and disposal services which were submitted on July 28, 1989, in order to comply with the provisions of General Municipal Law Sec. 120-w concerning the procedure for obtaining proposals for the design, construction and operation of a solid waste transfer station and transportation of solid waste to an approved disposal landfill.

Seconded by Co. Kunis

On roll call the vote was as follows:

Councilman Kunis.....Yes
Councilman Maloney.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (727-1989)

REQUESTING PROPOSALS FOR
THE PROPOSED SOLID WASTE
TRANSFER STATION

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown, as part of the requirements of a Consent Order proposed by the New York State Department of Environmental Conservation (NYSDEC), is proposing to close the existing Clarkstown Sanitary Landfill, and

WHEREAS, this closure of the existing landfill requires that immediate steps be taken to provide an alternative means of disposal of municipal and commercial solid waste delivered to the said landfill site, and

WHEREAS, the only presently available space for disposal of the solid waste is outside of Rockland County, and

WHEREAS, the only cost effective method for the transportation of solid waste, collected in the Town, to those points of disposal is the construction of a transfer station, and

WHEREAS, it is proposed that the design, construction and operation of the transfer station be subcontracted to a responsible firm for a minimum five (5) year term;

NOW, THEREFORE, be it

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RESOLUTION NO. (727-1989) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to commence the request for proposals procedure, as set forth in General Municipal Law Sec. 120-w, in order to obtain proposals for the design, construction and operation of a transfer station for the existing landfill site and for the transportation of solid waste to an approved disposal landfill, and be it

FURTHER RESOLVED, that the appropriate publications be made in order to provide for public information, comment, and review.

Seconded by Co. Kunis

On roll call the vote was as follows:

Councilman Kunis.....Yes
Councilman Maloney.....Yes
Supervisor Holbrook.....Yes

Councilman Kunis asked Town Attorney Murray Jacobson what the Freedom of Information Act required and Mr. Jacobson said that it must be published in four places: The Journal News, the New York State Register, the Environmental Notice Bulletin, The New York Times and filed in the Town Clerk's Office. There must be a 60 day period for the public to comment and 10 days thereafter for the Town to review. The Town must then republish and give the returnable date for the proposal.

RESOLUTION NO. (728-1989)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARSTOWN
(MITLOFF V. COLUCCI)

Co. Kunis 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

JOSEPH MITLOFF,

Petitioner,

for a Judgment pursuant to Article 78

-against-

GERALD COLUCCI, 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.

Seconded by Co. Kunis

On roll call the vote was as follows:

Councilman Kunis.....Yes
Councilman Maloney.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (729-1989)

AUTHORIZING TOWN ATTORNEY
TO DEFEND ACTION AGAINST
TOWN OF CLARKSTOWN (STATE
DIVISION OF HUMAN RIGHTS V.
TOWN OF CLARKSTOWN -
COMPLAINT OF THERESA MARIE
APUZZO)

Co. Maloney offered the following resolution:

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

STATE DIVISION OF HUMAN RIGHTS

On the complaint of Ms. Theresa Marie Apuzzo,

Complainant,

-against-

TOWN OF CLARKSTOWN,

Respondent.

NOW, THEREFORE, be it

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

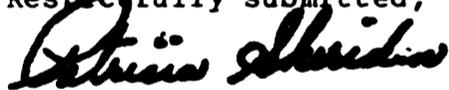
Seconded by Co. Kunis

On roll call the vote was as follows:

Councilman Kunis.....Yes
Councilman Maloney.....Yes
Supervisor Holbrook.....Yes

There being no further business to come before the
Special Town Board Meeting and no one further wishing to be heard,
on motion of Councilman Maloney, seconded by Councilman Kunis and
unanimously adopted, the Special Town Board Meeting was declared
closed.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk