

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

4/13/93

8:00 P.M.

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

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

Supervisor Holbrook presented a plaque to Celia Juris for her dedication. Celia Juris was a member of the Shade Tree Commission and the Architecture and Landscaping Commission. Supervisor Holbrook stated that Ms. Juris did an outstanding job and asked if any of the other Board members would like to make a comment.

Councilman Maloney stated that Celia has been a dedicated person. Co. Maloney said that it is great to find people in the Town who will come out, who will volunteer, who will do a job and take on the responsibility.

Councilman Mandia as liaison to the Architecture and Landscaping Commission, thanked Celia for what she has done. Co. Mandia stated that Celia played a tremendous role in the successful merging of the previous Architecture Review Board and the Shade Tree Commission.

Councilwoman Smith added her appreciation for Celia's service. Co. Smith stated that the Town of Clarkstown is a nicer looking place due to Celia's efforts.

Councilman Dusanenko thanked Celia and told her to enjoy the many tomorrows

Celia Juris thanked everyone for the opportunity to serve. She urged everyone to always consider the impact that your decisions have on the environment, and most of all what it means for all the future citizens of Clarkstown.

Supervisor declared public portion of the meeting open.

Appearance: Joseph Pantano  
New City, New York

Mr. Pantano spoke in favor of an ice rink in Clarkstown.

Appearance: Everett Johns, Esq.  
Clarkstown

Mr. Johns spoke in favor an ice rink in Clarkstown.

Appearance: John Cuff  
West Nyack, New York

Mr. Cuff spoke regarding fire hydrants in Van Houten Fields. He feels that more fire hydrants should be installed. Supervisor Holbrook stated that he spoke with Les Bolman regarding the situation in Van Houten Fields. Supervisor stated that they are now replacing the gas lines and that they could get together and send out a letter regarding a survey to see if people are interested in getting a hydrant.

Appearance: Loreen Stewart  
Clarkstown

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Ms. Stewart spoke in favor of an ice rink in Clarkstown.

Appearance: Danielle Garrison  
Clarkstown

Ms. Garrison spoke in favor of an ice rink in Clarkstown.

Appearance: Ed Varmon  
Clarkstown

Mr. Varmon spoke in favor of an ice rink in Clarkstown.

Appearance: Mike Gorginski  
Clarkstown

Mr. Gorginski spoke in favor an an ice rink in Clarkstown.

Appearance: Phil Varmon  
Valley Cottage, New York

Mr. Varmon spoke in favor of an ice rink in Clarkstown. Mr. Varmon stated that he has a handicapped son and we do not have a handicapped program here.

Appearance: Marie Bouchard  
Congers, New York

Ms. Bouchard spoke against the ice rink. She is not in favor.

Appearance: Rosemary Stewart  
West Nyack, New York

Ms. Stewart spoke in favor of ice rink in Clarkstown.

Appearance: Orin Goetz  
New City, New York

Mr. Goetz spoke in favor of ice rink in Clarkstown.

Appearance: Barbara Darjinski  
Clarkstown

Ms. Darjinski spoke in favor of ice rink in Clarkstown.

Appearance: Alan Cardin  
West Nyack, New York

Mr. Cardin spoke in favor of ice rink in Clarkstown.

Appearance: Jim Pelutti,  
President of Rockland Co. Skating Association

Mr. Pelutti does not live in Clarkstown. He is in favor of the ice skating rink in Clarkstown. He read a letter from a rink owner in New Jersey

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RESOLUTION NO. (215-1993)

ACCEPTING MINUTES OF  
TOWN BOARD MEETING OF  
MARCH 23, 1993

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the minutes of the Town Board Meeting of March 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

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RESOLUTION NO. (216-1993)

BUILDING AND ZONING  
CODE BOOK (\$30.00) -  
SECTION 106

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Clerk's office is currently selling the Building and Zoning Code Book - Section 106 at \$20.00 per copy; and

WHEREAS, the cost to the Town of Clarkstown, with printing, preparation for sale and handling, costs approximately \$30.00 per copy;

NOW, THEREFORE, be it

RESOLVED, that the cost of the Town of Clarkstown Building and Zoning Code Book be priced at \$30.00 per copy, effective immediately.

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. (217-1993)

AUTHORIZING PLANNING  
BOARD TO APPLY TOWN  
LAW SECTION 281 (JOY  
ACRES SOUTH II-(SKETCH  
PLAT "D"))

Co. Maloney offered and Co. Smith seconded

WHEREAS, Joseph T. Caruso, engineer for the applicant, has made written application for the use of Town Law Section 281 in connection with Joy Acres South, Section II, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended approval of the use of Town Law Section 281 in connection with this subdivision because the density plat provides for the continuation of Mulberry Street to Elliott's Alley, and

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RESOLUTION NO. (217-1993) Continued

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 authorization is granted for the development of the property shown on such proposed density plat entitled, "Sketch Plat "D", prepared for Tax Lot 137-A-11.04 and Section II Joy Acres South, Town of Clarkstown, Rockland County, New York," dated June 21, 1991, last revised on February 17, 1993, prepared by Joseph T. Caruso, P.E., P.C. & Associates, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 for the proposed subdivision as shown on a density plat entitled, "Sketch Plat "D", prepared for Tax Lot 137-A-11.04 and Section II Joy Acres South, Town of Clarkstown, Rockland County, New York," dated June 21, 1991, last revised on February 17, 1993, prepared by Joseph T. Caruso, P.E., P.C. & Associates, Nanuet, New York, subject to the applicant complying with all rules, regulations and requirements of law, and requirements of the Clarkstown Planning Board and not inconsistent with the plan depicted on aforesaid proposed subdivision map, with the understanding that a map note will be added to indicate that Mullberry Street will be a temporary turnaround to be continued to Elliott's Alley.

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. (218-1993)

AUTHORIZING SUPERVISOR  
TO EXECUTE RIDER TO  
GROUND LEASE WITH  
SPRING VALLEY WATER  
CO. (HISTORIC HOUSE AT  
312 STRAWTOWN ROAD,  
WEST NYACK)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, an historic dutch sandstone house is situated at 312 Strawtown Road, West Nyack, New York, and is presently owned by the Town of Clarkstown, and

WHEREAS, the Spring Valley Water Co. entered into a ground lease with the Town of Clarkstown on January 12, 1993, for the term of ninety-nine (99) years, covering a .59 acre parcel surrounding such house with no rental payments, but the Town shall pay all real property taxes and the cost of subdividing the property, which was to commence nine (9) months from the date of execution, and which lease shall be terminated by either party, with cause, upon sixty (60) days written notice, and

WHEREAS, the Town of Clarkstown and Spring Valley Water Company, Inc. have decided to commence the term of the ground lease on May 1, 1993;

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RESOLUTION NO. (218-1993) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a rider to the said ground lease executed on January 12, 1993, for a ninety-nine (99) year ground lease with Spring Valley Water Co., covering a .59 acre parcel surrounding said historic house, which rider provides that the ground lease shall commence on May 1, 1993, and shall be in a form approved by the Town Attorney.

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. (219-1993)

AUTHORIZING ONE HOUR  
PARKING ON SECOND  
STREET, NEW CITY

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install "one-hour parking" signs on both sides of Second Street, New City between Maple Avenue and Park Avenue, Monday thru Friday.

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. (220-1993)

AUTHORIZING KARL  
KIRCHNER TO PREPARE  
TRIAL APPRAISAL ON  
GANNETT SATELLITE  
INFORMATION NETWORK,  
INC. - (MAP 106, BLOCK  
A, LOT 1)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Satellite Information Network, Inc. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 106, Block A, Lot 1 for the years 1985/86, 1986/87, 1987/88, 1991/92 and 1992/93, and

WHEREAS, it is desirable to have a trial appraisal prepared for the purpose of trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such trial appraisal at a fee not to exceed \$5,000.00.

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RESOLUTION NO. (220-1993) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (221-1993)

AUTHORIZING D.E.C. TO  
ENTER INTO AGREEMENT  
WITH WOODWARD-CYLDE  
CONSULTANTS

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Bureau of Central Remedial Action, Division of Hazardous Waste Remediation, New York State Department of Environmental Conservation has requested that the Town engage a consultant for independent geotechnical consulting services at the Clarkstown Landfill, and,

WHEREAS, Woodward-Clyde Consultants has been selected and is acceptable to the New York State Department of Environmental Conservation,

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Conservation Control is authorized to enter into an agreement with Woodward-Clyde Consultants for an amount not to exceed \$23,000.00; and be it

FURTHER RESOLVED that the cost of the above be a proper charge to the remedial account.

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. (222-1993)

USE OF CMAO FUNDING  
(PASCACK RD. &  
LAWRENCE ST. - ONE WAY  
RAILROAD TUNNEL AND  
TRAFFIC SIGNAL AT NEW  
CLARKSTOWN RD. & SMITH  
RD.)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the United States Congress has authorized six billion dollars for the Congestion Mitigation and Air Quality (CMAQ) Program through the Intermodal Transportation Efficiency Act (ISTEA) legislation of 1991, the purpose being to fund transportation projects that will contribute to attainment of national ambient air quality standards, and

WHEREAS, Manuel daCunha, Superintendent of Highways for the County of Rockland has contacted and made John

RESOLUTION NO. (222-1993) Continued

F. Mauro, Superintendent of Highways for the Town of Clarkstown aware that funding is available for local projects that meet CMAQ requirements and requested submission of potential projects for consideration under this program, and

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant for the Town of Clarkstown was requested to analyze the Town's traffic signals to determine where CMAQ funds could be used to upgrade existing traffic signals, and has determined that the existing traffic signal at the intersection of Pascack Road and Lawrence Street (one-way railroad tunnel), and the existing traffic signal at the intersection of New Clarkstown Road and Smith Road both of which are located in the Spring Valley section of the Town of Clarkstown, appear to meet the eligibility requirements to be upgraded from pre-timed signals to traffic actuated signals under the CMAQ Program, and

WHEREAS, Manuel daCunha, Superintendent of Highways for the County of Rockland has reviewed this project request and has notified the Town of Clarkstown that the County of Rockland will sponsor this project request for funding consideration under the CMAQ Program, and

WHEREAS, the total estimated project cost is \$40,000.00. and the Federal share for eligible projects is 80 percent of the total estimated project cost, but may be funded at 100 percent federal share if such project meets the conditions of Section 120(c) of Title 23, which includes traffic signalization,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown commits to funding the remaining local share project costs, if any, as requested by the County of Rockland, and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Manuel daCunha, Superintendent of Highways for the County of Rockland.

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. (223-1993)

ATTENDANCE AT YOUTH FORUM DINNER (EMILY FEINER, COUNSELING)

Co. Maloney offered and Co. Smith seconded

RESOLVED, Emily Feiner, CSW, Director, Clarkstown Counseling Center attend Youth Forum Dinner on Thursday, May 6, 1993 at Terrace on the Hudson, Haverstraw, New York.

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. (224-1993)

ATTENDANCE AT  
CONFERENCE-(EMILY  
FEINER) COUNSELING

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Emily Feiner, CSW, Director  
Clarkstown Counseling Center attend conference on "Diagnosing  
Dissociative Disorders" on Thursday, April 15, 1993 at the  
Rockland Family Shelter.

Registration fee: \$20.00

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. (225-1993)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR BID  
#29-1993 (PAPER AND  
PLASTIC SUPPLIES)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #29-1993  
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  
May 5, 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. (226-1993)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR BID  
#30-1993 (WASHED SAND  
AND GRAVEL)

Co. Dusanenko offered and Co. Maloney seconded

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

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RESOLUTION NO. (226-1993) Continued

BID #30-1993  
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 May 3, 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. (227-1993)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR BID  
#31-1993 (CAST IRON  
CURB INLETS, ET AL)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #31-1993  
CAST IRON CURB INLETS, ET AL

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 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. (228-1993)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR BID  
#32-1993 (COVERALL  
RENTAL SERVICE)

Co. Dusanenko offered and Co. Maloney seconded

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

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RESOLUTION NO. (228-1993) Continued

BID # 32-1993  
COVERALL RENTAL SERVICE

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 10, 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. (229-1993)

INCREASE ESTIMATED REV.  
ACCT. #DB 041 9 2705  
(GIFTS & DONATIONS) &  
APPROP. ACCT. #DB 5110  
387 (CURBS & SIDEWALKS)  
DONATION BY TKR

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received a contribution of \$3,000.00 from TKR for curb and road widening, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. DB 041 9 2705 (Gifts & Donations) and Appropriation Account NO. DB 5110-387 (Curbs & Sidewalks) by \$3,000.00.

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. (230-1993)

DECREASE APPROP. ACCT.  
#A 1670-313 (MAIL &  
COPY-OFFICE SUPPLIES &  
PRTG.) & INCREASE  
APPROP.ACCT.#A 1670-201  
(FURNITURE &  
FURNISHINGS)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, various Appropriation Accounts require additional funding,

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RESOLUTION NO. (230-1993) Continued

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A 1670-313 (Mail & Copy-Office Supplies & Prtg.) and increase Appropriation Account No. A 1670-201 (Furniture & Furnishings) by \$750.00

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. (231-1993)

TRANSFERRING FUNDS IN  
VARIOUS ACCOUNTS -  
COMPTROLLER'S OFFICE

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, \$415.00 is required for weather station equipment and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 8730-409 (Environmental Control-Fees for Services) by \$415.00

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. (232-1993)

TRANSFER OF FUNDS  
(VARIOUS ACCOUNTS)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, various funds require additional funding and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 and increase Appropriation Account No. A 8730-409 (Environmental Control-Fees for Services) by \$4,000.00 and be it

FURTHER RESOLVED, to increase Estimated Revenue Account No. DA 042 19 2999 0 (Unexpended Balance) and Appropriation Account No. DA 5130 219 (Highway-Other Equipment) by \$31,925.00

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. (233-1993)

TRANSFERRING FUNDS &  
AUTHORIZING PURCHASE OF  
PLAQUE (CLARKSTOWN  
BICENTENNIAL)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that \$550.00 from Contingency Account No. A-1990-505 shall be transferred to the Clarkstown Bicentennial Account No. A-7550-409, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the purchase of a plaque to be installed at the site of the Bicentennial Capsule at Germonds Park, West Nyack, New York

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. (234-1993)

ACCEPTING PROPOSAL FROM  
O & R UTILITIES FOR  
STREET LIGHTING  
(MOUNTAINVIEW AVENUE)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of Patricia A. Betz, Utility Services Coordinator, the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Mountainview Avenue, Valley Cottage  
(Install - Three (3) 5800 lumen sodium vapor street lights on existing utility pole numbers 60805/40304, 60804/40292, and 60824/40279)

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. (235-1993)

ACCEPTING PROPOSAL FROM  
O & R UTILITIES FOR  
STREET LIGHTING (WEST  
CLARKSTOWN ROAD)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of Patricia A. Betz, Utility Services Coordinator, the Town Board of the Town of Clarkstown hereby accepts the proposal dated March 30, 1993 from Orange and Rockland Utilities, Inc. for the installation of street lighting at the following location:

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RESOLUTION NO. (235-1993) Continued

West Clarkstown Road, New City  
(Install - One (1) 5800 lumen sodium vapor street  
light on existing utility pole numbers 58724/42532

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. (236-1993)

AMENDING RESOLUTION NO.  
197/93 (JOY ACRES NORTH)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Resolution No. 197 adopted at the Town Board meeting of March 23, 1993, accepting the roads and improvements in a subdivision known as Joy Acres North, Secs. I & II, inadvertently omitted the following road:

<u>BLITHE COURT</u>	460	L.F.
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NOW, THEREFORE, be it

RESOLVED, that Resolution No. 197/93 is hereby amended by adding the above mentioned road for acceptance by the Town of Clarkstown, and be it

FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the New York State Department of Transportation.

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. (237-1993)

ACCEPTING DEED (ARNOLD)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, deed dated February 18, 1993, from David E. Arnold, Jr., required by the Board of Appeals in connection with Appeal No. 2485, gratuitously conveying a road widening strip along Phillips Hill Road, New City, New York, is hereby accepted and ordered recorded in the Rockland County 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. (238-1993)

AWARDING BID #17-1993  
HAULING OF STUMPS &  
LOGS FROM THE TOWN  
SOLID WASTE FACILITY  
(TAYLOR TREE, INC.)

Co. Maloney offered and Super. Holbrook seconded

RESOLVED, that based upon the recommendation of the  
Deputy Director of DEC and the Director of Purchasing that

BID #17-1993  
HAULING OF STUMPS & LOGS FROM THE TOWN SOLID  
WASTE FACILITY

is hereby awarded to:

Taylor Tree, Inc.  
172 Neelytown Road  
Montgomery, N.Y. 12549  
PRINCIPALS: James W. Taylor, Jr.  
Dorothy L. Taylor

as per their proposed low bid of \$28.00/ton and be it,

FURTHER RESOLVED, that award is subject to the  
receipt of

- a) General and Automobile Liability Insurance coverage in the amount of one million dollars each and,
- b) Certificate of Workers Compensation coverage.

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. (239-1993)

AUTHORIZING EXTENSION &  
AMENDMENT TO STATE  
ASSISTANCE CONTRACT  
WITH DEC

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown entered into an  
agreement with the Department of Environmental Conservation of  
the State of New York on November 28, 1989, providing State  
Assistance for the remediation of the former Clarkstown Sanitary  
Landfill, and

WHEREAS, it is necessary to amend such contract and  
extend the term of the contract until April 1, 1995;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of  
Clarkstown is hereby authorized to execute the extension and  
amendment to the State Assistance Contract with the Department  
of Environmental Conservation of the State of New York, in a  
form satisfactory to the Town Attorney.

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RESOLUTION NO. (239-1993) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (240-1993)

APPOINTING TO POSITION  
OF MEMBER - YOUTH  
COMMISSION (EMILY  
FEINER)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that Emily Feiner, 74 Sickles Avenue, Nyack, New York, is hereby appointed to the position of Member - Town of Clarkstown's Youth Commission - to serve without compensation - term effective April 14, 1993 and to expire with the termination of her employment with 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. (241-1993)

APPOINTING TO POSITION  
OF MEMBER - YOUTH  
COMMISSION (CHARLES F.  
CONNINGTON)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that Charles F. Connington, 146 Lake Road, Valley Cottage, New York, is hereby appointed to the position of Member - Town of Clarkstown's Youth Commission - to serve without compensation - term effective April 14, 1993 and to expire with the termination of his employment with 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. (242-1993)

REAPPOINTING TO  
POSITION OF MEMBER -  
FIRE BOARD OF APPEALS -  
(JOHN WEIGOLD)

Co. Maloney offered and Co. Dusanenko seconded

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RESOLUTION NO. (242-1993) Continued

RESOLVED, that John Weigold, 7 Aspen Lane, New City, New York, is hereby reappointed to the position of Member - Fire Board of Appeals - to serve without compensation - term effective and retroactive to March 12, 1993 and to expire on March 11, 1996.

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. (243-1993)

REAPPOINTING TO  
POSITION OF MEMBER -  
FIRE BOARD OF APPEALS  
(ARTHUR SMITH)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that Arthur Smith, 31 Pondview Drive, Congers, New York, is hereby reappointed to the position of Member - Fire Board of Appeals - to serve without compensation - term effective and retroactive to March 12, 1993 and to expire on March 11, 1996.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (244-1993)

GRANTING LEAVE OF  
ABSENCE (JEFFREY MEARA)

WHEREAS, Jeffrey Meara has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the granting of the leave of absence, without pay, by the Supt. of Highways, for Jeffrey Meara, 686 Sierra Vista Lane, Valley Cottage, New York - Laborer - Highway Department - effective and retroactive to March 29, 1993 to June 30, 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. (245-1993)

GRANTING LEAVE OF  
ABSENCE (EDWARD DAVIS)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, Edward Davis, Jr., has requested a leave of absence, without pay,

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the granting of the leave of absence, without pay, by the Parks Board and Recreation Commission, for Edward Davis, Jr., P.O. Box 110, Nyack, New York - Custodian I - Parks Board and Recreation Commission - effective and retroactive to April 5, 1993 to July 5, 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. (246-1993)

GRANTING LEAVE OF  
ABSENCE (ARLETTE  
PHILLIPS)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, Arlette Phillips has requested a leave of absence, without pay, and

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, that Arlette Phillips, 42R Main Street, Garnerville, New York - Drafter - Department of Environmental Control - is hereby granted a leave of absence, without pay, effective and retroactive to April 2, 1993 to June 11, 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. (247-1993)

AMENDING RESOLUTION NO.  
131-1993 - SALARIES FOR  
PART-TIME EMPLOYEES  
(PARKS BOARD &  
RECREATION COMMISSION)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that Resolution No. 131, adopted at the February 23, 1993 Town Board meeting, establishing 1993 salaries for part-time employees of the Parks Board and Recreation Commission, is hereby amended to reflect that the hourly rate for Recreation Aide is \$4.25 minimum and \$4.50 maximum.

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. (248-1993)

RECLASSIFYING POSITION  
OF SENIOR CLERK TYPIST  
TO SENIOR CLERK  
STENOGRAPHER (EILEEN  
GRAY) RECREATION

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, the Rockland County Personnel office has certified on February 18, 1993 that the position of Senior Clerk Typist can be reclassified to the position of Senior Clerk Stenographer,

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Clerk Typist (encumbered by Eileen Gray - Parks Board and Recreation Commission) is hereby reclassified to the position of Senior Clerk Stenographer - Parks Board and Recreation Commission - effective and retroactive to April 12, 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. (249-1993)

PROVISIONAL APPOINTMENT  
- PARKS & RECREATION  
COMM. - SENIOR CLERK  
STENOGRAPHER (EILEEN C.  
GRAY)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Eileen C. Gray, 42 Capral Lane, New City, New York, to the

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RESOLUTION NO. (249-1993) Continued

position of (provisional) Senior Clerk Stenographer - Parks Board and Recreation Commission - at the current 1993 annual salary of \$30,717.00, effective and retroactive to April 12, 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. (250-1993)

AUTHORIZING DIR. OF ENVIRONMENTAL CONTROL TO PERFORM DRAINAGE (MERIDAN LANE, NANUET) ACCT. H1989-25P91-05-409

Co. Maloney offered and Super. Holbrook seconded

WHEREAS, an adverse drainage condition existed in the vicinity of Meridan Lane, Nanuet, New York; and

WHEREAS, the Director of Environmental Control under Town Board Resolution #596-1991 had performed corrective drainage work to ameliorate the existing adverse condition; and

WHEREAS, said corrective drainage work has ameliorated the adverse condition; however, additional work is now required to stabilize the open channel leading to Meridan Lane;

NOW THEREFORE be it,

RESOLVED, that the Director of Environmental Control is hereby authorized to hire Pinebrook Landscaping and Paving, New City, New York to perform necessary additional corrective work, including cleaning and stabilizing the existing drainage channel and constructing a new concrete headwall; and be it

FURTHER RESOLVED, that the cost of the additional work shall not exceed \$7,000.00 and shall be a proper charge to Account H1989-25P91-05-409.

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. (251-1993)

WAIVING FEE FOR USE OF TRANSFER STATION BY BEAUTIFICATION COMM. OF ROCKLAND COUNTY

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the Beautification Commission of the County of Rockland is coordinating cleanup activities at various places

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RESOLUTION NO. (251-1993) Continued

in the County of Rockland on Saturday April 17, 1993 and Sunday April 18, 1993, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to support this community endeavor by waiving the fee for use of the Clarkstown Transfer Station by the Beautification Commission;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the fee for use of the Clarkstown Transfer Station by the Beautification Commission on Saturday April 17, 1993, and Monday April 19, 1993, for the pickup of debris at various places in the County of Rockland.

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. (252-1993)

AWARDING OF BID  
#28-1993 - TWO  
DETECTIVE VEHICLES  
(SCHULTZ FORD, INC.)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that based upon the recommendation of the Captain of the Police Department that

BID #28-1993  
TWO (2) DETECTIVE VEHICLES (LEASE/PURCHASE)

is hereby awarded to

Schultz Ford, Inc.  
80 Route 304  
Nanuet, N.Y. 10954  
PRINCIPAL: Ted Schultz

as per their lowest overall cost proposal.

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. (253-1993)

SETTING PUBLIC HEARING  
& REFERRING TO  
CLARKSTOWN AND ROCKLAND  
CO. PLANNING BOARDS RE:  
PROPOSED AMENDMENT TO  
ZONING ORDINANCE -  
HAZARDOUS WASTE

RESOLUTION NO. (253-1993) Continued

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended from time to time, and

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on May 25, 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:

Amend General Use Regulations, LIO District, Table 14, Column 3, Paragraph B, to add the following:

"9. Shipping and receiving of hazardous waste and regulated medical waste, subject to 106-16U."

Amend General Use Regulations, LIO District, Table 14, Column 6, to add the following:

<u>"Use</u>	<u>At Least 1 Parking Space for Each:</u>
35. Shipping & receiving of hazardous waste and regulated medical waste."	1,000 square feet of gross floor area

Amend General Use Regulations, M District, Table 15, Column 3, Paragraph B, to add the following:

"11. Shipping and receiving of hazardous waste and regulated medical waste, subject to 106-16U."

Amend General Use Regulations, M District, Table 15, Column 6 to add the following:

<u>"Use</u>	<u>At Least 1 Parking Space for Each:</u>
22: Shipping and receiving of hazardous waste and regulated medical waste."	1,000 square feet of gross floor area

Amend 106-3 Definitions to add the following:

"HAZARDOUS WASTE - As defined in 6NYCRR Part 371."

"REGULATED MEDICAL WASTE - As defined in 6 NYCRR Part 364.9(c), (1); (2)."

Amend Section 106-16 to add the following:

"U. Shipping and Receiving of Hazardous waste and regulated medical waste, subject to the following conditions:

- (1) The storage, placement, or handling of hazardous & medical waste is not to be within 200 feet of a property line of a residential use or an area zoned for residential use. This requirement applies to all transport vehicles.

## RESOLUTION NO. (253-1993) Continued

- (2) All liquid waste shall be stored in double wall above ground tanks. All tanks must meet the requirements of all applicable agencies, including but not limited to Chapter 143 of the Clarkstown Code, 9NYCRR, N.F.P.A., R.C. Health Department, N.Y.S. D.E.C.
- (3) If located uphill of a water course that is part of a water supply source, the double wall tank must be within a concrete or similar impervious dike capable of holding 125 percent of the contents of the tank.
- (4) Any portion of the site with outdoor tank storage shall be surrounded by security fencing at least 10 feet in height with self-closing doors.
- (5) Operations shall include only material handling, i.e., short term storage, transfer and transfer shipment. No processing, mixing, sorting or other operations shall be undertaken that allow mixing of products or by products or exposure to air, soil, or water.
- (6) Except for outdoor storage tanks, all operations shall be conducted within fully enclosed buildings.
- (7) Prior to issuance of the special permit, the applicant shall have received all other necessary town, county, special district, state and federal permits, including an approved closure plan.
- (8) The applicant shall furnish an emergency response plan approved by appropriate participating or permitting organizations. Said plan will confirm the availability of any trained personnel or specialized equipment that may be necessary. The emergency response plan must contain a complete listing including MSDS of all materials handled and quantities regularly handled. A copy of the response plan shall be furnished to the Fire Inspector and the local fire department by the applicant.
- (9) All transport vehicles shall be fully permitted by appropriate agencies."

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal News, the official newspaper of the Town, as aforesaid, and file proof thereof in the office of the said clerk, and be it

FURTHER RESOLVED, that the proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their recommendation and report, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board

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RESOLUTION NO. (253-1993) Continued

determines that it shall act as lead agency and Leslie F. Bollman, Director of Environmental Control, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

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. (254-1994)

DRUG PREVENTION  
COUNCIL POSTER CONTEST

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, the Drug Prevention Council has requested monetary assistance in the amount of \$1,000.00 to provide funds for their annual poster contest.

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby appropriates the amount of \$1,000.00 for the Drug Prevention Council to be used for poster contest.

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. (255-1993)

MEMORIALIZING COUNTY  
LEGISLATURE TO ACCEPT  
DESIGNS FROM  
INTERESTED ARCHITECTS  
(COURTHOUSE ADDITION)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the County of Rockland will be constructing an addition to the Courthouse, and

WHEREAS, it is in the interest of the people of Rockland County to have an appropriate and attractive design for such Courthouse;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby memorizlizes the County Legislature to give an opportunity to all interested architects to submit designs for the new Courthouse building.

On roll call the vote was as follows:

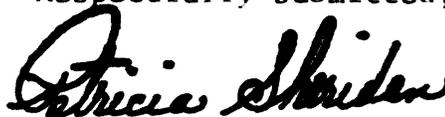
- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

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On motion of Councilman Maloney, seconded by  
Councilwoman Smith and unanimously adopted, the Town Board  
Meeting was declared closed, time: 9:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk