

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

8/24/90

4:00 P.M.

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

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

RESOLUTION NO. (766-1990)

RESCINDING RESOLUTION NO.
765-1990 (MODIFICATION TO
CONSENT ORDER RE:
CLARKSTOWN SANITARY
LANDFILL)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 765-1990 adopted by the
Town Board of the Town of Clarkstown at a Special Town Board Meeting
held on August 20, 1990 is hereby rescinded.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (767-1990)

AUTHORIZING SUPERVISOR TO
SIGN MODIFICATION TO ORDER
ON CONSENT (RE: CLARKSTOWN
SANITARY LANDFILL)

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has received a proposed
Modification to Order on Consent from the New York State Department
of Environmental Conservation concerning the extension of the
closure of the Clarkstown Sanitary Landfill until September 1, 1990,
and

WHEREAS, such Modification to Order on Consent provides
that 75% of the gross tipping fees received between May 1, 1990, and
September 1, 1990, shall be used for remediation of the Clarkstown
Sanitary Landfill and not be subject to reimbursement for any
eligible costs of remediation pursuant to ECL 27-1313 (5) (g);

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown
is hereby authorized to sign such Modification Order on Consent.

Seconded by Co. Smith

Councilman Kunis stated that he believed that the Town
should litigate this because this amounts to a fine of \$20,000.00
per day which the Board is agreeing to which the taxpayers of the
Town will have to pay and the landfill will be operating at a net
loss now. This is a severe penalty and we only need another two
months to operate the landfill prior to a transfer station being
completed. He said he would say that we have everything to gain and
nothing to lose by litigating.

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RESOLUTION NO. (767-1990) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (768-1990)

AUTHORIZING SUPERVISOR TO
EXECUTE COOPERATION
AGREEMENT WITH COUNTY OF
ROCKLAND (COMMUNITY
DEVELOPMENT FUNDS)

Co. Smith offered the following resolution:

WHEREAS, Community Development Cooperation Agreements between the County of Rockland and the Town of Clarkstown expire with the 1990 Program Year, and

WHEREAS, in order for the County of Rockland to apply for Community Development funds as an Urban County, three year Cooperation Agreements for the Program Years 1991, 1992 and 1993 must be executed,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Cooperation Agreement submitted by the County of Rockland for Community Development Program Years 1991, 1992 and 1993, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown has determined that the Cooperation Agreement complies with State and Town Law, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute said Agreement and to take all steps necessary to implement this resolution.

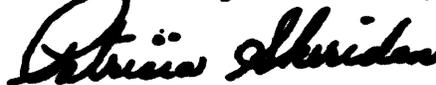
Seconded by Co. Maloney

On roll call the vote was as follows:

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

There being no further business to come before the Special Town Board Meeting and no one wishing to be heard on Motion of Councilman Maloney, seconded by Councilman Smith and unanimously adopted, the Special Town Board Meeting was declared closed, time: 4:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk