

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/10/93

8:08 P.M.

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

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

Supervisor declared that the first order of business this evening would be the awarding of a certificate to Richard Zampolin upon his achievement of becoming an Eagle Scout. Richard is a member of Troop 27 of the Boy Scouts of America. Supervisor presented the award on behalf of the Town Board Members and congratulated Richard and his parents. Town Board Members expressed their congratulations also.

Supervisor opened the public portion of the meeting.

Appearance: Mr. Anthony D'Anton
Congers, New York

Mr. D'Anton spoke regarding his request to appoint a four man committee to look into allegations of malfeasance he made during the campaign for Superintendent of Highways in 1991. He questioned renting of trucks for leaf pickup.

Appearance: Mr. Ted Dusanenko,
representing Senior Citizens and Citizens
of Clarkstown
New City, New York

Mr. Dusanenko submitted petition requesting TKR broadcast the Town Board Meetings. Mr. Dusanenko stated he was against Town Employees using Town cars and felt they should use their own cars being paid per mile.

RESOLUTION NO. (138-1993)

ACCEPTING MINUTES OF
TOWN BOARD MEETING OF
FEBRUARY 23, 1993

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the minutes of the Town Board Meeting of February 23, 1993 are hereby accepted as submitted by the Town Clerk

On roll call the vote was as follows:

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

RESOLUTION NO. (139-1993)

DENYING PROPOSED ROAD
IMPROVEMENT FOR A
PORTION OF SOUTH GRANT
AVENUE, CONGERS, NEW
YORK

Co. Smith offered and Co. Maloney seconded

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RESOLUTION NO. (139-1993) Continued

WHEREAS, the Town Board of the Town of Clarkstown, by an Order duly adopted on November 10, 1992, provided for a public hearing on January 26, 1993, at 8:35 P.M., to consider a road improvement for a portion of South Grant Avenue, Congers, New York, and

WHEREAS, notice of the public hearing was duly published as required by law and the public hearing was duly held at the time and place specified in the notice, and

WHEREAS, the Town Board of the Town of Clarkstown has received a Short Environmental Assessment Form pursuant to SEQRA, from K. Luke Kalarickal, Deputy Director of Environmental Control, which the Board has discussed and considered such report in making their decision herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board finds that the proposed amendment would have no significant adverse affect upon the environment and no further processing under SEQRA is necessary, and be it

FURTHER RESOLVED, for the reasons of public health, safety and welfare, the Town Board hereby DENIES the proposed road improvement for a portion of South Grant Avenue, Congers, New York.

Councilman Dusanenko asked if the Town Attorney was able to obtain the actual percentage of people with frontage, as in the past, who were desirous of this and also the percentage of those who were against it? Supervisor said we had responses from everybody. In terms of footage he said he was not sure but from the responses at the public hearing most people responded against it. Councilman Dusanenko said he was aware of that but he just wanted to know if we have actual footage as we usually do? Town Attorney said there are really only 11 landowners. Councilman Mandia said there is a 9 to 11 vote. Councilman Dusanenko said he was aware of that but is there an actual footage - was there 40% for it, 35% for it, or what? Supervisor said he was not sure but that could be obtained.

On roll call the vote was as follows:

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

RESOLUTION NO. (140-1993)

AUTHORIZING SUPERVISOR
TO EXECUTE RELEASE OF
EASEMENT ON LOT 6
(DEMAREST HEIGHTS
SUBDIVISION - MAP 52,
BLOCK A, LOT 36)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the present owner of Lot 6 (Map 52-A-36) shown on a subdivision map entitled Final Plat of Subdivision

Continued on Next Page

RESOLUTION NO. (140-1993) Continued

Plat Demarest Heights filed in the Rockland County Clerk's Office on September 18, 1980, as Map No. 5182, has requested that the easement shown thereon be extinguished as it is no longer required because an alternate easement has been provided for the benefit of Thomas D. Schimpf through the Elliott Subdivision, and

WHEREAS, the Planning Board, Department of Environmental Control and the Town Attorney having investigated the facts recommend that said easement be extinguished of record;

NOW, THEREFOR, be it

RESOLVED, that the Supervisor is hereby authorized to execute a release in a recordable form approved by the Town Attorney which shall recognize that the easement referred to above has been removed and the interest of the Town has been extinguished.

On roll call the vote was as follows:

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

RESOLUTION NO. (141-1993)

AUTHORIZING TOWN TO ACCEPT GRATUITOUS CONVEYANCE OF TWO TAX PARCELS FROM ROCKLAND COUNTY (MAP 125, BLOCK B, LOT 9 AND MAP 125, BLOCK B, LOT 12.20)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the County of Rockland has offered to gratuitously convey to the Town of Clarkstown two tax parcels known as:

- Map 125, Block B, Lot 9
- Map 125, Block B, Lot 12.20

and

WHEREAS, such parcels are necessary for the improvement of Congers Lake Dam;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the acceptance from the County of Rockland of the gratuitous conveyance of tax parcels known as:

- Map 125, Block B, Lot 9
- Map 125, Block B, Lot 12.20

and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to November 23, 1992.

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RESOLUTION NO. (141-1993) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (142-1993)

AUTHORIZING SETTLEMENT
OF TAX CERTIORARI
(CALDOR,
INC./WALDBAUMS, INC.)

Co. Maloney offered and Co. Smith seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, CALDOR, INC. v. THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN, Index No. 8302/92 and WALDBUAM'S, INC. #226, LESSEE v. THE BOARD OF ASSESORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN, Index No. 8303/92 affecting parcels designated as Map 32, Block B, Lots 2 and 2.1 for the year 1992/93, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioners described on the assessment roll as Map 32, Block B, Lots 2 and 2.1 be reduced for the year 1992/93 from \$5,000,000 to \$3,000,000,
2. That reimbursement for the year 1992/93 on the parcel described as Map 32, Block B, Lots 2 and 2.1 be made within 90 days through the Office of the Commissioner of Finance. If payment is made within 90 days, no interest will be charged, and
3. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid, and such settlement is recommended by the Assessor of the Town of Clarkstown; and the attorneys for the Nanuet Union Free School District have consented to such settlement.

NOW, THEREFORE, be it

RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

Councilman Dusanenko asked if this was going to reduce the assessment from \$5,000,000.00 to \$3,000,000.00. Supervisor said we would not have settled this matter if it had not been for the recommendation of the school districts.

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RESOLUTION NO. (142-1993) Continued

Councilman Dusanenko said then the school districts concur? He was told yes.

On roll call the vote was as follows:

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

RESOLUTION NO. (143-1993)

GRANTING PERMISSION
FOR THE DISPENSATION
OF ALCOHOLIC BEVERAGES
(ANNUAL SENIOR CITIZEN
SHOW CAST PARTY AND
ANNUAL SENIOR CITIZEN
PICNIC)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Section 22-2A of the code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at:

Annual Senior Citizen Show Cast Party
May 1, 1993
Congers Community Center
Gilchrest Road
Congers, NY

and

Annual Senior Citizen Picnic
June 8, 1993 (Raindate: June 9th)
Congers Lake Memorial Park
Gilchrest Road
Congers, NY

On roll call the vote was as follows:

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

RESOLUTION NO. (144-1993)

ACCEPTING PROPOSALS
FROM ORANAGE &
ROCKLAND UTILITIES,
INC. FOR STREET

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RESOLUTION NO. (144-1993) Continued

LIGHTING AT DOVER ROAD, CONGERS; MOUNTAINVIEW AVENUE, VALLEY COTTAGE; MORRIS DRIVE, NEW CITY; FOXWOOD ROAD, WEST NYACK; AND CAROLINA DRIVE, NEW CITY)

Co. Smith offered and Co. Dusanenko seconded

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

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

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

NOW, THEREFORE, be it

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

Dover Road Congers
(Install one (1) - 5800 lumen sodium vapor street light on existing utility pole number 60454/41734)

Mountainview Avenue Valley Cottage
(Install one (1) - 9500 lumen sodium vapor street light on existing utility pole number 60922/40192)

Morris Drive New City
(Install one (1) - 5800 lumen sodium vapor street light on existing utility pole number 59448/40892)

Foxwood Road West Nyack
(Install four (4) - 5800 lumen sodium vapor street lights on existing utility pole numbers 59575/39727, 59587/39729, 59599/39733 and 59612/39731)

Carolina Drive New City
(Install one (1) - 5800 lumen sodium vapor street light on existing utility pole number 59239/41283)

On roll call the vote was as follows:

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

RESOLUTION NO. (145-1993)

AWARDING BID FOR BID #13-1993 - COMPACTOR BODY (SANITATION EQUIPMENT CORPORATION)

Co. Maloney offered and Co. Mandia seconded

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RESOLUTION NO. (145-1993) Continued

RESOLVED, that based upon the recommendation of the Superintendent of Highways that

BID #13-1993
COMPACTOR BODY

is hereby awarded to

SANITATION EQUIPMENT CORPORATION
SOUTH 122 ROUTE 17
PARAMUS, N.J. 07652
PRINCIPALS: TONY IOMMETTI
POMPEO IOMMETTI
CHARLES KOHUT
MARINO IOMMETTI

as per their proposal for one Leach 2-RII 25 cubic yard capacity Compactor Body as follows:

Cost of above stated equipment	\$31,025.00
Less: Trade-In allowance on one used Leach 2R Compactor Body per Bid Specs	-3,100.00
Net Cost	\$28,825.00

On roll call the vote was as follows:

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

RESOLUTION NO. (146-1993)

AWARDING BID FOR BID #19-1993 - REFUSE PICK-UP SERVICE (PAT NAZZARO DISPOSAL, INC.)

Co. Maloney offered and Co. Mandia seconded

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

BID #19-1993
REFUSE PICK-UP SERVICE

is hereby awarded to:

PAT NAZZARO DISPOSAL INC.
PO BOX 481
VALLEY COTTAGE NY 10989
PRINCIPAL: PAT NAZZARO

as per the attached item/price schedule.

(Item/price schedule on file in Town Clerk's Office)

On roll call the vote was as follows:

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

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RESOLUTION NO. (147-1993)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #22-1993 -
SECURITY GUARD SERVICES

Co. Smith offered and Co. Maloney seconded

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

BID #22-1993
SECURITY GUARD SERVICES

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 April 7, 1993 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (148-1993)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #23-1993 - FOOD
PROVISIONS FOR TOWN
REFRESHMENT STANDS

Co. Smith offered and Co. Maloney seconded

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

BID #23-1993
FOOD PROVISIONS FOR TOWN REFRESHMENT STANDS

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 April 12, 1993 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.

On roll call the vote was as follows:

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

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RESOLUTION NO. (149-1993)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #24-1993 - SOFT
DRINKS FOR TOWN
OPERATED REFRESHMENT
STANDS

Co. Smith offered and Co. Maloney seconded

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

BID #24-1993
SOFT DRINKS FOR TOWN OPERATED REFRESHMENT STANDS

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 April 13, 1993 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (150-1993)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #25-1993 - ICE
CREAM FOR TOWN
OPERATED REFRESHMENT
STANDS

Co. Smith offered and Co. Maloney seconded

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

BID #25-1993
ICE CREAM FOR TOWN OPERATED REFRESHMENT STANDS

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 April 14, 1993 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.

On roll call the vote was as follows:

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

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RESOLUTION NO. (151-1993)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #26-1993 -
SWIMMING POOL AND
OTHER MISC CHEMICALS

Co. Smith offered and Co. Maloney seconded

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

BID #26-1993
SWIMMING POOL AND OTHER MISC CHEMICALS

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 April 19, 1993 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (152-1993)

AUTHORIZING ATTENDANCE
AT ANNUAL SPRING
SEMINAR OF NEW YORK
STATE ASSOCIATION OF
MUNICIPAL PURCHASING
OFFICIALS (LAWRENCE
KOHLE - ACCOUNT NO. A
1010-414)

Co. Maloney offered and Supv. Holbrook seconded

RESOLVED, that Lawrence Kohler, Director of
Purchasing is hereby authorized to attend the Annual Spring
Seminar of the New York State Association of Municipal
Purchasing Officials in Saratoga Springs, New York from May
12-14th, 1993, and be it

FURTHER RESOLVED, that all reasonable and
appropriate charges related thereto are to be charged to
Account A 1010-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (153-1993)

AUTHORIZING ATTENDANCE
AT CONFERENCE FOR
PROFESSIONAL TRAINING
IN ADOLESCENT
DEPRESSION (BRIAN
CONNOLLY, EMILY FEINER
AND MICHELE PARADISO)

Co. Maloney offered and Supv. Holbrook seconded

RESOLVED, that the Town Board hereby authorizes
Brian Connolly, Counselor; Emily Feiner, Director of Municipal
Counseling Services; and Michele Paradiso, Assistant Director
of Counseling Services, all of the Clarkstown Counseling
Center, to attend the conference for Professional Training in
Adolescent Depression on March 23, and March 24, 1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (154-1993)

AUTHORIZING ATTENDANCE
AT NEW YORK STATE
BUILDING OFFICIALS,
INC. DELEGATES MEETING
- DAVID McLEOD -
CHARGE TO ACCOUNT NO.
A 1010-414

Co. Maloney offered and Supv. Holbrook seconded

RESOLVED, that David McLeod, Building Plans
Examiner, is hereby granted use of a Town vehicle and
permission to attend the New York State Building Officials,
Inc. delegates meeting in Binghamton on March 19, 1993, and be
it

FURTHER RESOLVED, that reimbursement for tolls and
gasoline should be charged to Account No. A 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (155-1993)

TRANSFERRING FUNDS
FROM CONTINGENCY
ACCOUNT NO. A 1990-505
TO APPROPRIATION
ACCOUNT NO. A 7520-419
(HISTORICAL REVIEW
BOARD)

Co. Smith offered and Co. Maloney seconded

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RESOLUTION NO. (155-1993) Continued

RESOLVED, that Contingency Account No. A 1990-505 be decreased by \$143.00 and Appropriation Account No. A 7520-419 be increased by \$143.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (156-1993)

INCREASING ESTIMATED
REVENUE SR 16 9 2770 0
(SANITATION
DISTRICTS-MISC. REV.)
AND APPROPRIATION
ACCOUNT NO. SR 8160
312 (AUTO MAINTENANCE
SUPPLIES)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$267.22 from George Marinello for repairs to Environmental Control's dump truck,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue SR 16 9 2770 0 (Sanitation Dists. -Misc. Rev.) and Appropriation Account No. SR 8160 312 (Auto Maintenance Supplies) by \$267.00

On roll call the vote was as follows:

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

RESOLUTION NO. (157-1993)

TRANSFER OF FUNDS
(VARIOUS ACCOUNTS)

Co. Smith offered and Co. Maloney seconded

WHEREAS, various appropriation accounts require additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A 1990-505 by \$9,728.00 and increase the following Appropriation Account numbers:

A 1620 217 (Maintenance-Maintenance Equipment).....	\$ 1,228.00
A 8730 409 (Env. Control-Fees for Services).....	4,000.00
A 1680 313 (Data Processing-Office Supplies).....	200.00
A 1680 219 (Data Processing-Misc. Equipment).....	2,800.00
A 7141 408 (Communit Rec. Centers-Bldg.Repairs).....	1,500.00

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RESOLUTION NO. (157-1993) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (158-1993)

TRANSFER OF FUNDS TO
REIMBURSE THE GENERAL
FUND - TOWNWIDE

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown authorized the expenditure of funds in 1992 for certain capital projects and

WHEREAS, expenditures have been paid for these capital projects by the General Fund - Townwide revenues and

WHEREAS, the Town Board of the Town of Clarkstown requested that these capital projects be funded with Capital No. 2 Revenues,

NOW, THEREFORE, be it

RESOLVED, that the Comptroller is hereby authorized to transfer funds from the following accounts to reimburse the General Fund - Townwide for amounts originally disbursed:

Transfer to General Fund - Interfund Transfers	\$391,169.59
Transfer from Capital - Unneeded Authorizations	\$103,558.00
Trust & Agency - Interest Earnings.....	\$287,611.59

On roll call the vote was as follows:

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

RESOLUTION NO. (159-1993)

ENDORING PLAN FOR
IMPROVEMENT TO
DRIVEWAY AT BARDONIA
SCHOOL

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Town Board endorses the plan designed by Howard Lampert, traffic engineering consultant, for the improvement to the driveway at Bardonia School, and be it

FURTHER RESOLVED, that a copy of Mr. Lampert's plan, together with a copy of this Resolution, shall be forwarded to the Clarkstown Central School District.

On roll call the vote was as follows:

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RESOLUTION NO. (159-1993) Continued

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

RESOLUTION NO. (160-1993)

AUTHORIZING TOWN
ATTORNEY AND TOWN
COMPTROLLER TO ENTER
INTO NEGOTIATIONS RE:
PROPOSED ICE SKATING
RINK (THINK RINK
MANAGEMENT ASSOCIATION)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney and the Town Comptroller to enter into negotiations with Think Rink Management Association, Inc., concerning the proposal for an ice skating arena in the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (161-1993)

APPOINTING TO POSITION
OF REAL PROPERTY DATA
COLLECTOR II - (THOMAS
J. ISENBK)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #93025 Real Property Data Collector II (Promotional) which contains the name of Thomas J. Isenbeck,

NOW THEREFORE, be it

RESOLVED, that Thomas J. Isenbek, 23 Sunrise Drive, Stony Point, New York, is hereby appointed to the (permanent) position of Real Property Data Collector II - Assessor's Office - at the current 1993 annual salary of \$28, 962.00, effective March 10, 1993.

On roll call the vote was as follows:

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

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RESOLUTION NO. (162-1993)

APPOINTING TO POSITION
OF LABORER - SOLID
WASTE FACILITY - (TODD
A. DE PATTO)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Todd A. DePatto, 11 Birch Court,
Highland Mills, New York, is hereby appointed to the position
of Laborer - Solid Waste Facility - at the current 1993 annual
salary of \$20,951.00, effective and retroactive to March 8,
1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (163-1993)

RECLASSIFICATION OF
POSITION OF CODE
INSPECTOR TO POSITION
OF CODE ENFORCEMENT
OFFICER II - BUILDING
DEPARTMENT- GRADE 24

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has
requested and certified on February 25, 1993 that the position
of Code Inspector (encumbered by George Burton) - Building
Department - can be reclassified to the position of Code
Enforcement Officer II,

NOW, THEREFORE, be it

RESOLVED, that the position of Code Inspector is
hereby reclassified to the position of Code Enforcement Officer
II - Grade 24 - effective March 10, 1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (164-1993)

REASSIGNMENT TO
POSITION OF CODE
ENFORCER OFFICER II -
BUILDING DEPARTMENT -
(GEORGE F. BURTON)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that George F. Burton, 40 Sherwood Drive,
Nanuet, New York, is hereby reassigned to the position of Code
Enforcement Officer II - Building Department - at the current
1993 annual salary of \$33, 052.00, effective March 10, 1993.

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RESOLUTION NO. (164-1993) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (165-1993)

RECLASSIFICATION OF
POSITION OF CODE
ENFORCEMENT OFFICER
III - GRADE 27 -
BUILDING DEPARTMENT -
(IRENE SACCEDE)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has requested and certified on February 25, 1993 that the position of Code Enforcement Officer (encumbered by Irene Saccende) - Building Department - can be reclassified to the position of Code Enforcement Officer III,

NOW, THEREFORE, be it

RESOLVED, that the position of Code Enforcement Officer is hereby reclassified to the position of Code Enforcement Officer III - Grade 27 - effective March 10, 1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (166-1993)

REASSIGNMENT TO
POSITION OF CODE
ENFORCEMENT OFFICER
III - BUILDING
DEPARTMENT - (IRENE
SACCEDE)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Irene Saccende, 11 Windmill Lane, New City, New York, is hereby reassigned to the position of Code Enforcement Officer III - Building Department - at the current 1993 annual salary of \$42,071.00, effective March 10, 1993.

