

TOWN OF CLARKSTOWN  
SPECIAL TOWN BOARD MEETING

Town Hall

7/10/90

8:30 P.M.

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

Supervisor called Special Town Board Meeting to order.  
Assemblage saluted the Flag.

RESOLUTION NO. (624-1990)

ADOPTING LOCAL LAW NO.  
3-1990 RE: REPEAL OF LOCAL  
LAW NO. 1-1989 DEALING WITH  
REMOVAL OF REAL ESTATE TAX  
EXEMPTION FOR BUSINESSES  
AS PROVIDED BY SECTION  
485-b OF REAL PROPERTY TAX  
LAW OF STATE OF NEW YORK

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled:

"REPEAL OF LOCAL LAW NO. 1-1989, DEALING WITH THE  
REMOVAL OF REAL ESTATE TAX EXEMPTION FOR BUSINESSES AS  
PROVIDED BY SECTION 485-b OF THE REAL PROPERTY TAX LAW  
OF THE STATE OF NEW YORK"

was introduced by Councilman Maloney at a Town Board meeting  
held on 22nd day of May, 1990, and

WHEREAS, the Town Board of the Town of Clarkstown by  
resolution adopted on the 22nd day of May, 1990, directed that a  
public hearing be held on the 26th day of June, 1990, at  
8:05 P.M., and

WHEREAS, a notice of said hearing was duly prepared and  
published in the Journal News on June 11, 1990, and

WHEREAS, a copy of the proposed local law in final form  
was placed on the desks of the Supervisor and the Councilmen at  
their office at the Clarkstown Town Hall, 10 Maple Avenue, New City,  
New York, on May 22, 1990, and

WHEREAS, a public hearing was held by the Town Board of  
the Town of Clarkstown on June 26, 1990;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 3 - 1990, entitled:

"REPEAL OF LOCAL LAW NO. 1-1989, DEALING WITH THE  
REMOVAL OF REAL ESTATE TAX EXEMPTION FOR BUSINESSES AS  
PROVIDED BY SECTION 485-b OF THE REAL PROPERTY TAX LAW  
OF THE STATE OF NEW YORK"

is hereby ADOPTED and passed by an affirmative vote of the Town  
Board of the Town of Clarkstown, the vote for adoption being as  
follows:

Charles E. Holbrook, Supervisor...Yes  
Steven C. Kunis, Councilman.....Yes  
John R. Maloney, Councilman.....Yes  
Ralph F. Mandia, Councilman.....Yes  
Ann M. Smith, Councilwoman.....No

The Clerk of the Town of Clarkstown was directed to file the local  
law pursuant to Section 27 of the Municipal Home Rule Law.

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RESOLUTION NO. (624-1990) Continued

Seconded by Co. Kunis

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RESOLUTION NO. (625-1990)(TABLED)

AUTHORIZING TOWN ATTORNEY  
TO COMMENCE ARTICLE 78  
PROCEEDING TO REVIEW AND  
ANNUL DECISION BY NEW YORK  
STATE SUBSTANCE ABUSE  
SERVICES GRANTING PERMIT TO  
DAYTOP VILLAGE, INC.

Supv. Holbrook offered the following resolution:

WHEREAS, Daytop Village, Inc. proposed to establish a Drug Rehabilitation Center at the premises known as the Nyack Motor Lodge, designated on the Clarkstown Tax Map as Map 106, Block A, Lot 8, and

WHEREAS, it appears that the New York State Division of Substance Abuse Services will issue a permit for the establishment of such treatment center, and

WHEREAS, the establishment of such treatment center would have a deleterious affect on the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney of the Town of Clarkstown is hereby authorized to commence an action in the nature of an Article 78 proceeding to review and annul the decision by the New York State Substance Abuse Services granting a permit to Daytop Village, Inc.

Seconded by Co. Mandia

(Before a roll call vote could be taken the following tabling resolution passed.)

RESOLUTION NO. 626-1990)

TABLING RESOLUTION NO.  
(625-1990) RE:  
COMMENCEMENT OF ARTICLE 78  
PROCEEDING TO REVIEW AND  
ANNUL DECISION BY NEW YORK  
STATE SUBSTANCE ABUSE  
SERVICES GRANTING PERMIT TO  
DAYTOP VILLAGE, INC.

Co. Kunis offered the following resolution:

RESOLVED, that Resolution No. 625-1990 re Commencement of an Article 78 Proceeding to Review and Annul Decision by New York State Substance Abuse Services Granting Permit to Daytop Village, Inc., is hereby tabled.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (627-1990)

SCHEDULING TOWN BOARD  
MEETING FOR JULY 24, 1990

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby schedules a Town Board Meeting for the 24th of July, 1990, at 8:00 P.M., to be held in Room 311, Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (628-1990)

SETTING PUBLIC HEARING FOR  
ROAD IMPROVEMENT PROJECT  
FOR PORTION OF NEW YORK  
STATE ROUTE 59, NANUET, NEW  
YORK

Co. Maloney offered the following resolution:

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Avenue, New City, New York, in said Town of Clarkstown on the 10th day of July, 1990

P R E S E N T :

Charles E. Holbrook, Supervisor  
Ralph F. Mandia, Councilman  
Steven C. Kunis, Councilman  
John R. Maloney, Councilman  
Ann Marie Smith, Councilwoman

-----X  
In the Matter  
of a  
Road Improvement Project for a  
portion of New York State Route 59,  
Nanuet, New York  
-----X

ORDER CALLING FOR  
A PUBLIC HEARING

WHEREAS, pursuant to Section 200 of the Town Law, the Town Board of the Town of Clarkstown wishes to consider the improvement of a portion of a street known as New York State Route 59, lying between Smith Street and First Street, benefitting properties shown on the Tax Map of the Town of Clarkstown as Map 32, Block B, Lots 2, 2.01, 5, 18 and 85.06, situate in the Hamlet of Nanuet, New York, and

WHEREAS, the maximum amount proposed to be expended for such improvement shall be the sum of \$140,000.00;

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RESOLUTION NO. (628-1990) Continued

NOW, THEREFORE, it is

ORDERED, that a public hearing pursuant to Section 200 of the Town Law be held at Room 311 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 24th day of July, 1990, at 8:00 P.M., relative to the proposed road improvement, and it is

FURTHER ORDERED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the Office of the Town Clerk, to post a copy of same on the sign-board of the Town of Clarkstown, as well as conspicuously in five public places along New York State Route 59, Nanuet, New York, in the time and manner required by law.

Town Board of the Town of Clarkstown

S/  
Charles E. Holbrook, Supervisor

S/  
Ralph F. Mandia, Councilman

S/  
Steven C. Kunis, Councilman

S/  
John R. Maloney, Councilman

S/  
Ann Marie Smith, Councilwoman

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (629-1990)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AMENDED  
AGREEMENT WITH CLARKSTOWN  
RECYCLING CENTER, INC.  
REGARDING SOLID WASTE  
TRANSFER STATION

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown and Clarkstown Recycling Center, Inc. entered into a Solid Waste Disposal Service Agreement on May 18, 1990, for the design, construction and operation of a solid waste transfer station to be located on a portion of the present Clarkstown Sanitary Landfill site located at Route 303, West Nyack, New York, together with transportation of the solid waste, delivered to the transfer station, to an approved landfill for final disposal, and

WHEREAS, it is proposed to amend such agreement in order to clarify the rights of the lending institution financing the transfer station in the event of default;

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RESOLUTION NO. (629-1990) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized, on behalf of the Town of Clarkstown, to sign the agreement with Clarkstown Recycling Center, Inc. as amended, which provides for the design, construction and operation of a solid waste transfer station to be located on a portion of the present Clarkstown Sanitary Landfill site located at Route 303, West Nyack, New York, together with transportation of the solid waste, delivered to the transfer station, to an approved landfill for final disposal, in a form satisfactory to the Town attorney.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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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 Maloney, seconded by Councilman Kunis and unanimously adopted, the Special Town Board Meeting was declared closed, time: 8:37 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk