

SPECIAL TOWN OF CLARKSTOWN
TOWN BOARD MEETING

25

Town Hall

11/20/90

8:22 P.M.

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

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

RESOLUTION NO. (1018-1990) ADOPTING 1991 BUDGET

Co. Maloney offered the following resolution:

WHEREAS, a public hearing pursuant to Town Law Section 108, to consider the Town of Clarkstown Preliminary Budget for the year 1991, was duly scheduled and noticed for October 18, 1990, at 8:00 P.M. at the Town Hall Auditorium, and

WHEREAS, the Town Board met at the time and place specified in the Notice of the Public Hearing and heard all persons desiring to be heard;

NOW, THEREFORE, be it

RESOLVED, that such Preliminary Budget, as amended, a copy of which is attached hereto, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the fiscal year beginning the 1st day of January, 1991, and that such Budget, as so adopted, be entered in detail in the proceedings of this Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown shall prepare and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together with Assessment Rolls for benefit improvements, if any, adopted pursuant to Section 202-a, Subd. 2 and Section 231, Subd. 2 of the Town Law and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Legislature of Rockland County pursuant to Section 115 of the Town Law and other applicable sections of the Town Law.

Seconded by Co. Smith

Councilman Kunis said he thinks the budget prepared was a very thorough budget. Approximately \$400,000.00 additional is needed to cover police work in Nyack. Approximately \$313,000.00 was taken out of the Mini-Trans Budget by the County of Rockland. Approximately \$133,000.00 was taken out of the Clarkstown Budget for Recycling by the County of Rockland. There will be approximately \$2,000,000.00 in landfill revenue that we will not realize in the 1991 budget. However, this is approximately \$1.5 million dollars that will be rolled over from the 1990 budget to the 1991 budget for transportation revenue not used in 1990. With all these additions and deletions the budget increase is approximately 7.3%. Homeowners will be assessed approximately 10% additional. Commercial businesses will be assessed approximately 14.5% additional. Besides being an elected official he said he was a homeowner in the Town and a commercial business owner in this Town. He said he personally pays over \$14,000.00 a year in taxes. These are tough times and he believes you have to tough, tough times out. People are out of work. People are sacrificing and he thinks government in this Town has to sacrifice. In good times he could live with a 7% or 8% budget increase but there are too many empty stores in Clarkstown. Retail merchants are paying \$20.00 per square foot rental on a net net lease, which means they pay additional for taxes and additional for maintenance. Ultimately, the consumer will pay that price. It may not be a tax but he will pay it in the cost of goods purchased. He said he sees many builders in this community and building lots

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RESOLUTION NO. (1018-1990 Continued)

vacant. He said he sees builders who can hardly afford their carrying charges because the housing market has dried up. He sees an office building on North Main Street sitting empty for a year and a half - a multi-million dollar project. He said he sees building permits and revenue and mortgage revenue and mortgage taxes reduced. He said government in Clarkstown has to tighten its belt. This budget is a good budget but in hard times he thinks we can tighten our belt more. When he says tighten our belt we have bulk pick-up in this Town which he voted for last year and didn't vote for the budget two years ago. Bulk pick-up costs us approximately \$900,000.00 a year. It is an asset to the community. The community is kept cleaner. Bulk pick-up was handled by the Highway Department three years ago - town employees - and when we made the budget up three years ago there was approximately \$500,000.00 that was budgeted for bulk pick-up. Three years ago we said we were going to clean the fields and we were going to clean the streams and we did. In good times maybe we can keep this \$500,000.00 in the budget but in having his own business and having worked for Marriott Corporation for many years, in tough times you have to reduce the budget. You have to give a little bit and you have to take a little bit. The \$500,000.00 in good times wasn't taken out. In bad times maybe that is \$500,000.00 we can find and save our taxpayers. Maybe we can rough it for bulk pick-up. Maybe we can have each homeowner pay their own for bulk pick-up rather than having each homeowner being assessed a certain fee. What will the Town look like? We have curbside leaf pick-up, we have curbside recycling. What we are saying is not do away with a pick-up but perhaps work out a plan with the carters where people can pay for this bulk pick-up as they utilize it and pay the fee directly to the carter. He said he was not saying it was the best but he was not saying it was the worst in tough times and it is something that we have to look at.

He said the next item was Landfill Personnel. He noted that Landfill revenues are drying up. We have Landfill Personnel and have we cut this Landfill Personnel out of the budget with the Landfill closing? Of course, it is going to be necessary to keep "X" amount of personnel at the Landfill to help close it but can we make a better effort to reduce this budget to reduce this tax increase in 1990?

He then referred to Part-Time Summer Help - Part-Time Help Highway Department. Can we reduce that more? Elected Officials - Appointed Officials. We may be talking about \$50,000.00, \$60,000.00, \$70,000.00. Can we reduce that? Can we freeze a salary? These are little sacrifices that we can make. It will all add up. Perhaps next year in the budget we could have included a two week freeze on all position replacements. Any position that becomes vacant - a two or a three week freeze on a rehiring for that position so that no one in the Town or no one on the Town payroll is affected but again everyone toughing it out and everyone working hard.

Councilman Kunis asked if we could look into curbside pick-up as opposed to back door pick-up - a savings of approximately \$2,000,000.00 a year to the Clarkstown taxpayer. He said he was not saying it was better or worse but he is saying, as a business person, it is his responsibility to see how he can save money for the taxpayer in this Town because times are tough.

Councilman Kunis said based on this he feels that a 5% budget increase is a fair and equitable increase. Anything over 5% he has a problem voting for and therefore he was voting no on this budget.

Councilman Maloney said this is the 17th budget he has been voting on. A lot of the things Mr. Kunis says are true but we have to realize that despite the tremendous amount of revenue that

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RESOLUTION NO. (1018-1990) Continued

we lost because of the Landfill we have tried to hold the line. The budget is coming in at about 9.9%. It would be lovely to come in at 5.5% or 5.7% but that is not realistic without cutting out some tremendous services and without keeping the Town in the good shape that it is in right now. He said what we have to do is hold the line, ride herd on department heads during this coming year and we have to become more aggressive in reaching out to bring good, clean ratables into the Town of Clarkstown. He said he did not want to say I told you so but if we had voted in the Pyramid Mall four and a half years ago we probably would be realizing revenues right now from that particular mall. Despite that, he thinks there is still land that can be developed.

Councilman Maloney noted that despite all the revenue we have lost he thinks this budget is a fair budget. He thinks it is something that we can live with. He said it does not mean that we are going to be spendthrift. It costs \$47.00 a year for bulk pick-up. He said he could understand what Mr. Kunis is saying but he would be concerned if he had to make an arrangement with a carter if, for example, he had a refrigerator and a boiler to pick up, and they said well it is going to cost you \$200.00 or \$150.00. I would say that is exorbitant and they might say well then let it stay on your lawn. Right now it costs the homeowner \$47.00. He said he may not use that every month. In fact, last year he thinks he had bulk pick-up twice but for what we are charging, the Town does look cleaner and better and he was willing to continue with that particular kind of service and therefore he would vote for this budget.

Councilman Mandia said that Councilman Maloney had said to ride herd on the department heads. He said frankly, the procedure on how we arrived at the budget is what he objects to. He said he has been in business for 27 years and he has only been here for ten months. You ride herd on the people who are creating the budget for the three or four or six months prior to that budget. That is not done here. He said he does not know what happens at the County. He does not know what happens at the State and God knows, he does not know what happens in Washington. He said he is only here for four years and that has got to change.

Councilman Mandia said the only opportunity he had was with the Chief of Police because he has the honor of serving on the Police Commission. That was explained to him in great detail, right down to the bullets and there was \$70,000.00 less in expenses last year versus this year once you take out the salary increases mandated by contract or the circumstances involved in the bringing on of the six policemen and women from the Village of Nyack. That is the detail that we were given. For several months now he said he has been asking and trying to have a budget hearing with each of the department heads to examine it. The budget may be fine but he thinks we could do more. He said there are several things we could look at. Some of those things just came up in the last 72 hours when the date is approaching. His vote on the budget is no for just that reason. Procedurally, we have to change the way we do business. Too many people are having a problem meeting the expenses in this Town. He said he has spoken to taxpayers recently. There are empty buildings paying \$27,000.00 in taxes and their taxes were \$17,000.00 four years ago. Something is wrong. He said for those reasons, and in the hope that the procedure changes for a closer examination - a little more midnight oil - a little more responsibility - he hopes that this vote will engender some change for the future. His vote is no.

Councilwoman Smith said she guesses frustration would be an appropriate word for what we are all feeling right now. Maybe we could come in with a zero budget or a 2% budget or a 5% budget. Nobody would be happier than the five of us sitting right up here.

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RESOLUTION NO. (1018-1990) Continued

However, at what price do you do it? Those vacant buildings now will never be filled when your services start to be reduced. She said they looked at all the items which you heard Councilman Kunis and Councilman Mandia discuss and we tried to see could we eliminate them, could we lessen them?

Councilwoman Smith said what we have to realize tonight is that the department heads and the personnel and their salaries are not decided right now. There is a maximum put into it but it could always be less but it cannot be more. It is true that our Landfill will close. It is also true that we need to keep some of that personnel for a certain amount of time. We have also decided that there will be a job freeze next year and no positions will be filled unless absolutely necessary. They may not be filled at all. We are trying to save our people through attrition and not having to lay people off.

Councilwoman Smith went on to say what Clarkstown has to realize is that ratables are not evil. They are not awful. They are needed. They are necessary and they are compatible with our environment. When you come to garbage and garbage pick-up she said we have to realize that we are an aging community. Can we now ask our residents to start carting garbage pails out to the curb? Will they be brought back? We have put much time, effort and pride into making Clarkstown an outstanding community. The way to reduce those costs are not by putting a burden on the resident. We have a tentative plan that we can eliminate garbage costs based on the use. None of us are happy to tell you that this budget is 9. something % or other but we will tell you that we are working to maintain your services without creating an added burden to you. She said she has to be the first, somebody has to be the first, so she will vote for the budget.

Supervisor Holbrook said he was also going to vote for the budget. He said he appreciated the comments his fellow board members made. He said he does recognize, however, that the Town of Clarkstown must move forward and continue to provide the services that make this a unique place to live. He said if you take a look at the condition of our community in terms of our infrastructure it is improving. We have made that commitment to our roads, our equipment and our Highway Department. We have made that commitment to our sewer system which enables our Town to grow.

Supervisor noted that while times have been tough in recent months Clarkstown has been fortunate in recent weeks to have at least three or four businesses that are now coming into the Town. He said just today he had a meeting with representatives for the empty Sexton Products building on Route 303 in Congers which will now be taken over. There is also movement on the Parker Nanuet property - the old airport. While times are tough and he does recognize that, Clarkstown still is a place where people wish to reside and to do business. He said of all the Towns in Rockland County we are the largest. We are the business center. He said he believes in many respects, the most progressive.

Supervisor said if you measure up our budget process against some of the processes he has witnessed in the newspapers in recent months he certainly thinks he would take our process over theirs. He said he thinks that the Board Members should be commended for the civility in which they have made their deliberations and be commended to make the tough decisions to vote for this. It is not always that easy to vote for something. He said he feels that we have brought this Town to a point - we tried to catch up in the '80s for the decline in services and our infrastructure in the 1970s. He said he was on the Board in the 1970s as was Councilman Maloney and they were tough times too. We saw our road systems crumble. We saw our Highway Department

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RESOLUTION NO. (1018-1990) Continued

deteriorate and for all of those things you have to pay the piper at some time. We have made the commitment to continue to upgrade and update our services so that we will not be faced when times turn around all of sudden to put millions and millions of dollars into a budget just to do catch-up work, work that couldn't be done at other times. It is tough to do that. He said he knows this Board has the foresight and their affirmative votes tonight indicate such.

Supervisor said next year with our garbage situation we will be seeing our Landfill closing and our Transfer Station operative. This, of course, will dramatically change the way garbage is collected in this Town. This Town Board is now working to devise a system which will enable people to be rewarded for producing less refuse. We are working with our Carters' Association in terms of working out a plan for that and we look forward to implementing that. He said we believe that things should not just remain status quo but that we should try to provide and show our residents that there is an economic incentive to reduction of waste and that the reduction of waste and the closing of our Landfill does not necessarily mean our community has to be untidy which he believes it would become if in fact we did away with bulk pick-up.

Supervisor continued stating that it is hard enough to keep the litter and debris and junk off the streets. He believes this Town has made great strides toward that. It has taken us three or four years to train our population, willing pupils he might say, in terms of how to package garbage, after having had a lifetime of learning how not to do it. He said he did not want to see that thrown out the window. In the years ahead it is going to become more difficult to package garbage as the expenses increase. He said he votes for this budget. He said it is budget that will enable us to maintain the level of services here in the Town to continue to have this Town as the showplace of Rockland County. He said he believes it is important to keep our infrastructure and our services intact, including our police. He said he believes our Police Department is the finest in Rockland County. It is expensive, yes. We spend \$10,000,000.00 on our Police Department but he wouldn't trade that for anything because that is one of the things that makes our property values valuable, as is our fine school systems. He votes yes and he wants to compliment those Board Members who voted for it while respecting the opinions of those Board Members who did not.

On roll call the vote was as follows:

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

RESOLUTION NO. (1019-1990) (FAILED)

AUTHORIZING RETENTION OF
APPRAISER TO PREPARE TRIAL
APPRAISAL (MARGARET NOTO) -
CHARGE TO ACCOUNT NO. A
1420-439-1

Co. Maloney offered the following resolution:

WHEREAS, the following have commenced Tax Certiorari proceedings for various years from 1986/1987 to date:

JANE & MITCHELL FISHMAN	- Map 24, Block A, Lot 13.7
JOAN Z. DAVID	- Map 24, Block A, Lot 13.20
BLANCHE SILVER	- Map 24, Block A, Lot 13.4 for

the years 1989 to date:

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RESOLUTION NO. (1019-1990) Continued

ANTHONY & PAQUITA NEGRI - Map 24, Block A, Lot 13.19

and

WHEREAS, it is necessary to obtain a trial appraisal with respect to defending said proceedings;

NOW, THEREFORE, be it

RESOLVED, that Margaret Noto is hereby retained to prepare a trial appraisal with respect to said Tax Certiorari proceedings for a fee of \$4,250.00 plus \$250.00 per day for testimony, if necessary, which fee shall be charged to Account No. A-1420-439-1.

Seconded by Co. Smith

Councilman Kunis called for discussion on the motion. He said there were three pieces of property and now there is an additional one. He said last week at a meeting three pieces of property came up. The appraisal fee was \$6,000.00 and there was \$1,000.00 per day for testimony. Supervisor said we decided we didn't like that so we changed the appraiser. Councilman Kunis said we changed the appraiser. Is there any way to put this out to competitive bidding? Who knows what we are paying and why we are paying?

Councilman Kunis said what he sees here is unbelievable because we were ready to vote last week on paying \$6,000.00 and it came before the Board and \$1,000.00 per day for one firm and now we got an additional property and we're paying \$1,750.00 less and \$750.00 per day less for testimony. Is there any way that this can be put out for competitive bidding? Maybe we can get the same thing for \$2,000.00 or \$1,000.00. It is just unbelievable what he just saw here and if he didn't see it he wouldn't believe it. When we talk about lowering a budget and saving money - this is the story in a nutshell right here. This is government and this is business and we've got to put this out for competitive bidding. Supervisor said that is why we didn't vote for it last week. Councilman Kunis said but it came up and it was on the agenda and if he hadn't stopped it it was going to be voted on.

Councilwoman Smith said Councilman Kunis was not the one who stopped it. Councilman Maloney said we all stopped it. Councilman Kunis said he questions the \$4,250.00 because if they are down to this figure another firm may come down to \$2,000.00 next week. Supervisor asked Town Attorney if we can bid these appraisal things? Town Attorney said, of course you can bid it but really you have to have qualified people. Councilman Kunis said he would not expect a party who is not qualified would make a bid but he said he could not see getting a fee one week of \$6,000.00 and a fee the following week of \$4,250.00 and you have one additional property this week. Next week, we may put another property on and get it for \$2,000.00. He asked if there was a scale? Is there any kind of guide we go by? Whose office is handling this?

Supervisor said the Town Attorney's Office in conjunction with the Supervisor's Office is handling this. He stated that he had spoken with Mr. Fogel and expressed the Board's concern and he did decide to change appraisers and came in with the revised figure.

Councilman Kunis said he was going to vote no because he thinks it should be put out to competitive bidding or at least maybe the Town Attorney's Office can send out to four different firms and get some kind of a fee schedule so it is not open to anybody just charging any price at any time because this is government. We have to save.

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RESOLUTION NO. (1019-1990) Continued

Councilman Maloney and all other Council Members including the Supervisor commented that they would like to go out to bid.

On roll call the vote was as follows:

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

Agenda Item No. 3 (Rescinding building permits for Rodeo East Subdivision) was taken off the Agenda after the Supervisor read the resolution.

Councilman Kunis said he noted that the attorney for the applicant was present. He said the original bond was \$63,000.00. He asked if there had been any changes? He asked if Mr. Bollman's office had lowered the bond? Mr. Bollman said to his knowledge there has been no work on it. He said he was stating that with a little bit of caution because the person handling it in his office has been away on a personal matter.

Supervisor stated that he believed that Mr. Kalarickal had left a memorandum in the Supervisor's Office today recommending a reduction to \$26,000.00 but that just came up this afternoon.

Councilman Kunis said so it has been reduced to \$26,000.00? Supervisor said that is Mr. Kalarickal's recommendation.

Town Attorney said there is a letter from Mr. Tirschwell also. Mr. Tirschwell said they had just received the reduction. He said last week they were ready to post the letter of credit. The Town Attorney had given them the form of the letter of credit. It was brought to Barclay's Bank. He said he had delivered to the Supervisor's Office today a letter from Barclay's Bank indicating that they would issue the letter of credit but because a letter of credit cannot be issued locally but only out of the New York office it cannot be issued until next Monday. He said they are requesting that the matter be put over until then so that at the next Town Board Meeting the required letter of credit may be delivered to the Town.

Supervisor said there is another question here as to whether the \$26,000.00 is actually sufficient. He said he asked Mr. Les Bollman to check that before because he doesn't know how much drainage work has ever been done on this place. Mr. Bollman, the Director of the Department of Environmental Control, stated that he had given instruction to Mr. Kalarickal, Deputy Director and asked him to make sure that the numbers were on the high side but he also said that performance bonds can only include those items that are shown on the map approved by the Planning Board. So, if your question is, does it show any additional drainage than we have been discussing for the last two months, absolutely not because it would not be legal for him to do that.

Councilman Kunis asked the Town Attorney if there was a letter from Barclay's Bank? Supervisor said Town Attorney Murray Jacobson had it. Mr. Jacobson said that the letter stated that Barclay's Bank of New York has agreed to issue a \$26,000.00 standby letter of credit for the benefit of the Town of Clarkstown in compliance with the letter format provided. He added that it also stated that the letter of credit will be delivered to your designated representative no later than November 26, 1990.

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Appearance: Ms. Carmelita Muller

Ms. Muller felt this letter of credit would not be enough to cover all the work she thought was needed. She said it would seem to her that the Town Attorney's office should have been after them to post another bond. She felt the Town should have better control over this. She was recommending that the \$63,000.00 bond be posted. She did not see why they were not rescinding these building permits and starting all over forcing the builder to conform to the Town Code. She felt the Environmental Department was at fault for not checking the records.

Councilman Maloney said the bank will have the check here on November 26th. Is there any reason why this can't be put over until the next Town Board Meeting on Tuesday, November 27, 1990?

Supervisor asked if there was a concensus of the Board to do that? Councilman Kunis said he had no problem with waiting until Tuesday. As to the amount of the letter that is a legal matter and Councilman Kunis said that would be based on Environmental Control's recommendation. Whatever they say, the Board or the applicant will have to follow, of course.

Councilman Mandia said we could pull it tonight and put it back in next Tuesday.

Councilman Maloney said he would rather hold it until Tuesday.

Supervisor said he would agree with Councilman Mandia in terms of pulling it now and seeing what happens next Tuesday.

Councilman Kunis said based on the fact that we told them last week and the letter has been delivered or at least we have a bank letter. To pull it and make him reapply, etc. he was against. He asked are we here to work with the builder and work with the problems in the neighborhood or are we here to have a vendetta against the builder? He said he thinks a week is reasonable.

Mr. Tirschwell said the bank has approved the form of the letter of credit and has agreed to deliver it. Banks just don't work that quickly.

Councilwoman Smith said in good faith they have done what they have been asked to do. The additional drainage is outside this amount of \$26,000.00.

Supervisor said we will pull this and put it on for Tuesday. If the money is here on Monday it will not be necessary to vote on this.

Mr. Bollman said you will have to vote on a reduction of the bond and that was agreed to.

It was agreed among all Board members that this would be pulled and put on for next Tuesday.

RESOLUTION NO. (1020-1990)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF CLERK
STENOGRAPHER - TOWN CLERK'S
OFFICE (MARJORIE LUBA)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation (by retirement) of
Marjorie Luba, 4 Wren Lane, New City, New York - Clerk Stenographer

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RESOLUTION NO. (1020-1990) Continued

- Town Clerk's Office - is hereby accepted - effective December 3, 1990.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (1021-1990)

ACCEPTING RESIGNATION OF
POLICE RADIO DISPATCHER -
POLICE DEPARTMENT (RICHARD
GELBMAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Richard Gelbman, P.O. Box 2261, New City, New York - Police Radio Dispatcher - Police Department - is hereby accepted - effective and retroactive to November 16, 1990.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (1022-1990)

APPOINTING TO (PERMANENT)
POSITION OF ASSISTANT
DIRECTOR OF MUNICIPAL
COUNSELING SERVICES -
CLARKSTOWN COUNSELING
CENTER (EMILY J. FEINER)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #90116 Assistant Director of Municipal Counseling Services,

NOW, THEREFORE, be it

RESOLVED, that Emily J. Feiner, 38 Fourth Avenue, Apt. 2G, Nyack, New York, is hereby appointed to the (permanent) position of Assistant Director of Municipal Counseling Services - Clarkstown Counseling Center - at the current 1990 annual salary of \$30,200.00, effective November 21, 1990.

Seconded by Co. Kunis

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. (1023-1990)

APPOINTING TO POSITION OF
(PROVISIONAL) TRANSIT
OPERATION SUPERVISOR -
CLARKSTOWN MINI TRANS
DEPARTMENT (FRANK FEE)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board is desirous of filling the
position of Transit Operation Supervisor - Clarkstown Mini Trans
Department,

NOW, THEREFORE, be it

RESOLVED, that Frank Fee, 34 Beechwood Drive, Congers,
New York, be appointed to the position of (provisional) Transit
Operation Supervisor, after completion of a satisfactory
pre-employment physical examination.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (1024-1990)

GRANTING SICK LEAVE OF
ABSENCE AT ONE-HALF PAY TO
SENIOR STENOGRAPHER - TOWN
JUSTICE DEPARTMENT (CANDYCE
DRAPER)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVIII,
Section 3(k) of the Labor Agreement between the Town of Clarkstown
and the Clarkstown Unit of the C.S.E.A., Candyce Draper, 20 Endicott
Street, Congers, New York - Senior Stenographer - Town Justice
Department - is hereby granted a Sick Leave of Absence - at one-half
pay - effective December 10, 1990 to January 4, 1991.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (1025-1990)

CREATING POSITION OF
DIRECTOR OF MUNICIPAL
COUNSELING SERVICES -
CLARKSTOWN COUNSELING CENTER

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
certified on November 20, 1990, by letter, that the position of
Director of Municipal Counseling Services, can be created,

NOW, THEREFORE, be it

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RESOLUTION NO. (1025-1990) Continued

RESOLVED, that the position of Director of Municipal Counseling Services - Clarkstown Counseling Center - is hereby created - effective November 21, 1990.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (1026-1990)

AWARDING BID FOR BID NO.
(79-1990) - GARBAGE
COLLECTION AND DISPOSAL
SERVICE FOR 1, 2 AND 3
FAMILY HOMES (CLARKSTOWN
CARTING ASSOCIATES, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control that

BID NO. 79-1990
GARBAGE COLLECTION AND DISPOSAL
SERVICE FOR 1, 2, AND 3 FAMILY HOMES

is hereby awarded to:

CLARKSTOWN CARTING ASSOCIATES, INC.
1 SOUTH FRANKLIN STREET
NYACK, NEW YORK 10960
PRINCIPAL: PAT NAZZARO

as per their proposal bid for garbage collection and disposal service for 1, 2 and 3 family homes at a cost of \$26.00 per unit per month.

Seconded by Co. Smith

Councilman Kunis said he was voting no on this because there was only one other bid that came in and that bid was regarding curbside service and the bid was for approximately \$16.00 which represents a \$10.00 per household difference - over \$2,000,000.00 per year in tax savings to the Clarkstown taxpayer. He said he is not voting no so much for that reason as he is for the fact that basically there was only one bid. Not that it was a good bid or a bad bid but he would like to have seen more people bid on it and he would therefore recommend rebidding the job. He votes no for that reason.

On roll call the vote was as follows:

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

ABF471

RESOLUTION NO. (1027-1990)

AUTHORIZING MUNICIPAL
GARBAGE COLLECTION AND
DISPOSAL SERVICE FOR 1, 2
AND 3 FAMILY HOMES

Co. Smith offered the following resolution:

WHEREAS, the Town Board believes it is in the best interest of the citizens of the Town of Clarkstown to provide municipal garbage collection and disposal service to 1, 2 and 3 family homes in the unincorporated area of the Town of Clarkstown, and

WHEREAS, the Town Board believes it is in the best interest of the citizens of the Town of Clarkstown to develop an incentive program to recycle garbage and refuse for 1, 2, and 3 family homes, which program will be implemented by April 1, 1991;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the Refuse and Garbage District of the Town of Clarkstown will provide municipal garbage collection and disposal service for 1, 2 and 3 family homes, in the unincorporated area of the Town of Clarkstown, commencing January 1, 1991;

2. That an incentive program, in order to encourage recycling, will be implemented by April 1, 1991;

3. That the cost of such municipal garbage collection and disposal service for the period January 1, 1991 through March 31, 1991 shall be funded by a Special Assessment to be levied upon said 1, 2 and 3 family homes in the unincorporated area of the Town of Clarkstown;

4. That a charge for garbage collection and disposal service for the period April 1, 1991 through December 31, 1991, shall be the subject of a bill sent to 1, 2 and 3 family homes in the unincorporated areas of the Town of Clarkstown by April 1, 1991.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

Supervisor said it was the concensus of the Town Board that this would be based upon the premise that if you produce less you pay would less and that is the theory behind this.

RESOLUTION NO. (1028-1990)

SETTING PUBLIC HEARING TO
CONSIDER OBJECTIONS WHICH
MAY BE MADE TO PROPOSED
AMENDMENT TO SAID
ASSESSMENT ROLL RE
FINANCING OF REFUSE AND
GARBAGE DISTRICT OF TOWN OF
CLARKSTOWN

Co. Smith offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has completed an Assessment Roll in connection with the financing of the Refuse and Garbage District of the Town of Clarkstown, and

Continued on Next Page

RESOLUTION NO. (1028-1990) Continued

WHEREAS, it is proposed to amend said Assessment Roll to include a Special Assessment for the purpose of garbage collection and disposal services for 1, 2, and 3 family homes in the unincorporated area of the Town of Clarkstown, for the period January 1, 1991 through March 31, 1991, which charge shall be \$78.00 for each unit in a 1, 2 and 3 family home;

NOW, THEREFORE, be it

FURTHER RESOLVED, that a public hearing shall 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 4th day of December, 1990 at 8:00 P.M., to consider any objections which may be made to the proposed amendment to said Assessment Roll, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such 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.

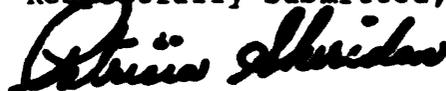
Seconded by Co. Maloney

On roll call the vote was as follows:

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

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, time: 9:10 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

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