On roll call the vote was as follows:

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

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RESOLUTION NO. (167-1993)

APPOINTING TO POSITION
OF SENIOR ACCOUNT
CLERK TYPIST - HIGHWAY
DEPARTMENT - (CORAZONE
M. PIDLAOAN)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92040 Senior Account Clerk Typist which contains the name of Corazone M. Pidlaoan,

NOW, THEREFORE, be it

RESOLVED, that Corazone M. Pidlaoan, 9 Stratford Place, New City, New York, is hereby appointed to the position of Senior Account Clerk Typist - Highway Department - at the current 1993 annual salary of \$20,070.00, effective March 15, 1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (168-1993)

REAPPOINTMENT TO
POSITION OF MEMBER -
FIRE BOARD OF APPEALS
(JOHN KIVLEHAN)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that John Kivlehan, 177 Rose Road, West Nyack, New York, is hereby reappointed to the position of Member - Fire Board of Appeals - to serve without compensation - term effective and retroactive to February 28, 1993 and to expire on February 27, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (169-1993)

AMENDING SALARY
SCHEDULE FOR 1993 FOR
VARIOUS EMPLOYEES

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Salary Schedule for all Town Officials and Employees, adopted January 12, 1993, is hereby amended to fix 1993 salaries for the following employees as set forth hereafter:

Patricia McDonald \$10,000 yr. Secretary (p.t.)
Marie Molinare \$13.50 hr. Secy. Asst. II (p.t.)

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RESOLUTION NO. (169-1993) Continued

Fanny Lacattiva	\$10.48 hr.	Clerk (Seasonal)
Vincent Pizzutello	\$10.98 hr.	Clerk (Seasonal)
Rosemarie Tarangelo	\$10.48 hr.	Clerk (Seasonal)
Madeline Weigold	\$10.25 hr.	Account Clerk (p.t.)
Loretta Raimone	\$ 8.77 hr.	Clerk Typist (p.t.)
Helen Kelly	\$ 8.77 hr.	Clerk Typist (p.t.)
Arlene Teichberg	\$18.50 hr.	Counselor (p.t.)
Richard Cummings	\$11.00 hr.	Radio Dispatcher (p.t.)

Effective and retroactive to March 8, 1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (170-1993)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #27-1993 -
SQUADRON BOULEVARD
ROAD & DRAINAGE PROJECT

Co. Smith offered and Co. Maloney seconded

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

BID #27-1993
SQUADRON BOULEVARD ROAD & DRAINAGE PROJECT

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 April 30, 1993 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 Department of Environmental Control upon payment of a non-refundable fee \$50.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (171-1993)

GRANTING CERTIFICATE
OF REGISTRATION
PURSUANT TO SECTION
236-48 TO PETER BITTS
EXCAVATING (NO. 93-16)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

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RESOLUTION NO. (171-1993) Continued

PETER BITTS EXCAVATING
7 E. Searsville Road
Montgomery, New York 12549

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of
Registration be issued:

No. 93-16 PETER BITTS EXCAVATING

On roll call the vote was as follows:

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

RESOLUTION NO. (172-1993)

DECLARING TOWN
PROPERTY AS SURPLUS
MUNICIPAL PROPERTY AND
AUTHORIZING EXCHANGE
OF SAME (MOUNTAINVIEW
AVENUE AND CHRISTIAN
HERALD ROAD, VALLEY
COTTAGE (MAP 122,
BLOCK A, LOT 7.02)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown is the owner of a certain triangular parcel of land, 7,673 square feet in area, bordered by Mountainview Avenue and Christian Herald Road in Valley Cottage, New York and adjacent to property owned by Theodota Anastasiades, designated on the Clarkstown Tax Map as Map 122, Block A, Lot 7.02, and

WHEREAS, Theodota and Alexandra Anastasiades have offered to exchange certain easements desired by the Town of Clarkstown on property owned by them and designated on the Clarkstown Tax Map as Map 122, Block A, Lot 7.01 and totaling 913 square feet in area in return for the conveyance of the Town's property to Theodota Anastasiades, and

WHEREAS, the Town is considering disposing of said property as surplus property;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby declares that the Town property, being a parcel of land, 7,673 square feet in area, bordered by Mountainview Avenue and Christian Herald Road in Valley Cottage, New York, lying adjacent to property owned by Theodota Anastasiades and designated on the Clarkstown Tax Map as Map 122, Block A, Lot 7.02 to be surplus municipal property, and be it

FURTHER RESOLVED, that the Town Board hereby accepts the offer made by Theodota and Alexandra Anastasiades to exchange two (2) easements on their property, which is designated on the Clarkstown Tax Map as Map 122, Block A, Lot

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RESOLUTION NO. (172-1993) Continued

7.01, located in Valley Cottage and totalling 913 square feet in area, as shown on the attached Schedule "A" for the conveyance to Theodota Anastasiades of the Town owned property, bordered by Mountainview Avenue, Christian Herald Road and Map 122, Block A, Lot 7.02, shown on the attached Schedule "B", which property is subject to the following:

- if any;
1. Easements, covenants and restrictions of record
 2. Zoning Ordinance of the Town of Clarkstown;
 3. Such state of facts as an accurate survey or personal inspection may reveal; and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby directed to execute a bargain and sale deed, in a form satisfactory to the Town Attorney, for delivery to the purchaser, Theodota Anastasiades, in accordance with the terms of this resolution, and be it

FURTHER RESOLVED, that this resolution is subject to Permissive Referendum.

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amending Section 106-6.1, Item B-2(d) of Town Code re: Fees for PED Districts, was opened, time: 8:30 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amending Section 106-6.1, Item B-2(d) of Town Code re: Fees for PED Districts, was closed, RESOLUTION ADOPTED, time: 8:35 P.M.

RESOLUTION NO. (173-1993)

AMENDING ZONING
ORDINANCE RE: SECTION
106-6.1, ITEM B-2(d)
FEES FOR PED DISTRICT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 9, 1993, provided for a public hearing on March 9, 1993, at 8:35 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice, and

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RESOLUTION NO. (173-1993) Continued

WHEREAS, the Town Board of the Town of Clarkstown has received a report pursuant to SEORA, from our consultant Robert Geneslaw, which the Board has discussed and considered such report in making their decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Amendment to the Zoning Ordinance shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEORA) is required, and be it

FURTHER RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Section 106-6.1. Planned Economic Development District, Item B-2 (d), as follows:

From: "B-2(d) Fee. Every application for a PED shall be accompanied by a fee of two hundred fifty dollars (\$250.) to help defray the cost of processing. The applicant shall also be required to bear the expense of any consultants which the town deems necessary to assist in the review of technical aspects of the proposal, up to a maximum of one hundred dollars (\$100.) per acre of land within the PED."

To: "B-2(d) Fee. Every application for a PED shall be accompanied by a fee of five hundred dollars (\$500.) to help defray the cost of processing. The applicant shall also be required to bear the expense of any consultants which the town deems necessary to assist in the review of technical aspects of the proposal, up to a maximum of one hundred dollars (\$100.) per acre of land within the PED."

and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare notice of this Amendment to the Zoning Ordinance and that the Town Clerk cause the same to be published in the official newspaper of the Town and file proof thereof in the Office of the Town Clerk, as required by law.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:37 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/9/93

8:30 P.M.

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

Re: Amending Section 106-6.1, Item B-2(d) of Town Code
Concerning Fees for PED Districts

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

Mr. Yacyshyn, Chairman of the Planning Board stated that essentially this brings us in line with the fee schedules that were approved by the Board last year. He said currently there is one PED district in the Town and there may be another one and he did not feel that this fee would have any major impact of any kind even on the developer in terms of financial costs.

Supervisor asked Mr. Yacyshyn if he were recommending in favor of this proposed amendment? Mr. Yacyshyn said yes. Supervisor stated then this is bringing the fees into conformity. Town Attorney stated that the Rockland County Planning Board also recommended approval as well as the Town Board. On SEQRA, the consultant said there was no environmental impact.

Councilman Mandia said the \$100 fee for the consultant remains constant. He said he did not know when the original was enacted (at \$100.00 per acre) but is there no reason to expect that that fee would go up? Mr. Yacyshyn said they had assessed all of that initially and they felt there would be no change. Councilman Mandia said well one fee is doubling and the other fee is not changing at all. Mr. Yacyshyn said that is the basic application fee which essentially covers the application costs.

Supervisor asked if anyone present wished to ask a question or make a comment? No one did.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:35 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. 173-1993 ADOPTED)