

Town Hall

12/31/90

12:05 P.M.

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

Supervisor declared Town Board Meeting open and turned proceedings over to Chris Goodyear, President of PBA who was to preside over the swearing in ceremony for new police officers. The Police Honor Guard under the direction of Detective Gary McDonald presented the colors and escorted the officers to be sworn in. Chief William J. Collins led the assemblage in the salute to the Flag. Chief Philip Human of the Nyack Police Department was introduced.

Sargeant Goodyear presented the following officers:
Joseph J. Gagaliardi, Lorraine M. McGrath, Rodney Picott, James R. Thurston, Robert P. Shine and Stanley G. Young.

Each officer was sworn in by Councilman and Police Commissioner John Maloney. The officers' badges were presented by members of their family.

Police Chief William Collins welcomed and conveyed his personal congratulations to the new officers and to their families. Chief Collins introduced Police Commissioners Councilman Ralph Mandia and Otto Morch. The Town Board offered their congratulations and welcomed the new officers.

Supervisor opened the public portion of the meeting.

Appearance: Anthony Camelli
Freedman Avenue
Nanuet, New York

Mr. Camelli spoke regarding the proposed entertainment center located where the former Spring Valley Tennis Courts were. He expressed his concerns regarding the same.

Louis Massaro
19 Fredrick Street
Nanuet, New York

Spoke regarding his concern over the entertainment center and problems that could arise there.

Leo Strauss
Nanuet, New York

Spoke regarding his concern over the entertainment center and in particular the video arcades.

Jay Tenger
Nanuet, New York

Spoke regarding his opposition to the entertainment center in Nanuet.

Ellie Borganno
Nanuet, New York

Spoke regarding her concern about the entertainment center in Nanuet.

Richie Cunningham
Nanuet, New York

Spoke regarding the entertainment center proposed for Nanuet and his concerns about security.

ABF471

RESOLUTION NO. (1134-1990)

ACCEPTING MINUTES OF TOWN
BOARD MEETING OF DECEMBER
18, 1990

Co. Smith offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting of
December 18, 1990 are hereby accepted as submitted by 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

RESOLUTION NO. (1135-1990)

SETTING MEETING DATES FOR
TOWN BOARD MEETINGS AND
WORKSHOP MEETINGS FOR THE
YEAR 1991

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board Meeting dates for 1991
are designated as follows:

January 7 and 22	July 9 and 23
February 12 and 26	August 13 and 27
March 12 and 26	September 10 and 24
April 9 and 23	October 8 and 22
May 14 and 28	November 12 and 26
June 11 and 25	December 10 and 31

and be it,

FURTHER RESOLVED, that the Town Board Workshop Meeting
dates for 1991 are designated as follows: 8:30 P.M.

January 14	July 1 and 15
February 4	August 5 and 19
March 4 and 18	September 16 and 30
April 1 and 15	October - No Meeting
May 6 and 20	November 4 and 18
June 3 and 17	December 2 and 16

Seconded by Co. Smith

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. (1136-1990)

RECINDING RESOLUTION NO.
1129 RE: ROCLAN DEVELOPERS
INC.

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (1136-1990) Continued

RESOLVED, that Resolution No. 1129 authorizing the Town Attorney to institute proceedings as stipulated in Chapter 31 of the Town Code to remove or rectify violations on premises owned by ROCLAN DEVELOPERS, INC. (Map 127, Block L, Lot 27) is hereby rescinded.

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

ABF471

RESOLUTION NO. (1137-1990)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDINGS FOR REMOVAL OF VIOLATION ON PREMISES OWNED BY ROCLAN DEVELOPERS, INC. (MAP 127-L-27)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations on premises reputedly owned by ROCLAN DEVELOPERS, INC. in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as MAP 127, BLOCK L, LOT 27, and be it

FURTHER RESOLVED, that a public hearing 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 22nd day of January, 1991, at 8:10 P.M., providing Notice pursuant to Town Code, Section 31, can be made on or before January 14, 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. (1138-1990)

SETTING PUBLIC HEARING RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE JOSEPH P. FREIREICH

Co. Kunis offered the following resolution:

WHEREAS, a written Petition dated November 26, 1990 in due from and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

Continued on Next Page

RESOLUTION NO. (1138-1990) Continued

(DESCRIPTION ON FILE IN TOWN CLERK'S OFFICE)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, in said Town of Clarkstown, on the 7th day of January, 1991 at 8:05 P.M. es time to consider the said petition and to hear all persons interested in the subject hereof, concerning the same and for such other action as may be required by law or proper in the premises.

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

RESOLUTION NO. (1139-1990)

REFERRING APPLICATION FOR
SPECIAL PERMIT TO THE
CLARKSTOWN PLANNING BOARD
AND THE ROCKLAND COUNTY
COMMISSIONER OF PLANNING
BERTOLINO - TOP SOIL
SCREENING - MAP 90, BLOCK A,
LOT NO. 11.04

Co. Maloney offered the following resolution:

WHEREAS, MICHAEL BERTOLINO and EDWARD BERTOLINO, have petitioned the Town Board of the Town of Clarkstown for use of their property for the Top Soil Screening purusant to the provisions of Section 106-10A, Table of General Use Regulations for an M District, Column 3, Section B, Paragraph 7 of the Zoning Ordinance of the Town of Clarkstown, for property situated off Snake Hill Road, West Nyack, New York, designated on the Clarkstown Tax Map as Map 90-A-11.04;

NOW, THEREFORE, be it

RESOLVED, that the application is hereby referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their review and recommendation, and be it

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Smith

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. (1140-1990)

ACCEPTING DECLARATION FOR
FUTURE ROAD WIDENING
(FELDI) - PINE LANE AND
EVERGREEN LANE, NEW CITY,
NEW YORK

Co. Maloney offered the following resolution:

RESOLVED, that a Declaration made by Mar-Feld Building Corp. dated December 14, 1990, for future road widening purposes along Pine Lane and Evergreen Lane, New City, New York, required by the ZBA Appeal No. 2318 is hereby accepted upon the recommendation of the Department of Environmental Control and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Smith

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. (1141-1990)

AUTHORIZING TOWN ATTORNEY
TO DEFEND ACTION (CHEMICAL
BANK NEW JERSEY, ET AL V.
RODRIGUEZ, ET AL)

Co. Maloney offered the following resolution:

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

CHEMICAL BANK NEW JERSEY, NATIONAL
ASSOCIATION, a National Banking
Association formerly Horizon Bank,
National Association,

Plaintiff,

-against-

OSCAR LEVINE RODRIGUEZ and
SUSAN LEVINE RODRIGUEZ, HUSBAND
and WIFE, NEW YORK STATE TAX
COMMISSION, COUNTY OF ROCKLAND
and TOWN OF CLARKSTOWN,

Defendants.

NOW, THEREFORE, be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

ABF 471

RESOLUTION NO. (1142-1990)

ACCEPTING PROPOSALS FOR
STREET LIGHTING AT DIANE
DRIVE, NEW CITY

Co. Kunis offered the following resolution:

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator, and

WHEREAS, the surrounding property owners have indicated that they are in accord with this proposed lighting.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts proposals from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Diane Drive, New City
(Install one (1) - 5800 lumen sodium vapor street light on existing utility pole number 59193/42107.)

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

RESOLUTION NO. (1143-1990)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES INC. FOR STREET
LIGHTING AT FOXWOOD ROAD
AND SAXON LANE, WEST NYACK

Co. Kunis offered the following resolution:

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator, and

WHEREAS, the surrounding property owners have indicated that they are in accord with this proposed lighting.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts proposals from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

Foxwood Road, West Nyack
(Install - Six (6) 5800 lumen sodium vapor street light on existing pole numbers 59643/39734, 59628/39733, 59732/39740, 59766/39737, 59752/39741, and 59684/39737.)

Continued on Next Page

RESOLUTION NO. (1143-1990) Continued

Saxon Lane, West Nyack
(Install - One (1) 5800 lumen sodium vapor street
light on existing pole number 59681/39723.)

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

RESOLUTION NO. (1144-1990)

SETTING PUBLIC HEARING RE:
ABANDONMENT OF FELDI LANE,
NEW CITY

Co. Smith offered the following resolution:

WHEREAS, a request has been made by KATHERINE FELDI, that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain right-of-way known as Feldi Lane, and as shown on a survey entitled, "Map of Property of Martin Feldi Subdivision," prepared by Thomas A. Donovan, L.S., dated October 28, 1974, as shown on Schedule "A" attached, upon the grounds same has never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the Town of Clarkstown and said applicant has further requested that such allegedly abandoned road be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said road as described above;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 12th day of February, 1991, at 8:05 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of said public hearing be published in the Journal News and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the applicant shall fulfill the additional requirements of Section 106-32(C) of the Zoning Ordinance of the town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred (500') feet of the affected property, and be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Rockland County Commissioner of Planning and to the Clarkstown Planning Board, for their report and recommendations, and be it

Continued on Next Page

ABF471

RESOLUTION NO. (1144-1990) Continued

FURTHER RESOLVED, that the Town Attorney prepare said notice of public hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the office of the said Clerk.

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. (1145-1990)

AUTHORIZING SUPERVISOR TO
ENTER INTO AN AGREEMENT
WITH AMBULANCE CORPS FOR
BASIC AMBULANCE SERVICE FOR
THE YEAR 1991

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown desires to enter into an agreement with the Ambulance Corps which serve the incorporated and unincorporated portions of the Town of Clarkstown;

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 to the Town of Clarkstown for the calendar year 1991, upon payment of sums set forth below in quarterly installments at the beginning of each quarter during the calendar year 1991:

Congers-Valley Cottage Volunteer Ambulance Corps, Inc.	\$91,500.00
New City Volunteer Ambulance Corps Rescue Squad, Inc.	83,135.00
Nanuet Community Ambulance Corps, Inc.	75,000.00
Nyack Community Ambulance Corps	64,304.00
Spring Hill Ambulance Corps	<u>30,000.00</u>
TOTAL BASIC AMBULANCE SERVICE	\$343,939.00

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. (1146-1990)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
NYACK HOSPITAL FOR
EMERGENCY MEDICAL/-
PARAMEDIC SERVICES TO THE
TOWN OF CLARKSTOWN

Co. Smith offered the following resolution:

WHEREAS, the Town has heretofore allocated in its 1991 budget the sum of \$806,591.00 for the provision of Emergency Medical/Paramedic Services, and

WHEREAS, Section 122b of the General Municipal Law of the State of New York authorizes the Town government to provide in its discretion for emergency medical services for the purposes of providing emergency care to sick and injured persons found within the municipality, and for that purpose a Town may enter into contracts with one or more associations, corporations, or organizations for the furnishing of emergency medical services to such persons, and

WHEREAS, the Town desires that the emergency medical services provided within its jurisdiction be at the level of care provided by Advanced Emergency Medical Technicians, to wit, Paramedics, as defined by New York State Public Health Law, Section 3001(7), and

WHEREAS, Nyack Hospital provides a paramedic service capable of providing an "Advanced Life Support System" (as defined by New York State Public Health Law, Section 3001(12)), "Advanced Life Support Services" (as defined by Public Health Law Section 3001(11)), and "Advanced Life Support System" (as defined by Public Health Law Section 3031) and desires to provide such services to the Town, except such ambulance service which shall be provided by local Volunteer Ambulance Corps, and

WHEREAS, the Town desires to obtain the services of Nyack Hospital to provide twenty-four (24) hour per day Paramedic Services, except such ambulance service which shall be provided by local volunteer ambulance corps as needed by the Town residents and transient population and has appropriated funds to defray the operational expenses of Nyack Hospital;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into a tripartite agreement, in a form approved by the Town Attorney, with Nyack Hospital, in order to provide for Emergency Medical/Paramedic Services for the calendar year 1991, and with Congers-Valley Cottage Volunteer Ambulance Corps, Inc., New City Volunteer Ambulance Corps/Rescue Squad, Inc., Nanuet Community Ambulance Corps, Inc., and Nyack Community Ambulance Corps for volunteer ambulance service, and be it

FURTHER RESOLVED, that the sum of \$806,591.00, for the provision of Emergency Medical/Paramedic Services to the Town of Clarkstown by Nyack Hospital, shall be charged to Account No. A-4540-585.

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

ABF471

RESOLUTION NO. (1147-1990)

SETTING PUBLIC HEARING RE:
DESIGNATION OF HISTORICAL
SITE (HOPPER HOUSE) - MAP
5, BLOCK B, LOT 6.14

Co. Maloney offered the following resolution:

WHEREAS, it has been proposed that the house located at 131 South Pascack Road, Spring Valley, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 5, Block B, Lot 6.14, be designated as an Historical Site pursuant to Chapter 12-3(C) of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 22nd day of January, 1991, at 8:05 P.M., to consider the designation of the aforesaid property as an Historical Site, and be

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the Office of the said Clerk.

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

RESOLUTION NO.(1148-1990)

AWARDING BID FOR BID
#7-1991 - WORK CLOTHING
(EASTCO INDUSTRIAL SAFETY
CORP., LOU GOLDSTEIN
UNIFORM AND H. TEXIER GLOVE
CO., INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that

BID #7-1991
WORK CLOTHING

is hereby awarded to

EASTCO INDUSTRIAL SAFETY CORP.
130 WEST 10TH STREET
HUNTINGTON STA., NY 11746
PRINCIPAL: AL DENSEN

LOU GOLDSTEIN UNIFORM
200 SOUTH 13th AVENUE
MT. VERNON, N.Y. 10550
PRINCIPAL: LOWELL LEVINE
BARBARA LEVINE

H. TEXIER GLOVE CO., INC.
HIGHWAY 22 AT MOUNTAIN AVE.
NORTH PLAINFIELD, N.J. 07061
PRINCIPAL: EDGAR L. STAUFFER
W. RANDALL STAUFFER
JEFFREY R. STAUFFER

Continued on Next Page

RESOLUTION NO. (1148-1990) Continued

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. (1149-1990)

GRANTING OF CERTIFICATE OF
REGISTRATION (CAL MART
CONSTRUCTION) - LIC. NO.
91-2)

Co. Smith offered the following resolution:

WHEREAS, the following has applied for a Certificate of
Registration pursuant to Section 83-65 of the Code of the Town of
Clarkstown:

CAL MART CONSTRUCTION CORP.
357A Route 59
West Nyack, New York 10994

RESOLVED, that the following Certificate of
Registration be issued:

No. 91-2 to CAL MART CONSTRUCTION CORP.

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

Supervisor Holbrook moved Item 18 opposing I.D.A.
funding of the Pyramid Project. There being no second, motion
failed.

RESOLUTION NO. (1150-1990)

TABLING MOTION I.D.A.
FUNDING FOR PYRAMID

Co. Maloney offered the following resolution:

RESOLVED, that Agenda Item 18 on the Special Town Board
Meeting of December 31, 1990 regarding opposing I.D.A. funding of
the Pyramid Project is hereby tabled.

Seconded by Co. Smith

On roll call the vote was as follows:

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

Continued on Next Page

ABF471

Supervisor Holbrook read a resolution in opposition to I.D.A. funding that would result in the loss of an estimated \$725,000.00 in mortgage tax revenue to the Town of Clarkstown.

Councilman Maloney stated that we didn't have a work shop on this. Supervisor Holbrook stated that it had been in the paper. Councilman Kunis stated that he would like to get the facts and if necessary bring our special counsel to help us negotiate the Pyramid Project. A motion to table was discussed. Councilman Maloney made a motion to table for the purpose of discussion and to see what kind of action they will take. Councilwoman Smith seconded the motion. Councilman Kunis asked if it required a special meeting for the Board or a work shop meeting. Supervisor Holbrook stated that they have a work shop on the 14th and asked if they would like to push it to the work shop meeting.

Councilman Kunis stated that he wanted to know everything from soup to nuts regarding this and he would certainly be prepared to make a motion. The Town Attorney asked what special council he was talking about. Councilman Kunis stated that it required a lot of information that they do not have yet. There was extensive discussion by the members of the Town Board. Town Attorney said the Town had special council on the zone change, Cutty and Feder, and they had nothing to do with the I.D.A. funding. Councilman Kunis said he would like to know about the I.D.A. funding and if anybody else in Clarkstown or any other commercial bussiness, has received this funding over the past few years.

Councilman Maloney said that the Town Attorney would be doing some research in order to give us the benefit of how we should go about this. If we are going to lose \$725,000.00 we should know that and where that figure came from. Councilwoman Smith requested a list of the projects that were funded in Clarkstown. She said that MRC was funded for \$8,000,000.00 and she does not know why it did not bother us that we lost the mortgage tax. Also Grant Hardware was funded and we lost mortgage tax on that and nobody seemed to raise a question. She stated that she thought the inducement issue is a phony issue in that more than 50% of the I.D.A. funds are expansions. She also stated that whether or not the I.D.A. choses to fund something or not is their business, but she does think that Clarkstown should never lose mortgage tax and she thinks that for future fundings, no matter what it may be, that we should sit with the I.D.A. and/or the applicant and in some way negotiate that we do get the mortgage taxes that we are supposed to get.

Councilman Mandia stated that he thought the motion to table and get it to work shop is a good idea. If the public is going to support the project, we should be looking to engender interest or expansion in this Town where people have choices. He has some problems understanding why somebody who came to the Town, who knows the businesses here, should be supported by the Government. He also thought that there was a lot of public outrage out there and misunderstanding on this. There should be a way to get the \$725,000.00 back. Councilman Mandia supported the motion to table. Councilman Kunis said that he thought they could formulate a stronger resolution with a work shop.

Supervisor Holbrook stated that he thought the Resolution was self explanatory. He said that he thought the question of inducement is a very real one and that the firm never needed inducement to come here. He thought it violated the spirit of what the I.D.A. was created for and he thinks also that if one takes a look at the record and how this was approved, it is legally flawed and he does not think it would stand up to a legal challenge. He said that these are things to consider and the amount of money, the \$725,000.00 was obtained through the good offices of the Town Comptroller, but he did not think it good for the Town or for Rockland County to be using it this way.

RESOLUTION NO. (1151-1990)

RECLASSIFYING POSITION OF **155**
PERSONNEL CLERK TO
PERSONNEL ASSISTANT -
PERSONNEL OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 27, 1990 that the position of Personnel Clerk can be reclassified to the position of Personnel Assistant,

NOW, THEREFORE, be it

RESOLVED, that the position of Personnel Clerk is hereby reclassified to the position of Personnel Assistant - Personnel Office - effective and retroactive to December 24, 1990, and be it

FURTHER RESOLVED, that the grade for the position of Personnel Assistant is hereby established at a Grade 27.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (1152-1990)

APPOINTING TO POSITION OF
(PROVISIONAL) PERSONNEL
ASSISTANT (MARY LOEPFLER)

Co. Maloney offered the following resolution:

RESOLVED, that Mary G. Loeffler, 15 Oak Road, New City, New York, is hereby appointed to the position of (provisional) Personnel Assistant - Personnel Office - at the current annual salary of \$33,808.00, effective and retroactive to December 24, 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. (1153-1990)

RECOGNIZING APPOINTMENTS BY
POLICE COMMISSION OF SIX
OFFICERS FROM THE VILLAGE
OF NYACK TO THE CLARKSTOWN
POLICE DEPARTMENT

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointments by the Police Commission of the following Police Officers from the Village of Nyack - transferred to the Town of Clarkstown Police Department - effective January 1, 1991:

James R. Thurston
48 Allison Avenue
Stony Point, NY

Stanley G. Young
14 Badger Street
New City, NY

Continued on Next Page

ABF471

RESOLUTION NO. (1153-1990) Continued

Joseph J. Gagliardi
R. D. 2, Box 465-A
Goshen, NY

Robert P. Shine
23 Country Club Lane
Pomona, NY

Lorraine M. McGrath
296 High Avenue
Unit 2M
Nyack, NY

Rodney T. Picott
16 Waldron Avenue
Central Nyack, NY

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. (1154-1990)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF POLICE
OFFICER (NILES M. DAVIES,
III)

Co. Maloney offered the following resolution:

WHEREAS, the Police Commission, on August 31, 1990 granted a temporary appointment to Niles M. Davies, III - from Certification of Eligibles #88222 Police Officer - effective September 3, 1990 (pending clearance of medical and psychological examinations and physical fitness tests), and

WHEREAS, the Rockland County Personnel Office has furnished an additional Certification of Eligibles #88222 Police Officer, which contains the name of Niles M. Davies, III,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Niles M. Davies, III, Box 146, Dr. Davies Road, Congers, New York, to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34,910., effective and retroactive to December 6, 1990.

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

RESOLUTION NO. (1155-1990)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
(PERMANENT) POSITION OF
POLICE OFFICER - POLICE
DEPARTMENT (DOROTHY FELTHAM)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (1155-1990) Continued

WHEREAS, the Police Commission, on August 31, 1990 granted a temporary appointment to Dorothy Feltham, from Certification of Eligibles #88222 Police Officer - effective September 3, 1990 (pending clearance of medical and psychological examination and physical fitness tests), and

WHEREAS, the Rockland County Personnel Office has furnished an additional Certification of Eligibles #88222 Police Officer, which contains the name of Dorothy Feltham,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Dorothy Feltham, 1 Linden Court, New City, New York, to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34,910., effective and retroactive to December 6, 1990.

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

RESOLUTION NO. (1156-1990)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
(PERMANENT) POSITION OF
POLICE OFFICER (RICKY W.
ROSCOE)

Co Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #88222 Police Officer which contains the name of Ricky W. Roscoe,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Ricky W. Roscoe, 693 So. Mountain Road, New City, New York to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34,910., effective and retroactive to September 3, 1990.

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

RESOLUTION NO. (1157-1990)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
(PERMANENT) POSITION OF
POLICE OFFICER (MICHAEL J.
MAHONEY)

Continued on Next Page

ABF471

RESOLUTION NO. (1157-1990) Continued

Co. Maloney offered the following resolution:

WHEREAS, the Police Commission, on August 31, 1990 granted a temporary appointment to Michael J. Mahoney - from Certification of Eligibles #88222 Police Officer - effective September 3, 1990 (pending clearance of medical and psychological examinations and physical fitness tests), and

WHEREAS, the Rockland County Personnel Office has furnished an additional Certification of Eligibles #88222 Police Officer, which contains the name of Michael J. Mahoney,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Michael J. Mahoney, 142 South Little Tor Road, New City, New York, to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34,910., effective and retroactive to December 6, 1990.

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

RESOLUTION NO. (1158-1990)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
(PERMANENT) POSITION OF
POLICE OFFICER (MATTHEW
BARRY)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #88222 Police Officer which contains the name of Matthew Barry,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Matthew Barry, 128 Kings Highway, New City, New York to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34, 910., effective and retroactive to November 19, 1990.

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

RESOLUTION NO. (1159-1990)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO

Continued on Next Page

RESOLUTION NO. (1159-1990)

(PERMANENT) POSITION OF
POLICE OFFICER (KEVIN M.
MCTIGUE)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #88222 Police Officer which contains the name of Kevin M. McTigue,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Kevin M. McTigue, 939 Flint Court, Valley Cottage, New York, to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34, 910., effective and retroactive to November 19, 1990.

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

RESOLUTION NO. (1160-1990)

RECOGNIZING (PERMANENT)
APPOINTMENT BY POLICE
COMMISSION TO POSITION OF
POLICE OFFICER (ANTHONY
OVCHINNIKOFF)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #88222 Police Officer which contains the name of Anthony Ovchinnikoff,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Anthony Ovchinnikoff, 22 Vermont Avenue, Congers, New York, to the (permanent) position of Police Officer - Police Department - at the current annual salary of \$34, 910., effective and retroactive to November 19, 1990.

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

RESOLUTION NO. (1161-1990)

RECOGNIZING (CONTINGENT
PERMANENT) APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF POLICE OFFICER
(GREGORY S. MIELE)

Continued on Next Page

ABF471

RESOLUTION NO. (1161-1990) Continued

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #88222 Police Officer which contains the name of Gregory S. Miele,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Gregory S. Miele, 10-20 Oxford Drive, Valley Cottage, New York, to the (contingent permanent) position of Police Officer - Police Department - at the current annual salary of \$34, 910., effective and retroactive to November 19, 1990.

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

RESOLUTION NO. (1162-1990)

RECOGNIZING (PROVISIONAL)
APPOINTMENT BY POLICE
COMMISSION TO POSITION OF
POLICE RADIO DISPATCHER
(MARGARET RASCOLL)

Co. Mandia offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Margaret Rascoll, 7 Ludvigh Road, Nanuet, New York to the position of (provisional) Police Radio Dispatcher - Police Department - at the current annual salary of \$21,768., effective and retroactive to December 10, 1990.

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

RESOLUTION NO. (1163-1990)

APPOINTING TO POSITION OF
(PART-TIME) BUS DRIVER -
MINI TRANS DEPARTMENT
(MARIANN KILDUFF)

Co. Maloney offered the following resolution:

RESOLVED, that Mariann Kilduff, 316-A River Road, Jones Point, New York, is hereby appointed to the position of (part-time) Bus Driver - Mini Trans Department - at the current hourly rate of \$9.62 - effective January 2, 1991.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (1164-1990) Continued

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

RESOLUTION NO. (1164-1990)

APPOINTING TO POSITION OF
 OFFICER WORKER STUDENT -
 RECEIVER OF TAXES OFFICE
 (JANET MURPHY)

Co. Maloney offered the following resolution:

RESOLVED, that Janet Murphy, 27 London Terrace, New City, New York, is hereby appointed to the position of Office Worker Student - Receiver of Taxes Office - at the current hourly rate of \$5.50 - effective and retroactive to December 28, 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. (1165-1990)

APPOINTING TO POSITION OF
 (PERMANENT) POSITION OF
 YOUTH COUNSELOR I
 -COUNSELING CENTER (SUSAN
 C. BEERMAN)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Youth Counselor I #90015 which contains the name of Susan C. Beerman,

NOW, therefore, be it

RESOLVED, that Susan C. Beerman, 288 Piermont Avenue, South Nyack, New York, is hereby appointed to the (permanent) position of Youth Counselor I - Counseling Center - at the current annual salary of \$25,320, effective and retroactive to December 24, 1990.

Seconded by Co. Smith

On roll call the vote was as follows:

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

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Solid Waste Transportation and Disposal was opened, time: 1:12 P.M.

Continued on Next Page

ABF471

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Solid Waste Transportation and Disposal was closed, RESOLUTION ADOPTED, time 1:20 P.M.

RESOLUTION (1166-1990)

ADOPTING LOCAL LAW NO.
9-1990 - SOLID WASTE
TRANSPORTATION AND DISPOSAL

Co. Smith offered the following resolution:

WHEREAS, a proposed local law entitled:

"SOLID WASTE TRANSPORTATION AND DISPOSAL"

was introduced by Councilman Smith at a Town Board meeting held on December 18, 1990 and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 18th day of December, 1990, directed that a public hearing be held on the 31st day of December, 1990 at 12:05 PM and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 21, 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 December 18, 1990, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 31, 1990;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 9-1990, entitled:

"SOLID WASTE TRANSPORTATION AND DISPOSAL"

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.....Yes

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

Seconded by Co. Maloney

On motion of Councilwoman Smith and seconded by Councilman Kunis and unanimously adopted, the public hearing re: Amendment to Chapter 50 (Garbage Removal) of the Town Code of the Town of Clarkstown was opened, time: 1:20 P.M.

On a motion of Councilwoman Smith and seconded by Councilman Maloney and unanimously adopted, the public hearing re: Amendment to Chapter 50 (Garbage Removal) of the Town Code of the Town of Clarkstown was closed, RESOLUTION ADOPTED, time: 1:22 P.M.

Continued on Next Page

RESOLUTION NO. (1167-1990)

ADOPTING LOCAL LAW NO.
10-1990 - AMENDMENT TO
CHAPTER 50 (GARBAGE REMOVAL)

Co. Smith offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 50 (GARBAGE REMOVAL)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on December 18, 1990, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 18th day of December, 1990, directed that a public hearing be held on the 31st day of December at 12:10 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 21, 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 December 18, 1990, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 31, 1990;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 10-1990, entitled:

"AMENDMENT TO CHAPTER 50 (GARBAGE REMOVAL)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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.....Yes

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

Seconded by Co. Maloney

Supervisor Holbrook extended an invitation to all present to retire to the Andrew Jackson Room upstairs to partake of some light refreshment.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Town Board meeting was declared closed, time: 1:23 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

ABF 471

TOWN OF CLARKSTOWN
PUBLIC HEARING

165

Town Hall

12/31/90

1:12 P.M.

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

Re: Adopting Local Law No. 9-1990 - Solid Waste Transportation and Disposal

On a motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor Holbrook stated that the purpose of this law is to insure that refuse collected in the Town of Clarkstown is collected and brought to the Clarkstown Transfer Station. The Town Attorney concurred. Supervisor Holbrook stated that in essence we won't have people competing against us and undermining our ability to dispose of solid waste. Town Attorney stated that it also regulates the transportation into the Town of any solid waste from without the Town, so that the transportation can be to our solid waste facility or to a recycling center which we may license in the future. Supervisor Holbrook stated that this law enables us to collect and dispose of garbage effectively in our transfer station which will be operative starting on January 2nd. Supervisor Holbrook asked if there was any public comment on the proposed local law.

Alan Freedman
Nanuet, New York

Alan Freedman said he is an Environmental Consultant and that he was wondering what provisions have been made regarding hazardous waste particularly in concern to asbestos. Deregulation requires the removal of roofs and any other materials which have asbestos in it. However, everytime I see a roof removed, it goes into a dumpster. The roofing cement and many times the shingles have asbestos in them and I am afraid that this material is dumped along with all other debris, packaged by the transfer station and sent to the dump, etc. The Town Attorney stated that the provision within the local law is that we will not accept hazardous waste at the transfer station. The only waste that we might accept would be sludge and that is not hazardous. Supervisor Holbrook said that we would have inspectors there to witness the garbage as it is presented on the floor of the transfer station or even before it is tipped there. They are going to have to examine it to see. I mean I am not guaranteeing every load, I am sure. When rejected, it has to be disposed of and the State has to be contacted and they have to come in and see that it is disposed of in a proper way.

Alan Freedman asked if the place would have to be decontaminated? Supervisor said whatever they require, I am not sure of that, but we are certainly not in the business of accepting hazardous waste knowingly because we don't want to be involved in the situation which you have pointed out in terms of owning the garbage. It's your garbage no matter where you take it.

Alan Freedman asked if it should be proposed to limit the construction so that we can determine what is being disposed of? Supervisor Holbrook said that he thought that point was a valid one. He also stated that they would take that point under advisement. If a construction demolition site is being brought in, we will have to have that inspected prior to being tipped. Supervisor Holbrook stated that we have information now as to what is hazardous and what is not.

Ellie Jackson
Nanuet, New York

Ms. Jackson stated that there was no provision made for this tipping over if it is hazardous. Supervisor Holbrook told her that we have people there to inspect the loads and they are

Continued on Next Page

ABF 471

instructed as to what is permitted. He said we will just have to double check to make sure that we do not accept hazardous waste. Ms. Jackson asked if the people were told what to do. Supervisor Holbrook answered "yes". Supervisor Holbrook said that the permit that we get from the state requires us to fulfill all the obligations of the State not only in terms of solid waste, but also in terms of hazardous waste. Ms. Jackson asked if we had an incinerator? She was told by the Board members that there was no incineration. Supervisor Holbrook said that we have investigated incineration, but that it would be another twenty years for that. He also said that we have given incineration consideration in regard to points of destination of garbage, but right now it is for us more economically feasible to take it to landfills that we have already contracted for. We have looked into that. Ms. Jackson asked where they were? Supervisor Holbrook told her that one is in Pennsylvania and one is in Illinois.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted the public hearing was declared closed, RESOLUTION ADOPTED, time: 1:12 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (1166-1990) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

167

Town Hall

12/31/90

1:20 P.M.

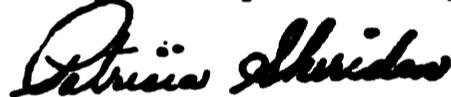
Present: Supervisor Holbrook
Council Members Kunis, Maloney, Mandia and Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

RE: Local Law No. 10-1990 - Amendment to Chapter 50 (Garbage
Removal) of the Town Code of the Town of Clarkstown

Supervisor Holbrook asked the Town Attorney for a synopsis. The Town Attorney stated that it was basically the law that we have on the books now which is Chapter 50 entitled Garbage Removal. We are changing it now to Removal of Solid Waste and what we have done here is to bring it up to date and also remove the rate making powers from the Sanitation Commission since the Town has taken over collection of the one, two and three family homes. They had rate making power as to how much they could charge them but we have removed that. Basically, the licensing and the other powers of the Sanitation Commission are intact and they will do what they have been doing very successfully for many years which is creating applicants for licenses to pick up and transport solid waste in this Town. Supervisor Holbrook asked if anybody had a question regarding that. No one did.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the public hearing was declared closed, RESOLUTION ADOPTED, time: 1:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (1167-1990) ADOPTED)

ABF471