

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/31/91

12 Noon

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

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

Supervisor welcomed everybody to the final meeting of the year, December 31, 1991.

Supervisor then opened the Public Portion of the meeting.

Supervisor Holbrook presented Steven Zanlungi an award upon achieving the rank of Eagle Scout from Troop 46. Supervisor recognized his family. All Town Board members joined the Supervisor in congratulating Steven and wishing him well.

Supervisor then declared the public portion of the meeting open.

Appearance: Vincent Reda
New City, NY

Mr. Reda wished everybody a Happy New Year. Mr. Reda spoke regarding Item #3.

Present: Marie Brouchard
Congers, NY

Ms. Bouchard wished everybody a Happy New Year. She spoke regarding taxes.

RESOLUTION NO.(959 -1991)

ACCEPTING MINUTES OF TOWN
BOARD MEETING OF DECEMBER
10, 1991

Co. Kunis offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting of December 10, 1991, 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. (960-1991)

RETAINING MARGARET NOTO TO
PERFORM PRELIMINARY
APPRAISALS ON MOUNTAINVIEW
AND MOUNTAINVIEW EAST
CONDOMINIUM UNITS

Co. Maloney offered the following resolution:

WHEREAS, the owners of 556 units of Mountainview and Mountainview East Condominiums have filed small claim tax certiorari proceedings against the Town of Clarkstown, and

Continued on Next Page

RESOLUTION NO. (960-1991) Continued

WHEREAS, the Nyack School District and the Assessor of the Town of Clarkstown deem it advisable to obtain sample preliminary appraisals on the units known as Suisse and Berne.

NOW, THEREFORE, be it

RESOLVED, that Margaret Noto of 375 South Little Tor Road, New City, New York be and is hereby retained to provide one preliminary appraisal for each of the aforementioned models at a cost not to exceed \$250.00 per unit, said charge to be borne equally by the Nyack School District and the Town of Clarkstown.

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. (961-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ENGAGE H.O.
PENN EQUIPMENT COMPANY
(REPAIRS ON THE CATERPILLAR
973 MACHINE) CHARGE ACCOUNT
SR 8160-424

Co. Kunis offered the following resolution:

WHEREAS, the Caterpillar 973 Machine at the Clarkstown Solid Waste Facility is in immediate need of extensive repairs, and

WHEREAS, this machine is critical to the functioning of the facility, and

WHEREAS, as this machine represents 50% of the heavy equipment at the facility, and

WHEREAS, H.O. Penn Equipment Company is the only Caterpillar factory authorized service center in this area,

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized to engage H.O. Penn Equipment Company to perform the required repairs on this equipment without competitive bidding at a cost not to exceed \$48,000.00 and funds for same be charged to account SR 8160-424.

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. (962-1991)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH

Continued on Next Page

RESOLUTION NO. (962-1991) Continued

SERIOUS SPORTSMAN, INC. -
CHARGE TO ACCOUNT NO.
A-3120-402

Co. Maloney offered the following resolution:

WHEREAS, Serious Sportsman, Inc. has submitted a proposal, dated December 6, 1991, which provides for the use of its range facilities by the Clarkstown Police Department, and its members;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Serious Sportsman, Inc., pursuant to its proposal dated December 6, 1991, annexed hereto as Schedule "A", to provide for the use of the range facilities by the Clarkstown Police Department, and its members, beginning December 1, 1991 through December 1, 1992, and be it

FURTHER RESOLVED, that the fee for such facility shall be \$1,900.00, and shall be charged to Account No. A-3120-402, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is further authorized to execute an indemnity agreement with Serious Sportsman, Inc., for use of the range facilities, and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to December 1, 1991.

Seconded by Co. Mandia

Supervisor Holbrook stated that an amendment be added to Item No. 7 with a maximum of ten sessions per night, if necessary. Councilman Mandia stated that the police will try not to use these extra sessions, and if they do, it will be no more than ten times.

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. (963-1991)

AMENDMENT TO RESOLUTION NO.
596-1991 AUTHORIZING
INSTALLATION OF A NEW
DRAINAGE SYSTEM IN THE
VICINITY OF MERIDAN LANE,
NANUET, NEW YORK CHARGE TO
CAPITAL ACCOUNT NO. H 1989-
25P91-05-409

Co. Maloney offered the following resolution:

WHEREAS, on August 15, 1991, the Town Board adopted Resolution No. 596-1991 authorizing the Director of Environmental Control to rent the necessary equipment and provide the necessary materials to ameliorate an adverse drainage condition in the vicinity of Meridan Lane, Nanuet, New York; and

WHEREAS, during construction interference with existing underground utilities was encountered and relocation of said utilities was required; and

Continued on Next Page

RESOLUTION NO. (963-1991) Continued

WHEREAS, an additional four (4) days were required to relocate the utilities;

NOW THEREFORE, be it

RESOLVED, that the total cost for installing the new drainage system be increased by \$8,499.82; and be it further

RESOLVED, that the total cost shall not exceed \$31,249.45 and shall be a proper charge to capital account #H1989-25P91-05-409.

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. (964-1991)

AUTHORIZING RETURN OF
PERFORMANCE DEPOSIT IN
GUARINO SUBDIVISION

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Performance Bond secured by a passbook containing the sum of \$10,000 furnished to the Town of Clarkstown in connection with final approval of a subdivision known as MICHAEL GUARINO SUBDIVISION is terminated and the passbook released to the guarantor.

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. (965-1991)

APPROVING REDUCTION IN
AMOUNT OF PERFORMANCE BOND
(CAMELOT III)- (BOND NO. NR
21302)

Co. Maloney offered the following resolution:

WHEREAS, Performance Bond Number NR 21302 in the amount of \$375,000 for CAMELOT Section III dated November 9, 1988, JODI-LYNN WASHOMATIC, INC. as Principal and The North River Insurance Company as Surety, covering the improvements and other facilities as shown on the Final Plat of CAMELOT, SEC. III, dated June 1982, last revised September 28, 1988, filed in the Rockland County Clerk's Office on December 2, 1988, was furnished to the Town of Clarkstown, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has reported that said Bond No. NR 21302 may be

Continued on Next Page

RESOLUTION NO. (965-1991) Continued

reduced to \$270,000, as some of the work has been completed to Town specifications, provided that the Surety shall acknowledge that the bond otherwise remains in full force and effect for a period not less than two years from the date hereof;

NOW, THEREFORE, be it

RESOLVED, that Performance Bond No. NR 21302 may be reduced to \$270,000, subject to receipt of written acknowledgement from the Surety as provided above.

Seconded by Co. Mandia

Murray Jacobson asked if this was endorsed by Mr. Bollman? Supervisor Holbrook said "yes". You are recommending the reduction of the bond - correct? There is another bond which involved the paving of the roads there.

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. (966-1991)

GRANTING CERTIFICATES OF
REGISTRATION PURSUANT TO
SEC. 83-65 (COPPOLA
SERVICES, INC. - NO. 92-2
AND CAL MART CONSTRUCTION
CORP. - NO. 92-3)

Co. Maloney offered the following resolution:

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

COPPOLA SERVICES, INC.
47A Route 303
Valley Cottage, NY
10989

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

RESOLVED, that the following Certificates of Registration be issued:

No. 92-2 COPPOLA SERVICE, INC.
No. 92-3 CAL MART CONSTRUCTION CORP.

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. (967-1991)

GRANTING CERTIFICATES OF
REGISTRATION PURSUANT TO
SEC. 83-65 OF THE TOWN CODE

Continued on Next Page

RESOLUTION NO. (967-1991) Continued

- PHOENIX EXCAVATORS - NO.
92-4 AND H & R PLUMBING,
HEATING AND AIR
CONDITIONING, INC. - NO.
92-7

Co. Maloney offered the following resolution:

WHEREAS, the following have applied for Certificates of
Registration pursuant to Section 83-85 of the Code of the Town of
Clarkstown:

PHOENIX EXCAVATORS
62 Rose Road
West Nyack, NY 10994

H & R PLUMBING, HEATING AND
AIR CONDITIONING, INC.
53 Massachusetts Avenue
Congers, New York 10920

RESOLVED, that the following Certificates of
Registration be issued:

No. 92-4 PHOENIX EXCAVATORS CORP.

No. 92-7 H & R PLUMBING, HEATING and AIR CONDITIONING,
INC.

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. (968-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING ANYTIME" SIGN
(HANSEN AVENUE - ROOSEVELT
AVENUE, NEW CITY)

Co. Kunis 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:

Signs to read, "No Parking Anytime" with directional
arrows, to be erected on the west side of Hansen Ave.
200 ft. from Roosevelt Avenue, New City.

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. 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. (969-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING, MONDAY - FRIDAY
8:00 AM TO 4:00 PM
(DEMAREST MILL COURT, WEST
NYACK)

Co. Kunis 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:

Signs to read, "No Parking, Monday - Friday 8:00 AM
to 4:00 PM to be erected on both sides of Demarest
Mill Court, West Nyack, NY.

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. 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. (970-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING - 9:00 PM TO 3:00
AM (GREEN AVENUE, VALLEY
COTTAGE AND OLD LAKE ROAD)

Co. Kunis offered the following resolution:

RESOLVED, that based upon the recommendation of the
Police Department, the Superintendent of Highways is hereby
authorized to install:

Signs to read, "No Parking - 9:00 p.m. to 3:00 a.m".
to be erected on both sides of Green Avenue, Valley
Cottage, NY from the intersection with Old Lake Road,
to 21 Green Avenue, and also to be erected on Old
Lake Road, Valley Cottage, NY from Lake Road to Kings
Highway along the north side

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. 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. (971-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID NO. 11-1992
(SALE OF SURPLUS VEHICLES)

Co. Maloney offered the following resolution:

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

BID #11-1992
SALE OF SURPLUS VEHICLES

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,
JANUARY 28, 1992 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. 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. (972-1991)

CANCELLATION OF BID
#64-1991 (MOBILE DATA
COMPUTER SYSTEM)

Co. Mandia offered the following resolution:

RESOLVED, that

BID #64-1991
MOBILE DATA COMPUTER SYSTEM

is hereby cancelled.

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. (973-1991)

MEMORIALIZING ROCKLAND
COUNTY EXECUTIVE RE
RESTORATION OF THE "WEST
SHORE" PASSENGER SERVICE

Co. Smith offered the following resolution:

WHEREAS, the West Shore rail line is excellently
located to serve a significant percent of Rockland County citizens,
and

RESOLUTION NO. (973-1991) Continued

WHEREAS, the West Shore service can also be extended to interconnect with important population and job opportunities in Orange County, New York, and

WHEREAS, the West Shore service can also interconnect with a significant portion of the resident, businesses, and transportation systems in Bergen County, New Jersey, and

WHEREAS, the transportation systems in New Jersey are slated for important upgrading to facilitate transfer to other New Jersey rail systems and into key job areas of New York City, and

WHEREAS, the right-of-way exists for the restoration, and

WHEREAS, a "West Shore Commuter Rail Conceptual Planning Study," prepared in May 1988, clearly showed the need and demand for such restoration, and

WHEREAS, the restoration can be achieved within a few years of the commitment to the service, and

WHEREAS, the need for significant increased usage of mass transportation facilities in the New York Metropolitan region is necessary to achieve clean air goals, and

WHEREAS, efficient and well located mass transportation facilities will help attract the Rockland County commuter from his private automobile;

NOW, THEREFORE, be it

RESOLVED, that the counties of Bergen, Orange, and Rockland the States of New York and New Jersey and the Federal government ake such actions as necessary to restore services on the West Short rail line, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby recommends that the Rockland County Executive take such advocacy actions and steps necessary to help restore services on the West Shore rail line, that shall include the direction of the Commissioner of Transportation to recommend actions of the Executive and Legislature required to achieve this goal and the communication with appropriate municipal, regional, state, and federal agencies, and parties necessary to achieve this goal.

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. (974-1991)

MEMORIALIZING STATE
LEGISLATURE AND GOVERNOR TO
HAVE ONE PRIMARY DAY IN 1992

Co. Smith offered the following resolution:

WHEREAS, it is proposed to have two primary days in 1992, one primary day in the spring of 1992 for electing delegates to the national conventions and one primary day in September 1992

Continued on Next Page

RESOLUTION NO. (974-1991) Continued

for candidates to the State Legislature, Congress and County Committeemen; and

WHEREAS, the additional primary day would result in an expenditure by the citizens of the Town of Clarkstown of approximately \$50,000.00 to operate the primary procedure; and

WHEREAS, such an expenditure is unwarranted in these times of tight budgets.

NOW, THEREFORE, be it

RESOLVED, that the State Legislature of the State of New York is hereby requested to have only one primary day in the year 1992 in the interest of fiscal responsibility; and be it

FURTHER RESOLVED, that the Clerk of the Town of Clarkstown forward a copy of this resolution to the State Senate, State Assembly and Governor Cuomo.

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. (975-1991)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
N.Y.S. DIVISION OF CRIMINAL
JUSTICE SERVICES

Co. Maloney offered the following resolution:

WHEREAS, the New York State Legislature has appropriated funds to the New York State Division of Criminal Justice Services for the purpose of financing the Anti Drug Abuse Act program under which activities will be conducted by the Town of Clarkstown Police Department, and

WHEREAS, the State shall provide \$28,275.00 to the Town of Clarkstown for the project, for the period commencing January 1, 1992 through September 30, 1993;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute an agreement with the New York State Division of Criminal Justice Services accepting financial assistance of \$28,275.00 for the Anti Drug Abuse Act program under which activities will be conducted by the Town of Clarkstown Police Department, for the period commencing January 1, 1992 through September 30, 1993, and be it

FURTHER RSOLVED, that the agreement shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to December 26, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (975-1991) Continued

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

RESOLUTION NO. (976-1991)

EXTENDING AGREEMENT WITH
PERMA (WORKMEN'S
COMPENSATION AGREEMENT)

Co. Smith offered the following resolution:

WHEREAS, certain changes have been proposed in the Workmen's Compensation agreement between the Town of Clarkstown and PERMA, which changes are set forth in the memorandum of Supervisor Charles E. Holbrook, annexed hereto;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarktown's agreement with PERMA is extended, as modified, until June 30, 1992.

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. (977-1991)

DECLARING TOWN PROPERTY
SURPLUS (GERARDINE PLACE,
NEW CITY)

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown is the owner of premises shown on Schedule "A" annexed hereto, and designated on the Clarkstown Tax Map as Map 166, Block A, Lot 3.99/15, which premises is located at Gerardine Place, New City, New York and

WHEREAS, said premises was acquired for the installation and use of a pumping station, which pumping station has since been dismantled because it was no longer needed;

NOW, THEREFORE, be it

RESOLVED, that the premises known in Schedule "A" annexed hereto is surplus municipal property.

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. (978-1991)

AUTHORIZING SUPERVISOR TO EXECUTE CONTRACT TO PURCHASE PROPERTY (MAP 125, BLOCK B, LOTS 8 AND 8.//2 (LIFE ESTATE OF SCHUELER)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board believes it is desirable to purchase the property known as Map 125, Block B, Lots 8 and 8.//2, which is located at 60 Gilchrest Road, Congers, New York, for the purposes of using such property for Congers Lake Park;

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract to purchase property known as Map 125, Block B, Lots 8 and 8.//2, which is located at 60 Gilchrest Road, Congers, New York, subject to a life estate of Veronica M. Schueler, for the sum of \$100,400.00, and be it

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer the sum of \$100,400.00, from the Money-In-Lieu-Of Lands Account to the Parklands and Improvements Account, to pay for the purchase of said property.

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. (979-1991)

AGREEMENT BETWEEN TOWN OF CLARKSTOWN AND ROCKLAND COUNTY PATROLMEN'S BENEVOLENT ASSOCIATION, INC.

Co. Smith offered the following resolution:

WHEREAS, the collective bargaining agreement between the Town of Clarkstown and the Rockland County Patrolmen's Benevolent Association, Inc. for the Clarkstown Police Department will expire on December 31, 1991; and

WHEREAS, the negotiating team for the Town and the negotiating team for the PBA have negotiated in good faith for many months in an attempt to reach a successor to the 1989-91 agreement between the parties; and

WHEREAS, the negotiating teams have reached a tentative settlement embodied in a memorandum of agreement dated December 31, 1991; and

WHEREAS, the Town Board has reviewed said memorandum of agreement and has determined that the terms and conditions contained therein are in the best interest of the Town and its employees;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby ratifies and approves the memorandum of agreement dated December 31, 1991 and hereby authorizes the Supervisor to sign the collective bargaining agreement consistent with the terms thereof; and be it

Continued on Next Page

RESOLUTION NO. (979-1991) Continued

FURTHER RESOLVED, that following full execution of such an agreement, the Town Attorney is directed to file a copy of the fully executed collective bargaining agreement with the Public Employment Relations Board.

Seconded by Co. Maloney

Councilman Mandia stated that he thought that Deputy Town Attorney Longo should get the appreciation of the Town Board. Mr. Longo worked very hard on this. Councilman Mandia also stated that he thought that the Police with this new contract demonstrated a real spirit of cooperation. The details of what's in the press release is public information, but with regard to a huge decrease in the starting salaries, what I choose to call cadet patrolmen, they are not fully qualified to be on the street, I think is in the Town's best interest and the Police's best interest. The random drug testing provision is in the new contract and many of the details show a good spirit of cooperation between the Police PBA Union and the Town .

Supervisor Holbrook stated that it is far better to negotiate settlements than it is to arbitrate them. The Town's position is that negotiation provides us with a method to amicably deal with these negotiations to the benefit not only of the Town, but the PBA as well. It is the right thing to do and our negotiator, Mr. Longo, should be complimented for the work that he has done. He really did a wonderful job.

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. (980-1991)

AUTHORIZING EXTENSION OF
SICK LEAVE (WILLEM MAXI)
MINI TRANS DEPARTMENT

Co. Kunis offered the following resolution:

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Willem Maxi, 18 Waldron Avenue, P.O. Box 645, Nyack, New York, Bus Driver - Mini Trans Department - is hereby granted an extension of his sick leave of absence - at one-half pay - effective and retroactive to December 23, 1991 to January 23, 1992.

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. (981-1991)

AMENDING RESOLUTION NO. 922
AND NO. 923 (PATRICIA McCOY)

Continued on Next Page

RESOLUTION NO. (981-1991) Continued

COLEMAN) ANIMAL CONTROL
OFFICER

Co. Kunis offered the following resolution:

RESOLVED, that Resolution No. 922 and No. 923, adopted at the November 26, 1991, Town Board Meeting, creating the position of Animal Control Officer and appointing Patricia McCoy Coleman to the position of Animal Control Officer - is hereby amended to read "Animal Control Officer II - effective and retroactive to November 25, 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

RESOLUTION NO. (982-1991)

RECLASSIFYING POSITION OF
CLERK TYPIST (MARGARET
RASCOLL) TO POSITION OF
DATA ENTRY OPERATOR I -
POLICE DEPARTMENT

Co. Kunis offered the following resolution:

WHEREAS, the Rockland County Personnel office has certified on December 23, 1991 that the position of Clerk Typist, encumbered by Margaret Rascoll, can be reclassified to the position of Data Entry Operator I,

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk Typist, encumbered by Margaret Rascoll, is hereby reclassified to the position of Data Entry Operator I - Police Department - effective and retroactive to December 30, 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

RESOLUTION NO. (983-1991)

APPOINTING TO POSITION OF
(PROVISIONAL) DATA ENTRY
OPERATOR I - POLICE
DEPARTMENT - HELENA NEJMAN

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Department of Helena Nejman, 4 Banta Place, New City, New York, to the position of (provisional) Data Entry Operator I - Police Department - at the current 1991 annual salary of \$20,478.00, effective and retroactive to December 30, 1991.

Continued on Next Page

RESOLUTION NO. (983-1991) Continued

Seconded by 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. (984-1991)

RECLASSIFICATION OF CLERK
TYPIST TO DATA ENTRY
OPERATOR I (POLICE
DEPARTMENT)

Co. Kunis offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 23, 1991 that the position of Clerk Typist, encumbered by Helena Nejman, can be reclassified to the position of Data Entry Operator I,

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk Typist, encumbered by Helena Nejman, is hereby reclassified to the position of Data Entry Operator I - Police Department - effective and retroactive to December 30, 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

RESOLUTION NO. (985-1991)

APPOINTING TO POSITION OF
(PROVISIONAL) DATA ENTRY
OPERATOR I - POLICE
DEPARTMENT (MARGARET
RASCOLL)

Co. Kunis 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) Data Entry Operator I - Police Department - at the current 1991 annual salary of \$20, 478.00, effective and retroactive to December 30, 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

RESOLUTION NO. (986-1991)

AMENDING RESOLUTION NO.
36-1991 - SALARY - TOWN
COUNCIL MEMBERS

Co. Mandia offered the following resolution:

RESOLVED, that Resolution #36-1991 is hereby amended to read that All Town Council Members are to be paid a yearly salary of \$20,000.00 for the calendar year 1991.

