

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

4/9/91

8:05 P.M.

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

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

Supervisor noted that the first order of business this evening was a presentation to students from Moscow, Russia who are being hosted by Clarkstown high school students and their families. He called upon Mr. Suchy from the Clarkstown High School North and Mr. Werba and Mrs. Amster from the Clarkstown High School South. Mr. Suchy gave a brief description of the transfer program entitled Project Harmony. Mr. Werba then introduced the Russian guests. Supervisor Holbrook accepted a token of friendship from the visitors with his thanks and the appreciation of the Town Board and all the residents of the Town of Clarkstown. The Town Board members then made a presentation of the history of the Town of Clarkstown and a flag to the visitors.

The members of the Town Board were invited to a farewell dinner for the Russian visitors on Thursday, April 18, 1991 at the Clarkstown High School North.

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Supervisor Holbrook then congratulated the Albertus Magnus Girls Basketball Team noting that they had completed a season in which they were the state champions in basketball. He called upon Sister Helen Robert Boyd, principal of the school and requested that she relate a little bit of the history of the team which she did.

Supervisor Holbrook called the girls up to the dais for presentation of certificates. He also congratulated the Athletic Director Tom Collins, the Coach Lorraine Moylan and the Assistant Coach Nancy Brezovsky.

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Supervisor Holbrook then declared public portion of the meeting open.

Appearance: Mr. Armand Miele  
Nanuet, New York

Mr. Miele spoke regarding handicapped parking spots which had been removed from Main Street in Nanuet because there had been no Town Board resolution authorizing them. He requested that a Town Board resolution be adopted tonight and the handicapped parking spots be reinstalled immediately.

Mr. Mauro also requested that the situation be reviewed and handicapped parking spots be installed on the opposite side of the street as well.

Appearance: Mr. John Lodico  
2 Birch Lane  
New City, New York

Mr. Lodico spoke regarding the posting of "No Dumping" signs needed on Schriever Lane in New City.

Mr. Lodico also spoke regarding the restoration of Dutch Gardens, giving a history of the research done on same to date.

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Appearance: Ms. Zippy Fleisher  
443 Buena Vista Road  
New City, New York

Ms. Fleisher spoke regarding the new New City Post Office. She had complaints regarding the parking, the traffic and the acutal outside mailing. She urged the purchase of more land either to the north or south to increase the size of the parking lot.

Appearance: Mr. John Cuff  
West Nyack, New York

Mr. Cuff said he was sure that the owners of property abutting the present post office site would be happy to sell the Federal Government a couple of more acres at \$360,000.00 per. He questioned the agreement with Rockland Medilabs (Item No. 5 on the agenda) and the agreement with Ford Products Corporation (Item No. 6 on the agenda).

Town Attorney Murray Jacobson said these are two properties which have payments in lieu of taxes. They have asked to pay it in two installments. They have each paid the first installment. Rockland Medilabs second payment is due now and Ford Products second payment is due by July 15th.

Councilman Kunis asked since they didn't pay their taxes is this is in lieu of taxes? Town Attorney said that was correct. Councilman Mandia said in other words this is not real estate taxes, it is something else. Town Attorney said ordinarily they pay it in January. We have provision to pay in two installments - January and July. Supervisor Holbrook said there is also an interest rate with this of 9%.

Appearance: Mr. James Comer, Pres.  
Homeowners Association of  
Forest Brook

Mr. Comer had many questions regarding the inclusion of their area into the new New City Post Office. Supervisor said he will do what he can to support them and Mr. Comer said he appreciated the Board's efforts on their behalf.

Appearance: Mr. John Murphy  
New City, New York

Mr. Murphy inquired regarding the hiring of Construction Coordinator and also the advertising for the position. Supervisor Holbrook explained the procedure to him.

Appearance: Mr. Theodore Dusanenko  
5 Hickory Drive  
New City, New York

Mr. Dusanenko questioned the present garbage billing system. Supervisor said the Town Board thought it was in the best interest of the Town to collect the fee directly and not through the carters.

In response to a question regarding the building of an incinerator in the Town Councilman Kunis said that had been investigated and that most of the people did not want an incinerator in this Town. He said the Transfer Station will serve the same purpose in a couple of years. It will probably be more beneficial to the Town than an incinerator, environmentally and financially. He said you will find potential environmental problems with incineration and a majority of the people have expressed that to this Board at meetings.

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Councilman Mandia said even it was possible to build one we could never have gotten one built in the time frame we had when the landfill was closed. He said if he was not mistaken he did not think they were even legal in New York State right now. There has been a moratorium put on them.

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RESOLUTION NO. (251-1991)

ACCEPTING MINUTES OF TOWN BOARD MEETING OF MARCH 26, 1991

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting of March 26, 1991 are hereby accepted as submitted by the Town Clerk.

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

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RESOLUTION NO. (252-1991)

SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW AMENDING CHAPTER 47 (FIRE PREVENTION)

Co. Smith offered the following resolution:

WHEREAS, Councilman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 47 (FIRE PREVENTION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of May, 1991, at 8:15 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (253-1991)

AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH ROCKLAND MEDILABS, INC. AND THE COUNTY OF ROCKLAND - LATE PAYMENT OF 1991 MONEY IN LIEU OF TAXES

Co. Maloney offered the following resolution:

WHEREAS, Rockland Medilabs, Inc. has requested that the Town and County permit it to make a late payment on a part of the County and Town money in lieu of taxes that were due by January 31, 1991, and

WHEREAS, Rockland Medilabs, Inc. has paid the sum of \$5,500.00 prior to January 31, 1991, and

WHEREAS, the County has agreed to give Rockland Medilabs, Inc. additional time to complete payment of County money in lieu of taxes;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute Agreement with Rockland Medilabs, Inc. and the County of Rockland for late payment of the balance of the 1991 money in lieu of taxes allowing Rockland Medilabs, Inc. to pay the balance due in the amount of \$5,892.22 on or before April 1, 1991, along with interest at the rate of 9% on the outstanding balance due from January 31, 1991 through the date of payment, and be it

FURTHER RESOLVED, that Rockland Medilabs, Inc. pay the total principal and interest on or before April 1, 1991, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to March 26, 1991.

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

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RESOLUTION NO. (254-1991)

AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH FORD PRODUCTS CORPORATION AND THE COUNTY OF ROCKLAND - LATE PAYMENT OF 1991 MONEY IN LIEU OF TAXES

Co. Maloney offered the following resolution:

WHEREAS, Ford Products Corporation has requested that the Town and County permit it to make a late payment on a part of the County and Town money in lieu of taxes that were due by January 31, 1991, and

WHEREAS, Ford Products Corporation has paid the sum of \$25,920.55 prior to January 31, 1991, and

WHEREAS, the County has agreed to give Ford Products Corporation additional time to complete payment of County money in lieu of taxes;

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RESOLUTION NO. (254-1991) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute Agreement with Ford Products Corporation and the County of Rockland for late payment of the balance of the 1991 money in lieu of taxes allowing Ford Products Corporation to pay the balance due in the amount of \$25,920.55 on or before July 15, 1991, along with interest at the rate of 9% on the outstanding balance due from January 31, 1991 through the date of payment, and be it

FURTHER RESOLVED, that Ford Products Corporation must pay the total principal and interest on or before July 15, 1991.

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

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RESOLUTION NO. (255-1991)

AUTHORIZING RETURN OF  
BUILDING PERMIT FEE (PAUL  
ELMOWSKY, JR.)

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby authorizes the return of \$145.00 to Paul Elmowsky, Jr., for Building Permit No. 91-196, because he has cancelled his application for a Building Permit.

Seconded by Co. Maloney

Councilman Kunis said he had a problem charging a fee. He said it would not make or break government but it might mean something to the individual and he would like to return the entire fee. Councilman Mandia said the only repercussion to that is are we inviting people to come in and make applications knowing they can get their money back very easily and then the Building Department is set in motion and people's time is involved. He felt we could reduce the fee. Councilwoman Smith said there should be a processing charge.

On roll call the vote was as follows:

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

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RESOLUTION NO. (256-1991)

AUTHORIZING SPECIAL COUNSEL  
PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON TO  
DEFEND ACTION AGAINST TOWN  
OF CLARKSTOWN (C & A  
CARBONE, INC., ET AL V.  
TOWN OF CLARKSTOWN, ET AL.)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (256-1991) Continued

WHEREAS, an action has been instituted in the United States District Court for the Southern District of New York against the Town of Clarkstown entitled as follows:

C & A CARBONE, INC., RECYCLING PRODUCTS,  
OF ROCKLAND, INC., and C & C REALTY, INC.,

Plaintiff,

-against-

THE TOWN OF CLARKSTOWN and CLARKSTOWN  
RECYCLING CENTER, INC.,

Defendants.

NOW, THEREFORE, be it

RESOLVED, that the firm of PAUL, WEISS, RIPKIND, WHARTON & GARRISON, 1285 Avenue of the Americas, New York, New York, is hereby appointed as special counsel to the Town of Clarkstown to take all necessary steps to defend said action as against the Town of Clarkstown.

Seconded by Co. Smith

Councilman Kunis inquired if with this vote we are automatically dropping the special counsel who was working on this project? Town Attorney said no, he is working on the case we have in the State court.

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. (257-1991)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND ACTION/PROCEEDING  
AGAINST TOWN OF CLARKSTOWN  
(MURPHY, MANION AND ROMANO  
V. COLLINS, AS CHIEF OF  
POLICE AND TOWN OF  
CLARKSTOWN)

Co. Maloney offered the following resolution:

WHEREAS, an action/proceeding has been instituted against the

Town of Clarkstown entitled as follows:

In the Matter of the Application of

STEPHEN T. MURPHY, HARRY MANION and  
FRANK ROMANO,

Plaintiff-Petitioners,

-against-

WILLIAM COLLINS, as Chief of the Town  
of Clarkstown Police Department, and  
the TOWN OF CLARKSTOWN,

Continued on Next Page

RESOLUTION NO. (257-1991) Continued

Defendant-Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (258-1991)

TOWN BOARD TO SUPPORT  
ROCKLAND COUNTY  
BEAUTIFICATION COMMISSION  
TO CELEBRATE BEAUTIFICATION  
WEEK (APRIL 13-21, 1991)

Co. Smith offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown supports and joins forces with the Rockland County Beautification Commission to celebrate Rockland County Cleanup and Beautification Week, April 13-21, 1991. We do so in recognition of the need to improve the appearance of some areas of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby designates the Week of April 13-21, 1991 as the Town of Clarkstown Cleanup and Beautification Week, and be it

FURTHER RESOLVED, that the Town Board hereby directs that all governmental agencies in the Town of Clarkstown make a commitment to this effort, of planning and implementation of activities, to result in an improved appearance and maintenance of the Town's facilities and grounds. There is to be a specific Town focus on these activities throughout the month of April, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown wishes it to be known that it is the policy and duty of the Town Board to protect and favorably enhance the quality of life for the residents of the Town of Clarkstown by protecting our environment here in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Board hereby urges all residents and businesses of the Town of Clarkstown to join with the Rockland County Beautification Commission on April 13-21, 1991 to implement the first phase of this monumental task by volunteering to help with the pickup of the litter and the improvement of facilities along our highways, streams, parks and woodlands, shopping centers, business districts and home properties. In the Town of Clarkstown this effort will be coordinated with the Rockland County Beautification Commission. The April 13-21 effort is a reaffirmation of this Town Board's policy of active concern for our environment.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page



RESOLUTION NO. (260-1991) Continued

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

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. (261-1991)

AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO INSTALL A "NO PARKING ANYTIME" SIGN (WELLS AVENUE, CONGERS)

Co. Mandia offered the following resolution

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

"No Parking Anytime" with directional arrows signs on both sides of Wells Avenue, Congers from the barricade 175 ft. North toward Brenner Drive

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

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. (262-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL A "STOP" SIGN ON PITKIN LANE AT WATERS EDGE

Co. Mandia offered the following resolution:

RESOLVED, that based upon the recommendation of Howard Lampert, P.E., Traffic & Highway Engineering Consultant, in his report dated March 27, 1991, the Superintendent of Highways is hereby authorized to install:

A Stop Sign on Pitkin Lane at Waters Edge

and be it

RESOLUTION NO. (262-1991) Continued

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

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. (263-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REPLACE "YIELD" SIGN WITH "STOP" SIGN ON DOVER ROAD AT WATERS EDGE

Co. Mandia offered the following resolution:

RESOLVED, that based upon the recommendation of Howard Lampert, P.E., Traffic & Highway Engineering Consultant, in his report dated March 27, 1991, the Superintendent of Highways is hereby authorized to:

Replace "Yield" sign with "Stop" sign on Dover Road at Waters Edge.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

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. (264-1991)

AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO REPLACE "YIELD" SIGN WITH "STOP" SIGN AT THE RISE AT WATERS EDGE

Co. Mandia offered the following resolution:

RESOLVED, that based upon the recommendation of Howard Lampert, P.E., Traffic & Highway Engineering Consultant, in his report dated March 27, 1991, the Superintendent of Highways is hereby authorized to:

Replace "Yield" sign with "Stop" sign at the Rise at Waters Edge

and be it

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RESOLUTION NO. (264-1991) Continued

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

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. (265-1991)

AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO OUTLET" SIGN ON WATERS EDGE, SOUTH OF ANDOVER ROAD

Co. Mandia offered the following resolution:

RESOLVED, that based upon the recommendation of Howard Lampert, P.E., Traffic & Highway Engineering Consultant, in his report dated March 27, 1991, the Superintendent of Highways is hereby authorized to install:

"No Outlet" sign on Waters Edge, south of Andover Road

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

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. (266-1991)

DESIGNATING TWO (2) PARKING SPACES AS HANDICAPPED PARKING WEST SIDE SOUTH MIDDLETOWN ROAD (MAIN STREET), NANUET

Co. Mandia offered the following resolution:

WHEREAS, the final site plan for SL 13-A-7 (Mills Building - Armand Miele, owner/applicant), approved by the Clarkstown Planning Board April 23, 1990, calls for the installation by the applicant of two (2) handicapped parking spaces on the west side of South Middletown Road (Main Street), Nanuet,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby designates two (2) parking spaces as handicapped parking,

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RESOLUTION NO. (266-1991) Continued

(each space a minimum of eight (8) feet in width, and not less than twenty-two (22), nor more than twenty-six (26) feet in length for each space pursuant to the State of New York Manual of Uniform Traffic Control Devices) on the west side of South Middletown Road (Main Street), Nanuet, as per the attached sketch.

Seconded by 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. (267-1991)

CORRECTING RESOLUTION  
#179-1991 AND AUTHORIZING  
DIRECTOR OF PURCHASING TO  
ADVERTISE FOR BIDS FOR BID  
#33-1991 - AERIAL LIFT  
TRUCK WITH FORESTRY BODY

Co. Maloney offered the following resolution:

RESOLVED, that Town Board resolution #179-1991 is hereby corrected to read

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #33-1991  
AERIAL LIFT TRUCK WITH FORESTRY BODY

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) ON: MAY 8, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (268-1991)

CORRECTING TOWN BOARD  
RESOLUTION NO. 178-1991 RE:  
AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #32-1991 -  
FIVE (5) FOUR WHEEL DRIVE  
DUMP TRUCKS FOR HIGHWAY  
DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Town Board resolution #178-1991 is hereby corrected to read

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RESOLUTION NO. (268-1991) Continued

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #32-1991  
FIVE (5) FOUR WHEEL DRIVE DUMP  
TRUCKS FOR HIGHWAY DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) ON: MAY 5, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (269-1991)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #40-1991 -  
FLASHING WARNING DEVICES ON  
KINGS HIGHWAY, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #40-1991  
FLASHING WARNING DEVICES ON KINGS HIGHWAY, CONGERS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, May 14, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (270-1991)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #39-1991 -  
CAST IRON CURB INLET, CATCH  
BASIN, FRAMES AND GRATES

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (270-1991) Continued

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #39-1991  
CAST IRON CURB INLET, CATCH BASIN, FRAMES AND GRATES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, May 7, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (271-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #38-1991 - WASHED SAND AND GRAVEL

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #38-1991  
WASHED SAND AND GRAVEL

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, May 2, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (272-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #37-1991 - PAPER AND PLASTIC SUPPLIES

Co. Maloney offered the following resolution:

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RESOLUTION NO. (272-1991) Continued

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #37-1991  
PAPER AND PLASTIC SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, May 3, 1991 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (273-1991)

REJECTING ALL PROPOSALS RECEIVED FOR BID #22-1991 AND AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #22A-1991 - OVERHEAD GARAGE DOOR REPLACEMENT AT CLARKSTOWN HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that all proposals received for

BID #22-1991

are hereby rejected, and be it

FURTHER RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #22A-1991  
OVERHEAD GARAGE DOOR REPLACEMENT  
AT CLARKSTOWN HIGHWAY DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, April 30, 1991 at which time bids will be opened and and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing.

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

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RESOLUTION NO. (274-1991)

AWARDING BID FOR BID  
#24-1991 - REFUSE PICK-UP  
SERVICE - (SCHETTINO  
SERVICE CORP.)

Co. Smith offered the following resolution:

RESOLVED, that

BID #24-1991  
REFUSE PICK-UP SERVICE

is hereby awarded to

SCHETTINO SERVICE CORP.  
73 RIDGE ROAD  
VALLEY COTTAGE, NY 10989  
PRINCIPAL: NATALE SCHETTINO

as per the low bid proposal attached, and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing a Certificate of Liability Insurance and a Certificate of Worker's Compensation Coverage. These certifications must be supplied before any work described by this bid can begin.

(Low Bid Proposal on File in Town Clerk's Office.)

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. (275-1991)

AWARDING BID FOR BID  
#18-1991 - FURNISHING ARTS  
& CRAFTS SUPPLIES (VARIOUS  
BIDDERS)

Co. Smith offered the following resolution:

BID #18-1991 - ARTS & CRAFTS SUPPLIES

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the bid for furnishing Arts & Crafts supplies is hereby awarded to the following low bidders who have met the specifications:

S & S Arts & Crafts  
Colchester, Conn. 06415  
PRINCIPAL: Stephen Schwartz

Creative Crafts International  
16 Plains Road  
Essex, Conn. 06426  
PRINCIPALS: Brian Jermaine  
Paul Siegel

Economy Handicrafts  
50-61 69th Street  
Woodside, NY 11377  
PRINCIPALS: Charles Kaplan  
Lee A. Korobkin

Ceramic Supply of NJ & NY  
10 Dell Glen Lane  
Lodi, NJ 07644  
PRINCIPALS: Judy Noe  
Miriam Vogelmann  
Irwin Vogelmann

Continued on Next Page

RESOLUTION NO. (275-1991) Continued

Ruth Lee Yarn Barn  
412 Nanuet Mall South  
Nanuet, NY 10954  
PRINCIPALS: Bruce S. Lee

Vanguard Crafts  
1081 East 48 Street  
Brooklyn, NY 11234  
PRINCIPALS: Estelle Schwedock  
Joan Heller

J & A Handy-Crafts, Inc.  
165 S. Pennsylvania Ave.  
Lindenhurst, NY 11757  
PRINCIPALS: Paul Siegelman  
JoAnne Siegelman

New England School Supply  
P.O. Box 1581  
Springfield, MA 01101  
PRINCIPAL: Public Corporation

GROSS TOTAL of all items: \$22,005.98

and be it

FURTHER RESOLVED, that this amount be charged against  
accounts:

7141-329 - \$ 5,872.07  
7310-329 - 12,107.68  
7610-329 - 4,026.23

and be it

FURTHER RESOLVED, that there was no award to bid item  
#468.

(Itemized list is available in Town Clerk's Office.)

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 (276-1991)

AWARDING OF BID #25-1991 -  
SECURITY GUARD SERVICE  
(JUSTICE SECURITY SERVICES)

Co. Smith offered the following resolution:

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

BID #25-1991  
SECURITY GUARD SERVICE

is hereby awarded to

JUSTICE SECURITY SERVICES  
421 EAST ROUTE 59, SUITE 8  
NANUET, N.Y. 10954  
PRINCIPAL: PAUL M. BODNER

as per their low bid proposal of \$8.60 per guard, per hour, and be it

FURTHER RESOLVED, that this award is subject to the  
receipt of a Certificate of Liability Insurance and Worker's  
Compensation coverage as outlined in the bid specifications.

Seconded by Co. Kunis

RESOLUTION NO. (276-1991) Continued

Councilman Mandia inquired where this security service was for? Councilwoman Smith said it was for the Town Parking Lot.

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. (277-1991)

AWARDING BID FOR BID  
#12A-1991 - MECHANICS  
COVERALL RENTAL SERVICE  
(JASON UNIFORM RENTAL  
SERVICE)

Co. Smith offered the following resolution:

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

BID #12A-1991  
MECHANICS COVERALL RENTAL SERVICE

is hereby awarded to

JASON UNIFORM RENTAL SERVICE  
200 South 13th Avenue  
Mt. Vernon, NY 10550  
Principals: Lowell Levine, Barbara Levine

as per their low bid proposal of .59 per garment, per week.

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. (278-1991)

AUTHORIZING ATTENDANCE AT  
"CHIP SEAL AND SURFACE  
TREATMENTS" WORKSHOP  
(CHARLES BURGIO, JOHN CLUNE  
AND KARL GERLACH) - CHARGE  
TO APPROPRIATIONS ACCOUNT  
NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Charles Burgio, HMS III, John Clune, HMS II and Karl Gerlach, HMS 11, are hereby authorized to attend the 1991 "CHIP SEAL AND SURFACE TREATMENTS" workshop sponsored by the Cornell University Local Roads Program, to be held on May 8, 1991 in Putnam County, and be it

FURTHER RESOLVED, that all necessary expenses be allocated against appropriation account No. A-1010-414.

Seconded by Co. Mandia

Continued on Next Page

RESOLUTION NO. (278-1991) Continued

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. (279-1991)

AUTHORIZING ATTENDANCE AT  
"EPIDEMIC OF ABUSE"  
CONFERENCE (FEINER) AND  
"WOMEN, ADDICTION AND  
RECOVERY" CONFERENCE  
(FEINER AND BEERMAN)

Co. Maloney offered the following resolution:

RESOLVED, Emily Feiner, CSW, Director, Clarkstown  
Counseling Center attend conference on Thursday, April 18th, 1991 on  
"Epidemic of Abuse: Families and Children in Crisis". Registration  
fee: \$19.00.

RESOLVED, Emily Feiner, CSW, Director, Clarkstown  
Counseling Center and Susan Roth Beerman, CSW, attend conference on  
on Friday, May 17th, 1991 on "Women, Addiction and Recovery."  
Registration fee: \$50.00 per person.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (280-1991)

AUTHORIZING ATTENDANCE AT  
15TH YEAR CELEBRATION FOR  
ROCKLAND COUNCIL FOR YOUNG  
CHILDREN (FEINER)

Co. Maloney offered the following resolution:

RESOLVED, Emily Feiner, CSW, Director, Clarkstown  
Counseling Center, attend 15th Year Celebration for the Rockland  
Council for Young Children on Wednesday, April 24th, 1991 at Chelsea  
on the Hudson. Fee: \$55 per person/non members.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (281-1991)

AUTHORIZING ATTENDANCE AT  
ASBESTOS ABATEMENT WORKER

Continued on Next Page

RESOLUTION NO. (281-1991) Continued

CERTIFICATION TRAINING  
(JEMISON AND PADOVANI) -  
CHARGE TO ACCOUNTS NOS. A  
-7140-414 AND 7141-414

Co. Maloney offered the following resolution:

RESOLVED, that John Jemison, Custodian I and Angelo Padovani, Maintenance Mechanic, are hereby authorized to attend the Asbestos Abatement Worker Certification Training offered by Applied Respiratory Technology, Cold Spring, NY, and be it

FURTHER RESOLVED, that John Jemison is to attend from April 22 - 25, 1991 and Angelo Padovani is to attend from April 22 - 26, 1991, and be it

FURTHER RESOLVED, that all necessary expenses be allocated against Appropriation Accounts #A-7140-414 and #A-7141-414.

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. (282-1991)

AUTHORIZING ATTENDANCE AT  
9TH ANNUAL NEW YORK STATE  
TOWN CLERK'S ASSOCIATION  
(PATRICIA SHERIDAN) -  
CHARGE TO APPROPRIATION  
ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

WHEREAS, the New York State Town Clerk's Association is sponsoring the 9th Annual Conference for Town Clerks on April 21 to 24, 1991 at the Syracuse Marriott,

NOW, THEREFORE, be it

RESOLVED, that Patricia Sheridan, Town Clerk is hereby authorized to attend said conference, and be it

FURTHER RESOLVED, that all proper charges be charged to Appropriation Account No. A 1010-414.

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. (283-1991)

SETTING PUBLIC HEARING ON  
LOCAL LAW "AMENDMENT TO  
CHAPTER 36 (DOGS)" OF TOWN  
CODE OF TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (283-1991) Continued

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 36 (DOGS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of May, 1991, at 8:10 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said 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. Smith

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. (284-1991)

GRANTING PERMISSION FOR USE OF TOWN OF CLARKSTOWN SHOWMOBILE TO ROCKLAND COUNTY COUNCIL OF VETERANS' OF FOREIGN WARS

Co. Mandia offered the following resolution:

WHEREAS, the Rockland County Council of Veterans' of Foreign Wars has requested the use of the Town of Clarkstown showmobile on Sunday, April 28, 1991, for a Welcome Home Parade to be held in Pearl River, New York,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Rockland Council of Veterans' of Foreign Wars to use the Town of Clarkstown showmobile for the above purpose.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (285-1991)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND PROCEEDING  
AGAINST TOWN OF CLARKSTOWN  
(KEENAN V. REGAN, ET AL.)

Co. Maloney offered the following resolution:

WHEREAS, a proceeding has been instituted against the  
Town of Clarkstown entitled as follows:

In the Matter of the Application of

PATRICK T. KEENAN,

Petitioner,

against

EDWARD V. REGAN, AS STATE COMPTROLLER,  
THE NEW YORK STATE POLICE AND FIRE  
RETIREMENT SYSTEM, AND THE TOWN OF  
CLARKSTOWN,

Respondents.

for a review pursuant to CPLR Article 78.

NOW, THEREFORE, be it

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

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

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RESOLUTION NO. (286-1991)

ACCEPTING RESIGNATION OF  
CUSTODIAN I - PARKS BOARD &  
RECREATION COMMISSION  
(MICHAEL KOKOSKI)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Michael Kokoski, 12  
Marcia Lane, New City, New York - Custodian I - Parks Board &  
Recreation Commission - is hereby accepted, with regret - effective  
and retroactive to March 29, 1991.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (287-1991)

ACCEPTING RESIGNATION OF  
RECREATION LEADER - PARKS

RESOLUTION NO. (287-1991) Continued

BOARD & RECREATION  
COMMISSION (EDWARD LETTRE)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Edward Lettre, 3 Amethyst Court, West Nyack, New York - Recreation Leader - Parks Board & Recreation Commission - is hereby accepted effective and retroactive to April 2, 1991.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (288-1991)

RECOGNIZING APPOINTMENT BY  
PLANNING BOARD OF SENIOR  
CLERK TYPIST - PLANNING  
DEPARTMENT (JOAN DIETRICH)

Co. Kunis offered the following resolution:

RESOLVED, the Rockland County Personnel Office has furnished Certification of Eligibles #89248 Senior Clerk Typist which contains the name of Joan Dietrich,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Planning Board of Joan Dietrich, 3 Surrey Lane, New City, New York, to the position of Senior Clerk Typist - Planning Department - at the current 1991 annual salary of \$18,424.00, effective and retroactive to April 8, 1991.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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RESOLUTION NO. (289-1991)

RECOGNIZING APPOINTMENT BY  
POLICE COMMISSION TO  
POSITION OF (PROVISIONAL)  
POLICE RADIO DISPATCHER -  
POLICE DEPARTMENT (RICHARD  
CUMMINGS)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Richard Cummings, 18 Yale Drive, New City, New York to the position of (provisional) Police Radio Dispatcher - Police Department - at the current 1991 annual salary of \$22,856.00, effective and retroactive to March 13, 1991.

Seconded by Co. Mandia

Continued on Next Page

RESOLUTION NO. (289-1991) Continued

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. (290-1991)

ACCEPTING RESIGNATION OF  
TOWN JUSTICE (HARRY  
WAITZMAN)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Hon. Harry Waitzman, Town Justice, is hereby accepted, effective April 10, 1991.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

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On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Violation Hearing - Chapter 31 Proceeding - Map 124, Block A, Lot 16.01 (Reich) was opened, time: 9:10 P.M.

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the Violation Hearing - Chapter 31 Proceeding - Map 124, Block A, Lot 16.01 (Reich) was closed, RESOLUTION ADOPTED, time: 9:30 P.M.

RESOLUTION NO. (291-1991)

CHAPTER 31 PROCEEDING, MAP  
164, BLOCK A, LOT 16.01  
(REICH)

Co. Kunis offered the following resolution:

WHEREAS, by Resolution No. 243 dated March 26, 1991, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 31 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 164, BLOCK A, LOT 16.01, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 9th day of April, 1991 after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 31 of the Code of the Town of Clarkstown dated March 26, 1991 have not been corrected, and be it

Continued on Next Page

RESOLUTION NO. (291-1991) Continued

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such condition continues to be uncorrected on or after the 29th day of April, 1991, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of debris and the costs of this proceeding and all other necessary action be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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On motion of Councilman Mandia, seconded by Councilman Kunis and unanimously adopted, the public hearing re: Chapter 31 Violation Hearing - Map 141, Block B, Lot 7 (Reimer) was opened, time: 9:30 P.M.

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Chapter 31 Violation Hearing - Map 141, Block B, Lot 7 (Reimer) was closed, RESOLUTION ADOPTED, time: 9:35 P.M.

RESOLUTION NO. (292-1991)

CHAPTER 31 PROCEEDING, MAP 141, BLOCK B, LOT 7 (REIMER)

Co. Kunis offered the following resolution:

WHEREAS, by Resolution No. 242 dated March 26, 1991, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 31 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 141, BLOCK B, LOT 7, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 9th day of April, 1991 after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 31 of the Code of the Town of Clarkstown dated March 26, 1991 have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained

Continued on Next Page

RESOLUTION NO. (292-1991) Continued

of in the Order and Notice, if such condition continues to be uncorrected on or after the 6th day of May, 1991, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of debris and the costs of this proceeding and all other necessary action be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, time: 9:36 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

91

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/9/91

9:10 P.M.

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

RE: CHAPTER 31 VIOLATION HEARING - MAP 164, BLOCK A, LOT 16.01  
(REICH)

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice and Town Attorney testified as to proof of mailing and receipt by the owner.

Mr. Mark Papenmeyer, Fire Inspector of the Town of Clarkstown, presented to the Town Board pictures of the premises in question taken on February 12, 1991. He then stated that after receiving a complaint on January 22, 1991 inspection was made at the location and it was found that the building was open and not secure. On that same date Violation #91-3 was issued to the owner to remove the building. The order was posted on the premises on January 28, 1991. On February 12, 1991 reinspection was made and no attempts had been made by the owner to secure the building. Mr. Papenmeyer stated that he had addressed a letter to the Town Board to institute Chapter 31 Proceedings on February 12, 1991. Posting through the Town Attorney's office was made on March 27, 1991.

Mr. Papenmeyer stated that conditions found during the inspection which was made at 20 North Pascack Road, Spring Valley, New York on February 12, 1991 disclosed an unoccupied structure open at the rear window. The interior of the structure had been damaged from a previous fire and the owner had secured the premises from entry but recent complaints to his office indicate that the building was open and not secured and that there were people entering the premises and possibly living there.

Mr. Papenmeyer said that on his original inspection which had been made on January 22, 1991 he found the premises open and not secured. Order No. 91-3 was issued to the owner of record, Jacob Reich, with a mailing address of the premises. A copy of this violation was also sent to his attorney which was known to this office through past correspondence regarding the property. On reinspection on February 12, 1991 it was found that no attempts had been made to resecure the building and there was a definite, visible, recent path to the open area of the building indicating that individuals are using this structure.

Mr. Papenmeyer stated that it was the recommendation of his office, because of the condition of the building, the failure of the owner to secure the building after proper notification, the failure of the owner to protect this property by maintaining the structure securely, and by local residents' complaints regarding trespassers and visible indications of same that the building be removed. As it stands now, the building is a serious fire hazard, unsafe and an attractive nuisance to vagrants and other trespassers. The building remains open as of this date.

Supervisor asked if there was anyone present wishing to make a comment or ask a question?

Appearance: Mr. Ronald Sovik  
14 North Pascack Road  
Spring Valley, New York

Mr. Sovik said his house was adjacent to the house in question. He said they have been trying for over five years to have the house either repaired or torn down, boarded up, etc., to no avail. He stated that he has no idea who the owner is. He said he

Continued on Next Page

has attempted to contact the owner many times but cannot find the owner of record. He said he has been told that Jacob Reich owns it but he could not locate him. He said there are vagrants living in this house. As early as this Sunday there was an individual going into the premises. He wasn't there long but he was in there. He stated that in the past couple of months there have been other individuals either living there or frequenting the area. He stated that he and his neighbors have small children. There is an individual frequenting this site and also up by the Marketplace who is also sitting alongside the railroad tracks, drinking beer, exposing himself to the kids and frequenting this home. He said there had been a similar problem at the adjacent property - No. 8 - where this person had broken into the barn there. He was living there and was removed by the police last winter with a loss of leg due to frostbite. He said he thinks the same individual is now frequenting the property in question. He said he has seen a woman with a small child also there. He does not know who these people are but this has been an ongoing problem. There have been many complaints to this Board, to the police, to the Fire Inspector. It is time to do something.

Supervisor said then you would concur with the comments of the Fire Inspector. Mr. Sovik said most certainly. They have made many complaints to him and he has done a vigilant job in doing what he can but the time has come for some sort of action.

In response to a question from Councilman Mandia regarding the payment of taxes on this property the Town Attorney said he had a discussion with the former attorney for Mr. Reich last Friday and he had stated that he believed that the County may have taken title to the property. Although we should pass a resolution if the Board so desires tonight, he would advise holding it in abeyance until he can contact the County and find out who actually has the title to this property.

Supervisor said nevertheless we wish to have it removed either by the Town or by the County, if they are the owners. Is that correct? Town Attorney concurred.

Mr. Sovik asked, assuming you pass this resolution, can you give us some type of time frame in which something will be done? Supervisor asked Mr. Papenmeyer how soon an estimate could be obtained for removal of this building? Mr. Papenmeyer said tomorrow. He said he believed there was a thirty day timetable. Town Attorney said you have to start within thirty days and complete it within sixty days. Supervisor asked if that was a necessary time or a recommended time? He said he felt he could solicit responses right now and have this thing removed. If this condition exists after the next Town Board Meeting which will be April 23rd and you have gotten some quotes we can authorize the removal of the building. Let's make it by the 23rd of April.

Town Attorney said you can't do it by the 23rd of April. According to the way the statute is set up it has to be on or after the 29th day of April which means that you could authorize it the 1st of May. Supervisor said what we could do is get the proposal from Mr. Papenmeyer. We could approve that on the 23rd and then if the condition hasn't been corrected by the 29th you could just go and have it removed. Town Attorney said if the County holds title they just might do something but he would contact the County.

In response to a question of what would happen if someone fixed up the property, Supervisor said if by some miracle someone were to come in there and try to fix it up or redo it - but he did not envision that happening. Councilman Mandia asked do we have a legal right to do that within thirty days? Town Attorney said the way the statute is set up that authorizes this kind of

Continued on Next Page

proceeding you have to give them a certain period of time in which to rectify a condition. If they don't do it then you can knock it down.

Supervisor stated that if after the 29th of April it has not been corrected, and there has been no evidence in the last five years indicating that it is going to be corrected, the Fire Inspector will have received quotes on having the building taken down and removed which the Town Board will have authorized and which we will prepare for the next Town Board Meeting. We can then have the building removed and we can put that charge as a lien on the property.

Town Attorney said he will contact whoever he finds to be the owner.

Mr. Sovik asked what if they would board up the window? Supervisor said the Fire Inspector's report went far beyond just the boarding up of the window. We are talking about the health, safety, welfare and morals of the community.

Mr. Papenmeyer stated that this was the second time we have had a hearing on this particular property. It is not up to the Town to police this individual's property. Supervisor said that is correct. Every two weeks or so we would be back there doing the same thing. We are going to take this down.

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the violation hearing was declared closed, RESOLUTION ADOPTED, time: 9:30 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

(Resolution No. 291-1991 ADOPTED)

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TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/9/91

9:30 P.M.

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

RE: Chapter 31 Violation Hearing - Map 141, Block B, Lot 7  
(Reimer)

On motion of Councilman Mandia, seconded by Councilman Kunis and unanimously adopted, the public hearing was declared open. Town Clerk read notice and Town Attorney testified as to proper posting and notification to owner.

Town Attorney stated that he received a letter from Evelyn Gabrielson, who appears to be the heir to this property. She states that she had received our notice of April 4th and was concerned about the situation of the property on Lake Road. She said they would take immediate steps to remedy the situation and would like to request they be allowed thirty (30) days from the date this order was received to show progress. She notes that the property is in the process of being offered for sale and would very much appreciate our cooperation. She notes that she is the Executrix of the Estate of Helen Reimer.

Town Attorney said they are basically asking another week.

Supervisor asked the Fire Inspector Mark Papenmeyer what his recommendation would be on this matter? Mr. Papenmeyer noted that the inspection of the premises located on Lake Road in Congers was made on January 23, 1991. Upon inspection he found an unoccupied structure not secured against entry and in poor condition. The owner was duly notified by Order #91-4 to secure or remove the structure immediately. A reinspection was made on February 12, 1991 at which time it was noted that the building remains unsecured. Premises are an attractive nuisance for young children as well as vagrants and other trespassers who may be injured within. It is or may become a place of rodent infestation and presents a serious fire and safety hazard as well as other dangers to the health, safety, general welfare and morals of the public. It was Mr. Papenmeyer's recommendation that because of the condition of the building, the failure of the owner to secure the building after proper notice, the failure of the owner to properly protect his property by maintaining the structure secure and by serious fire hazard which exists that this building also be removed.

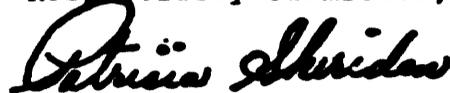
Supervisor asked if the 6th day of May noted in the resolution was sufficient? Town Attorney said ordinarily we would have had it read uncorrected on or after the 29th day of April so if we give her the thirty days it would become after the 6th day of May.

Supervisor asked the Fire Inspector if he would get a bid or proposal to remove this structure so that after May the 6th this could be removed if there is no corrective action.

Supervisor asked if anyone from the public had any questions or wished to make a comment? No one appeared.

On motion of Councilman Kunis, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:35 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

(Resolution No. 292-1991 ADOPTED)