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. (987-1991)

AUTHORIZING RELEASE OF
ESCROWS FOR PAVING IN
CAMELOT SUBDIVISION, SECS.
I & II

Co. Maloney offered the following resolution:

WHEREAS, the Superintendent of Highways of the Town of Clarkstown has advised that the paving of the roads in Sections I and II in the Camelot Subdivision have been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that escrows furnished by Jodi-Lynn Washomatic, Inc. to the Town of Clarkstown in the amount of \$19,800.00 for paving of the roads in Sections I and II in the Camelot Subdivision shall be released to J.P. Fisher Asphalt Paving as per an authorization letter from Jodi-Lynn Washomatic, Inc., and be it

FURTHER RESOLVED, that escrows placed by individual homeowners in the Camelot Subdivision, Secs. I and II for paving shall be released directly to the homeowner.

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. (988-1991)

AMENDING TIPPING FEES AT
CLARKSTOWN SOLID WASTE
FACILITY

Co. Maloney offered the following resolution:

WHEREAS, New York State Department of Environmental Conservation has granted permission to the Town of Clarkstown to store stumps for transfer to a recycling facility.

Continued on Next Page

RESOLUTION NO. (988-1991) Continued

NOW, THEREFORE, be it

RESOLVED, that the tipping fee for stumps at the Clarkstown Solid Waste Facility shall be \$50.00 per ton and that this charge be added to the fee schedule approved on December 11, 1990.

Seconded by Mandia

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 Mandia and unanimously adopted, the public hearing re: Proposed Amendment to Chapter 125 (Dogs and Other Animals of the Town Code) was opened, time: 12:25 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Proposed Amendment to Chapter 125 (Dogs and Other Animals of the Town Code) was closed, RESOLUTION ADOPTED, time: 12:27 P.M.

RESOLUTION NO. (989-1991)

ADOPTING LOCAL LAW NO.
13-1991 (DOGS AND OTHER
ANIMALS) OF THE TOWN CODE

Co. Smith offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 125 (DOGS AND OTHER
ANIMALS) OF THE TOWN CODE OF THE TOWN OF
OF CLARKSTOWN"

was introduced by Councilman Kunis at a Town Board meeting held on the 26th day of November 1991, at 8:00 P.M., and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of November, 1991, directed that a public hearing be held on the 31st day of December 1991 at 12:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 16, 1986, 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 November 21, 1991, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 31, 1991;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 13-1991, entitled:

"AMENDMENT TO CHAPTER 125 (DOGS AND OTHER ANIMALS)
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:

Continued on Next Page

RESOLUTION NO. (989-1991) Continued

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

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Mountain Shadows Company, was opened, time: 12:27 P.M.

On motion of Councilman Kunis, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Mountain Shadows Company, was closed, ORDER SIGNED, time: 12:28 P.M.

Supervisor Holbrook noted that Councilman Kunis, after having served the Town of Clarkstown for the last four years, will be leaving Town service at 12:00 midnight tonight. He said these have not been easy years sitting here on the firing line. He said we can all appreciate the time and effort an individual puts into public service. He said while Steve was not successful on re-election this year, it does not diminish his concern about the Town of Clarkstown and the service to his constituents. He said having run for office, both winning and losing, he (the supervisor) could certainly appreciate the mixed emotions one has on leaving office. Supervisor then made a presentation on behalf of the Town Board to Councilman Kunis to acknowledge his service to the Town of Clarkstown over the past four years.

Councilman Kunis wished everyone a very healthy and Happy New Year. He went over his history as a Town Board Member for the past four years. He said it was his pleasure and privilege to serve the people of the Town of Clarkstown. As a politician he said he enjoyed every minute of it. He met great people in politics and he has nothing negative to say about politics. He said while the Town Board members did not always vote the same way he has a great respect for the job they have done. He said he has mellowed and learned in four years noting that everyone has a job to do and they get it done. They believe what they do and they vote what they believe and that has been a learning experience for him.

Councilman Kunis said he has met many people over the past four years in Town Hall and he has seen how departments function and has observed the employees of the Town who are dedicated people and who work very hard and are great people. He said he has a tremendous amount of admiration and respect for our police department. In particular he noted the DARE program which is a phenomenal program for the kids in elementary schools. He noted the growth of the recreation program which he felt was a positive growth for the youth and seniors of the community.

Councilman Kunis stated that the closing of the Clarkstown Landfill was a monumental task. It was positive for the taxpayers of Clarkstown and he felt in five years the residents are going to reap the benefits of having their own transfer station.

Councilman Kunis thanked the many department heads both elected and appointed and stated that it has been his pleasure to

Continued on Next Page

work with them. He thanked the Chairman of the Planning Board for his dedication. He mentioned the members of the Planning Board, the Zoning Board and the other members of the various boards noting the positive time they put in for the residents of this Town. He said the Town is a reflection of that hard work. He said he is proud to see the planned growth of this community. He closed stating that it has been his pleasure to be here and he asked for God's blessing on everyone.

Councilman Mandia said the election process is healthy for the community and healthy for our country but it does create changes in legislative bodies such as this one. He said he has gained a lot working with Councilman Kunis in the last two years. He has an opinion on everything and he is not afraid to speak his mind. He said Councilman Kunis served his community with integrity and he can be proud of that as he leaves office. He said the Town has gained from his presence here on this Board. He said he still calls him his friend. He hopes to often drop by and have bagels and coffee with Steve. He said he will seek his counsel at times on various issues. He wishes him and his family well. He said he has enjoyed serving with him and he asked God to bless him and grant him good health in the future.

Councilwoman Smith said it has been an interesting four years and they have accomplished many good goals for Clarkstown. She wished him and his family health and happiness in 1992.

Councilman Maloney said he is starting his 18th year on the Town Board and he has seen many fellow board members leave or retire and it is always difficult because you get to know someone. He said Steve has done a commendable job. We represent the same political party but we have not always agreed. Councilman Maloney said what he liked about Steve is that he voted his conscience and he would always let you know how he was going to vote before we came down to a meeting. He respected him for that. He said we on the Town Board do have to bear the brunt of many of our decisions and that is the name of the game and that is not always easy. You stand for election and you rise and fall determining how you answered your constituency. He thanked Steve for the four years he has given to the Town and the number of hours that he has been away from his family serving the Town as liaison to various boards and commissions and spending time here at workshops and Town Board meetings. He wished him a very blessed and Happy New Year. He said he hoped he would have more time to spend with his family and thanked him for being part of our Town.

Supervisor then said he would like to adjourn the meeting and invite everyone present upstairs for some refreshments as a courtesy of Mr. Gus Stritmater and our computer people here in the Town of Clarkstown. He wished everyone a Happy New Year.

There being no further business to come before the Town Board Meeting and no one further wishing to be heard the Town Board Meeting was declared closed, time: 12:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/31/91

12:25 P.M.

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

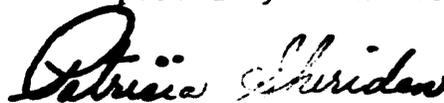
Re: Proposed amendment to Chapter 125 (Dogs and Other Animals
of the Town Code). ADOPTING LOCAL LAW NO. 13-1991

On motion of Councilman Kunis, seconded by Councilman Mandia 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 asked if there was anyone present wishing to make a comment or ask a question? No one appeared.

There being no one wishing to be heard on motion of Councilman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 12:28 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (989-1991) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/31/91

12:27 P.M.

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

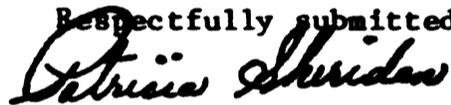
Re: Extension of the Clarkstown Consolidated Water Supply District
#1 to include Mountain Shadows, Route 9W, Congers

On 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 asked if there was anyone wishing to make a comment or ask a question. No one appeared.

There being no one wishing to be heard on motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing was closed, RESOLUTION ADOPTED, time: 12:28 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk