

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

9/28/93

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 stated that the first order of business this evening would be the presentation of a proclamation honoring B'NAI B'RITH on the occasion of their 150th Anniversary. The proclamation was as follows:

"B'NAI B'RITH DAY"
150th Anniversary
October 13, 1993

- WHEREAS, B'NAI B'RITH was founded 150 years ago on October 13, 1843 in Sinsheimer's Cafe located on Essex Street on the Lower East Side of New York City, and
- WHEREAS, B'NAI B'RITH was the first international service organization founded in the United States, and
- WHEREAS, this service is of unparalleled length and has included the establishment of the first free employment bureau and manual and technical schools in America, and also included orphanages and homes for the aged in many cities, and
- WHEREAS, today this service includes one of the world's largest networks of non-sectarian, affordable-rent apartment projects for the elderly, and world renowned educational, cultural and religious programs for youth, and
- WHEREAS, B'NAI B'RITH has been a world leader in the battle against prejudice and has steadfastly advocated human rights around the world through the Anti-Defamation League, and
- WHEREAS, B'NAI B'RITH ROCKLAND COUNCIL, consisting of Rockland Irving-Siegel, Hi-Tor and Educator's Units are actively engaged in the following activities: Project Hope - distributing food packages on the major holidays to our less fortunate brethren, Project Snowflake - relieving employees at the Pomona Health Complex so they may spend the Christmas holidays at home, conducting Sabbath services at Letchworth Villabe and other homes in the county, Richard Murray Youth Awards Program - trophies awarded to the best male and female graduating high school athletes, scholarship awards to students at local Hebrew Schools, Hans Schoenberger Service Award - Arnold Reisler Memorial Award for community service to a Ramapo High School senior and the annual Brotherhood Through Music concerts that reach out to the entire Rockland community, and
- WHEREAS, B'NAI B'RITH is active in 50 countries, on six continents throughout the free world and serves 500,000 members ranging in age from 13 to 103 and, B'NAI B'RITH, as the world's largest Jewish service organization, unites the Jewish community in

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dedication to the betterment of the Jewish people, the strengthening of the State of Israel and the preservation of Jewish learning and life around the world, and

WHEREAS, Rockland County has over 500 B'NAI B'RITH members actively providing vital services to the county for over 55 years.

NOW, THEREFORE, BE IT RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, hereby proclaim October 13, 1993 as "B'NAI B'RITH DAY."

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 28TH DAY OF SEPTEMBER, 1993

(S E A L)

/s/ Charles E. Holbrook
CHARLES E. HOLBROOK, Supervisor
Town of Clarkstown

Town Clerk forwarded this proclamation to Mr. William A. Pamm, President of the Irving Siegel Unit #5450.

Supervisor declared the public portion of the meeting open.

Appearance: Mr. Oren Goetz
New City, New York

Mr. Goetz spoke regarding Metro North and urged the Town to purchase the land (to be dedicated as parkland) before Metro North does as they have everything in place to go ahead.

Appearance: Mr. Mike Van Weiss
New City, New York

Mr. Van Weiss spoke regarding cost containment. He urged restricted use of Town vehicles. People should not be allowed to take the vehicles home.

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

Mr. D'Antoni spoke regarding a memo from the former Comptroller to the Highway Superintendent regarding checks that were held for two years noting that some accounts were closed by the time the checks were finally deposited.

Mr. D'Antoni was opposed to the Town doing business with New York Bituminous Company/convicted felon.

Mr. D'Antoni noted that his (Mr. D'Antoni's) rules were actually being used by the present Highway Superintendent.

Appearance: Mr. Joseph Pantano
New City, New York

Mr. Pantano spoke regarding the budget noting the 0% increase in taxes and congratulated the Supervisor. He also read an excerpt from the letter from Tony Cea which also congratulated the Supervisor the 0% increase in the budget.

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Appearance: Mr. Dick Woods
Nanuet, New York

Mr. Woods spoke regarding the budget noting that the Town is spending \$70,000,000.00. He said he could do it for \$7,000,000.00.

Mr. Woods also stated that the Town roads are in full repair.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein spoke regarding parking on Main Street in New City where the parking is supposed to be for one hour. People are parking all day. The businesses are hurt badly. Why aren't these laws enforced?

Appearance: Ms. Arlene Owens

Ms. Owens spoke regarding Safety Kleen and asked why are they still there? Supervisor said as soon as the environmental review is completed on the property they intend to move to they will move.

Ms. Owens questioned why Clarkstown is being offered as a recycling center.

Ms. Owens spoke regarding a burn victim in Congers Lake. She questioned why homeless people are living in Congers Lake.

Ms. Owens said the use of Town cars by certain employees is an insult to the people.

Appearance: Mr. David Geller
Nanuet, New York

Mr. Geller spoke in opposition to the Metro North train depot and urged that a park be put there instead.

Appearance: Ms. Diane Doyle
Quail Hollow
West Nyack, New York

Ms. Doyle spoke regarding Item #18 (911 System) and said she was concerned for the safety of the residents due to the renumbering as three houses now have #1 and two houses now have #2. She said it was her understanding that 911 was eliminating the A's and B's, etc.

Supervisor read a memo from Officer Stritmater of our police department regarding Quail Hollow Lane in West Nyack. He said there would be resolution dealing with this problem this evening.

Appearance: Mr. John Cuff
West Nyack, New York

Mr. Cuff spoke regarding Town cars being used for personal business and urged that this flagrant abuse be stopped.

Mr. Cuff also spoke regarding Congers Lake Park and people camping there overnight and living there for a week. He inquired if we allowed overnight camping in any Town parks and was told no.

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Appearance: Mr. Steve Hoffman

Mr. Hoffman spoke regarding the budget and said that it was the Concerned Taxpayers coming out that resulted in the lower budget.

Mr. Hoffman spoke regarding Safety Kleen and questioned the zone change which allowed houses to be built in the area.

Appearance: Mr. Ray DeFalco
Congers, New York

Mr. DeFalco spoke regarding Safety Kleen and the contamination of the surrounding area.

Appearance: Mr. Ted Dusanenko, Sr.
New City, New York

Mr. Dusanenko submitted a petition with additional signatures requesting that TKR televise the Town Board Meetings on our local channel 30.

Mr. Dusanenko inquired about the sludge that Ramapo is supposed to be taking from Clarkstown and he was told that it was going there. He asked if we were being charged for that and was told there was no tipping fee for Rockland County Sewer District No. 1.

Mr. Dusanenko suggested that Workshop Meetings be started with the Pledge of Allegiance.

Mr. Dusanenko said the budget has 0% increase due to the people.

Mr. Dusanenko requested that all department heads attend Workshop and Town Board Meetings so that all the citizens could ask questions of them.

Mr. Dusanenko requested that Mr. Edward Lettre be requested to give a progress report on the new Police/Court facility.

Appearance: Ms. Marie Bouchard
Congers, New York

Ms. Bouchard asked what has been done on the damn that is going to be built on the southern end of Congers Lake? Town Attorney said they are in negotiation on the easements that must be obtained.

Ms. Bouchard complained about the County Road Signs using a numbering system. She said they were very confusing. She asked if we would have to pay for maps to be changed now? Supervisor said no. What they do is they designate the County road system to distinguish it from the Town road system. That is helpful to residents giving them the jurisdictions.

Appearance: Mr. Bob Jackson
Nanuet, New York

Mr. Jackson spoke regarding Metro North railroad depot. He wants a Workshop on this matter. He asked could we pick this up as parkland? Supervisor said we have to take a look at the question of whether Metro North has a higher power of eminent domain than we do? Supervisor said we are pursuing various options.

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Councilman Dusanenko requested that a few people remain and at the end of the agenda he would like it if we don't adjourn but recess as he has some suggestions from Mr. Goetz and himself which we may want to consider and not want to wait for two weeks in that regard. Supervisor agreed to that.

Appearance: Mr. Adolphe Salaun
Congers

Mr. Salaun inquired as to what happened to the \$40,000.00 given to Kings Park in Congers?

RESOLUTION NO. (623-1993) ACCEPTING MINUTES OF
SEPTEMBER 14, 1993

Co. Dusanenko offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of September 14, 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. (624-1993) SETTLEMENT OF TAX
CERTIORARI (TREETOPS
SECTION #3)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled BOARD OF MANAGERS, TREETOPS SECTION #3 v. THE ASSESSOR, THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN and CLARKSTOWN CENTRAL SCHOOL DISTRICT, Index Nos. 3968/90 and 5553/91, 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 assessed valuation be reduced for the year 1990 by 10%; and the restricted assessed valuation be reduced for the year 1990 by 10%;

2. That the assessed valuation be reduced for the year 1991 by 20%; and the restricted assessed valuation be reduced for the year 1991 by 30%;

3. That the restricted assessed valuation be reduced for the year 1992 by 10%;

4. That reimbursement for the years 1990, 1991 and 1992 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;

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RESOLUTION NO. (624-1993) Continued

5. 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 Clarkstown Central 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.

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.(625-1993)

ESTABLISHING AQUATIC
PLANT GROWTH CONTROL
DISTRICT- LAKE LUCILLE

Co. Smith offered and Co. Dusanenkko seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, has proposed the establishment of an Aquatic Plant Growth Control District for Lake Lucille in the unincorporated area of the Town of Clarkstown, and

WHEREAS, on June 27, 1989, the Town Board of the Town of Clarkstown, duly adopted a resolution directing Carpenter Environmental Associates, Inc., engineering consultant to the Town of Clarkstown, to supervise and prepare a map, plan and report for providing the facilities and improvements in a portion of the Town wherein an Aquatic Plant Growth Control District was proposed to be established for Lake Lucille, and

WHEREAS, on June 9, 1992, the said map, plan and report prepared by Carpenter Environmental Associates Inc. was duly filed in the office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, on July 14, 1992, the Town Board determined that it shall act as lead agency for the purposes of SEQRA, and authorized and directed Leslie F. Bollman, Director of Environmental Control, to act as agent for the Town Board with respect to SEQRA review, and

WHEREAS, the improvements proposed are shown in the report of Carpenter Environmental Associates, Inc., and

WHEREAS, the maximum amount proposed to be expended for such improvement is One Million Five Hundred Thousand Dollars (\$1,500,000.00), and

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RESOLUTION NO. (625-1993) Continued

WHEREAS, the expense of the cost of constructing the improvements in the Aquatic Plant Growth Control District herein described shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, and

WHEREAS, the proposed method to be employed for financing such improvement is by sale of bonds, and

WHEREAS, the map, plan and report describing such improvement are on file in the office of the Town Clerk of the Town of Clarkstown for public inspection, and

WHEREAS, the Town Board of the Town of Clarkstown by Order duly adopted on September 22, 1992, scheduled a public hearing for October 13, 1992 at 8:50 P.M., to consider the establishment of an Aquatic Plant Growth Control District for Lake Lucille, and to hear all persons interested in the subject thereof, and

WHEREAS, the Order calling for the public hearing was duly published and posted as required by law and the public hearing was duly held at the time and place specified in the Order, and the Town Board heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the Town Board of the Town of Clarkstown has received a Short Environmental Assessment Form pursuant to SEQRA, from Leslie F. Bollman, Director of Environmental Control, acting as agent on behalf of the Town Board, which the Board has discussed and considered such report in making their decision herein;

NOW, THEREFORE, be it

RESOLVED, that the application authorizing the establishment of the Aquatic Plant Growth Control District was prepared at the direction of the Town Board of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown believes that the contents of the application to be accurate, and be it

FURTHER RESOLVED, that based upon the report dated August 25, 1992, from Leslie F. Bollman, Director of Environmental Control, acting as agent on behalf of the Town Board, as lead agency, the Town Board hereby further determines that the establishment of the proposed Aquatic Plant Growth Control District shall not have any significant impact on the environment, and no further processing pursuant to the requirements of Part 617, NYCRR is required, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown has determined that the improvement for which permission is sought is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof, and be it

FURTHER RESOLVED, that the cost of the proposed improvement is to be assessed against a benefitted area and that all property to be so assessed will be benefitted by the proposed improvement, and be it

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RESOLUTION NO. (625-1993) Continued

FURTHER RESOLVED, that no benefitted property has been excluded from said district, and be it

FURTHER RESOLVED, that the within Resolution is adopted retroactively to October 13, 1992.

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. (626-1993)

SET CRITERIA OF MINIMUM
VALUE FOR RECORDING
FIXED ASSET

Co. Smith offered and Co. Maloney seconded

WHEREAS, under Generally Acceptable Accounting Principles (GAAP) the Town of Clarkstown is required to maintain listing of municipal fixed assets, and

WHEREAS, it is recommended by the Office of the State Comptroller, that the governing board make a determination of what represents "significant value" and

WHEREAS, the Comptroller and Director of Purchasing recommend that the minimum amount be set to \$500.00

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby adopts a policy to set the criteria of minimum value for the recording of fixed asset to be \$500.00

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. (627-1993)

ADVERTISING FOR BID
#62-1993 (VOICE
RECORDING SYSTEM)

Co. Mandia offered and Co. Maloney seconded

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

BID #62-1993
VOICE RECORDING SYSTEM FOR POLICE DEPT.

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on October 20, 1993 at which time bids will be opened and read, and be it

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RESOLUTION NO. (627-1993) Continued

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. (628-1993)

ADVERTISING FOR BID
#63-1993 - ANTENNA
SYSTEM (POLICE)

Co. Mandia offered and Co. Maloney seconded

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

BID #63-1993
ANTENNA SYSTEM FOR POLICE DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on October 20, 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. (629-1993)

ADVERTISING FOR BID
#1-1994 STATIONERY &
OFFICE SUPPLIES

Co. Mandia offered and Co. Maloney seconded

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

BID #1-1994
STATIONERY & OFFICE SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on October 27, 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.

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RESOLUTION NO. (629-1993) 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. (630-1993)

ADVERTISING FOR BID
#2-1994 PHOTOCOPIER FAX
SUPPLIES

Co. Mandia offered and Co. Maloney seconded

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

BID #2-1994
PHOTOCOPIER/FAX SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on October 25, 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. (631-1993)

ADVERTISING FOR BID
#3-1994 - PRINTING OF
ENVELOPES & STATIONERY

Co. Mandia offered and Co. Maloney seconded

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

BID #3-1994
PRINTING OF TOWN ENVELOPES & STATIONERY

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on October 18, 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:

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RESOLUTION NO. (631-1993) Continued

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

RESOLUTION NO. (632-1993)

INSTALLATION OF STREET
LIGHTS (COMMUTER
PARKING LOT NORTH SIDE
PROSPECT STREET, NANUET)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has entered into an agreement with the County of Rockland for the operation and maintenance of the newly constructed expanded commuter parking lot located on the north side of Prospect Street, Nanuet, opposite the Nanuet Train Station,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. dated September 10, 1993, attached, as submitted by Patricia A. Betz, Utility Services Coordinator for street lighting as follows:

(Install - One (1) 27500 lumen sodium vapor dusk-to-dawn floodlight - existing utility pole number 58714/39760)
(Remove - One (1) 27500 lumen sodium vapor dusk-to-dawn floodlight - existing utility pole number 58734/39759)
(Install - One (1) 16000 lumen sodium vapor power bracket light - existing utility pole number 58734/39759)

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. (633-1993)

INSTALLATION OF STREET
LIGHTS (HOBE STREET,
WEST NYACK)

Co. Dusanenko offered and Co. Maloney 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. Betz, Utility Services Coordinator, and

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

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RESOLUTION NO. (636-1993)

TRANSFER OF FUNDS

Co. Maloney offered and Co. Smith seconded

WHEREAS, Bid No. 61-1992 directed the Director of Purchasing to advertise for bids for Alterations of Greenbush Pump Station,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account No. B 02 14 2999 (Unexpended Balance) and Appropriation Account No. B 8110 424 (Sewer Dept. - Contractual Expense) by \$25,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (637-1993)

TRANSFER OF FUNDS

Co. Maloney offered and Co. Smith seconded

WHEREAS, various funds require additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A 1680 438 (Data Processing - Maintenance Agreements) and increase A 1680 225 (Computer Hardware) by \$5,000.00, and be it

FURTHER RESOLVED, to decrease Contingency Account No. A 1990-505 by \$10,560.00 and increase Appropriation Account No. A 1680 225 by \$10,000.00 and A 1680 314 (Computer Supplies) by \$560.00.

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. (638-1993)

GRANTING LEAVE OF
ABSENCE TO REAL
PROPERTY DATA COLLECTOR
II - ASSESSOR'S OFFICE
(THOMAS ISENBK)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Thomas Isenbek 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

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RESOLUTION NO. (638-1993) Continued

RESOLVED, that Thomas Isenbek, 23 Sunrise Drive, Stony Point, New York - Real Property Data Collector II - Assessor's Office - is hereby granted a one (1) year leave of absence - without pay - effective October 18, 1993 to October 17, 1994.

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. (639-1993)

RESCINDING RESOLUTION
NO. (595-1993)
AUTHORIZING
INSTALLATION OF "DO NOT
BLOCK SIDE ROAD" SIGN
(VICINITY OF BARDONIA
ELEMENTARY SCHOOL)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated September 13, 1993 has recommended the installation of a traffic sign on Bardonia Road in the vicinity of the Bardonia Elementary School, Bardonia,

NOW, THEREFORE, be it

RESOLVED, that John F. Mauro, Superintendent of Highways is hereby authorized to install the following:

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
Westbound Bardonia Road at intersection Jay Street	"Do Not Block Side Road"	R9-4C

and be it

FURTHER RESOLVED, that Town Board Resolution No. (595-1993) adopted September 14, 1993 is hereby rescinded.

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. (640-1993)

AUTHORIZING
INSTALLATION OF VARIOUS
TRAFFIC SIGNS (VICINITY
OF BARDONIA ELEMENTARY
SCHOOL)

Co. Mandia offered and Co. Maloney seconded

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RESOLUTION NO. (640-1993) Continued

WHEREAS, Howard L. Lampert, P.E. Traffic and Highway Engineering Consultant in a report dated September 20, 1993 has recommended the installation of two (2) traffic signs on Bardonia Road, Bardonia,

NOW, THEREFORE, be it

RESOLVED, that John J. Mauro, Superintendent of Highways is hereby authorized to install the following:

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
Bardonia Road west of Bardonia School driveway (Shopping Center driveway)	"No Left Turn" "8:00 to 8:30 A.M." "3:15 to 3:45 P.M." "School DAys"	R3-1C R7-4
School driveway exit at intersection Bardonia Road (at existing stop bar)	"Stop"	R1-1C

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. (641-1993)

GRANTING FURTHER
MODIFICATIONS TO
COVENANTS CONCERNING
KINGSGATE, LOT E-2

Supv. Holbrook offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on May 12, 1992, provided for a public hearing on June 23, 1992, at 8:35 P.m., to consider the application of TIMBERLINE ASSOCIATES, L.P., to modify the Restrictive Covenants on the subject property which was dated December 20, 1972, and filed in the Rockland County Clerk's Office on December 21, 1972, in Liber 920, at Page 867, and which Restrictive Covenants were amended on December 19, 1973 and filed in the Rockland County Clerk's Office on January 7, 1974, in Liber 941, at Page 377, and such Restrictive Covenants were further amended on August 29, 1986 and filed in the Rockland County Clerk's Office on September 11, 1986, in Liber 173 at Page 800, pertaining to a zone change adopted by the Town Board on December 20, 1972. The property of the petitioner is known as "Lot E-2" of Kingsgate, and

WHEREAS, notice of 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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Town Board hereby authorizes further

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RESOLUTION NO. (641-1993) Continued

modification of the Restrictive Covenants with respect to Lot E-2 of Kingsgate, which Covenants were originally granted December 20, 1972, and modified on December 19, 1973 and further modified on August 29, 1986, as follows:

Paragraph 2 of the Amended Declaration of Covenants dated August 29, 1986, which provided for Paragraph "FIFTH" of the Declaration dated December 19, 1973, is hereby stricken in its entirety and replaced with a new Paragraph to read as follows:

"FIFTH: Declarant further covenants and agrees that any modification to the portion of the premises known as 'LOT E-2' shall include a 50 foot buffer strip along its northerly boundary, and a 30 foot buffer along the westerly boundary at the easterly end of the "neck" adjoining Pascack Road, which buffers shall be kept and maintained in perpetuity in its natural state. A buffer of 30 feet in width along the premises southerly boundary line in common with lands of Bradco Realty Inc., and a buffer of 50 feet in width along that portion obtained from the State of New York and incorporated as part of Lot 'E-2' shall be developed with a berm and landscaped in accordance with the directions of the Clarkstown Planning Board. These buffers shall also be kept and maintained in perpetuity and if required by the Town of Clarkstown, Declarant shall execute, acknowledge and deliver to the Town of Clarkstown a Conservation Easement in a form satisfactory to the Town Attorney, covering all buffer zones, provided, however, nothing herein shall restrict the Planning Board from authorizing the installation within said buffer zone of subsurface utilities, drainage or sewer lines or surface walkways."

and be it

FURTHER RESOLVED, that this amendment to the restrictive covenant is subject and conditional upon Timberline Associates, L.P., executing and delivering to the Town of Clarkstown a covenant in recordable form, whereby the said Timberline Associates, L.P. agrees to dedicate a strip of land for road purposes, to the Town of Clarkstown, which strip of land runs through the premises shown on the Clarkstown Tax Map as Map 165, Block A, Lot 3.55, as presently shown and designated on the Official Town map, a portion of which is annexed as Schedule A," upon the completion of the following conditions:

- (a) The Bradco Realty, Inc. parcel, Tax Map 165, Block A, Lot 3.02, is rezoned for residential use;
- (b) All non-residential uses on the said Bradco Realty, Inc. parcel are discontinued and terminated;
- (c) If the above conditions (a) and (b) are not complied with, within two years from the date of the delivery and recording of the covenant, then the terms and conditions of the covenant would become automatically null and void and there would be no further obligation to dedicate the land as described;
- (d) The covenant shall provide that it runs for the benefit of the Town of Clarkstown and not to the benefit of any

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RESOLUTION NO. (641-1993) Continued

other party and can be modified and changed by the owners and the Town of Clarkstown by mutual agreement at any time,

and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare notice of this Modification of Restrictive Covenants 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.

Before roll call Mr. Robert Geneslaw, Planning Consultant, stated that this was on the agenda about a month ago for redistribution of the buffer. The original approval had 100 foot buffer on the north side of E-2 and about 30 feet on the south. The request from the developer was to shift it so there would be about 70 feet on the north and about 50 feet on the south. Mr. Yacyshyn asked that the item be withdrawn when it was on the agenda to try to work out some other related matters that involved the developers of E-2. There has been negotiation back and forth between the Town, the developers, their attorneys and our Town Attorney's office. Material has been prepared which is on the agenda tonight. It has to do with roads to the adjoining parcel and the timing for development of the road.

Councilman Dusanenko said we still have the basic buffer but it is being shifted. Supervisor said that is correct. Councilman Dusanenko asked about the road question? Town Attorney said as a part of this we are getting a restrictive covenant from the developers that they will provide and dedicate a strip of land for road purposes to the Town of Clarkstown if the adjacent parcel is rezoned from residential use and there is a discontinuance of all non-residential uses within the next two years. If you rezone, fine. If you don't rezone it then there is no necessity for the ingress and egress.

Someone from the audience asked if there had been a public hearing on the change of covenants? He was told yes. The gentleman said this is making changes that did not come up at the public hearing. Supervisor said the public hearing was on the buffers. Town Attorney said the conditions of granting it were added by the Town Board as a result of the public hearing but they don't change the restrictive covenants. He added that what we did was get them to agree to give a strip of land for ingress and egress.

Councilwoman Smith asked Mr. Geneslaw regarding the reduction part of the buffer if that was closer to residential where it is reduced from 100 to the 70? Mr. Geneslaw said it is a little closer to the north and provides a little more distance from the south. Councilwoman Smith asked what was on the north? Mr. Geneslaw said on the north there are about 5 to 7 single family homes in Ramapo. On the south is the Bradco property. Supervisor said it actually gives more protection there.

Councilman Dusanenko said we have not voted on that public hearing yet, have we? Supervisor said no. Councilman Dusanenko said then that is being held in abeyance also. Mr. Geneslaw said that has been held in abeyance because there was a report that there had been some dumping of hazardous material on the site. The County Health Department did an inspection. They interviewed people who had worked at the laundry there years ago who said that the laundry waste had been dumped outside the

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RESOLUTION NO. (641-1993) Continued

building which was very common thirty and fourty years ago. We have been trying to find out whether or not there could still be anything there before the Town Board takes any action so that we don't have a problem with hazardous materials on the site after it is zoned for residential use.

Councilwoman Smith asked Mr. Geneslaw about how much longer that would take? Mr. Geneslaw said probably not much longer. Bradco had an investigation done on their behalf a couple of years ago. They gave us part of the results but not all of the results. We are asking them to give us all of the results and then Mr. Bollman (Director of Environmental Control) and I will then advise the Town Board.

Councilwoman Smith said the only problem she has is that now we are faced with a similar thing over in Valley Cottage where the buffer has become a big problem from industrial next to residential. She said she did not like reducing a buffer. Mr. Geneslaw said in this case if the zoning is not changed for Bradco there will be more of a buffer between Bradco and the developed units in E-2 than if you don't make the change. Councilwoman Smith said but there is a penalty for the other end. She said they suffer when they have had nothing to do with it.

On roll call the vote was as follows:

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

RESOLUTION NO. (642-1993)

AUTHORIZING DRAINAGE
WORK (HIGHWAY AVENUE,
CONGERS)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a drainage problem exists at the corner of Highway Avenue and Butler Street, Congers, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to replace the drainage pipe from the property now or formerly Buscicchi to Highway Avenue, Congers, New York, as shown on the sketch prepared by the Department of Environmental Control, attached as Schedule "A."

(Schedule "A" 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. (643-1993)

AUTHORIZING SUPERVISOR
TO EXECUTE AGREEMENT
FOR COMMUNITY
DEVELOPMENT FUNDS-1993

Co. Smith offered and Co. Maloney seconded

RESOLVED, that pursuant to the Cooperative Agreement between the Town of Clarkstown and the County of Rockland, the Supervisor of the Town of Clarkstown is hereby authorized and directed to execute an agreement with the County of Rockland providing for the allocation of 1993 Community Development Program funds to the Town of Clarkstown in the amount of \$75,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (644-1993)

GRANTING CERTIFICATE OF
REGISTRATION TO
ROCKLAND COUNTY
EXCAVATING INC. (NO.
93-23)

Co. Maloney offered and Co. Dusanenko seconded

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

ROCKLAND COUNTY EXCAVATING INC.
Thiells Mt. Ivy Road
Pomona, New York 10970

RESOLVED, that the following Certificate of Registration be issued:

No. 93-23 Rockland County Excavating Inc.

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. (645-1993)

AUTHORIZING ACCURATE
SECURITY TO EXTEND
SERVICE AT COMMUTER
PARKING AREAS

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Accurate Security will be posted at Kemmer Lane Commuter Lot in Nanuet from 10:00 A.M. to 2:00 P.M. and at the Nanuet Railroad Station parking lot on Prospect

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RESOLUTION NO. (648-A-1993)

ESTABLISHING SPRING
HILL AMBULANCE DISTRICT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, has proposed the establishment of the SPRING HILL AMBULANCE DISTRICT in the portion of Clarkstown within the Village of Spring Valley, New York, and

WHEREAS, the Village Board of Spring Valley consented to the formation of the Spring Hill Ambulance District within the portion of Clarkstown within the Village of Spring Valley, County of Rockland, State of New York, and

WHEREAS, Atzl, Scatassa & Zigler, surveyors and planners, prepared a general map and description, and Robert Geneslaw, Planning Consultant, prepared a plan and report for providing basic life support service and general ambulance service within the unincorporated area of the Town wherein the Spring Valley Ambulance District was proposed to be established, and

WHEREAS, on March 22, 1993 the said map and description prepared by Atzl, Scatassa & Zigler, and on March 23, 1993 the plan and report prepared by Robert Geneslaw were duly filed in the office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, on March 23, 1993, the Town Board determined that it shall act as lead agency for the purposes of SEQRA, and authorized and directed Robert Geneslaw, Planning Consultant, to act as agent for the Town Board with respect to SEQRA review, and

WHEREAS, the boundaries of the proposed Nyack Ambulance District are shown on Schedule "A" annexed hereto, and

WHEREAS, the services proposed to be performed or provided is basic life support and general ambulance service, and are shown in the report of Robert Geneslaw, and

WHEREAS, the maximum amount proposed to be expended for such services in the year 1994, as stated in the Order and Notice calling for a public hearing filed in the Office of the Town Clerk, was not to exceed \$105,000.00, and

WHEREAS, the expense of the cost of performing or providing such service by the Spring Hill Ambulance District, shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, and

WHEREAS, the proposed method to be employed for paying for such service is by taxation levied upon the parcels of land in the district, and

WHEREAS, the map, description, plan and report describing the Spring Hill Ambulance District and the services to be performed or provided thereby are on file in the office of the Town Clerk of the Town of Clarkstown for public inspection, and

WHEREAS, the Town Board of the Town of Clarkstown by Order duly adopted on July 13, 1993, scheduled a public hearing for August 2, 1993, at 9:00 P.M., to consider the establishment

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RESOLUTION NO. (648-A-1993) Continued

of the Spring Hill Ambulance District, and to hear all persons interested in the subject thereof, and

WHEREAS, the Order calling for the public hearing was duly published and posted as required by law and the public hearing was duly held at the time and place specified in the Order, and the Town Board heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the Town Board of the Town of Clarkstown received a report dated March 29, 1993, concerning SEQRA from Robert Geneslaw, acting as agent on behalf of the Town Board, which the Board has discussed and considered in making their decision herein, and

WHEREAS, the evidence offered at such time and place required that the Town Board make a determination, and

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, determined the following:

1. The Order and Notice was published as required by law and is otherwise sufficient.
2. That all of the property and property owners within the proposed Spring Hill Ambulance District are benefitted thereby.
3. That all of the property and property owners benefitted are included within the proposed Spring Hill Ambulance District as hereinafter described.
4. It is in the public interest to establish the proposed Spring Hill Ambulance District,

and

WHEREAS, based on the report dated March 29, 1993, from Robert Geneslaw, Planning Consultant, acting as agent on behalf of the Town Board, as lead agency, the Town Board found that the establishment of the proposed Spring Hill Ambulance District is a Type II action and does not have any significant impact upon the environment and no further processing is required under SEQRA, and

WHEREAS, the cost of performing or providing said services, including legal fees and other expenses shall be paid for by taxation upon the various parcel of land in the district, and

WHEREAS, the cost of such district shall be apportioned upon a benefit basis among the various lots or parcels within the district and maximum amount to be expended in the year 1994 shall not be more than \$71,300.00, and

WHEREAS, on August 2, 1993, the Town Board of the Town of Clarkstown passed a Resolution authorizing the establishment of the Spring Hill Ambulance District, subject to Permissive Referendum, in a manner provided in Article 7 of the Town Law and §209-e(3) of Town Law, and

WHEREAS, more than thirty (30) days have elapsed since the aforesaid Resolution was adopted and no petition for Permissive Referendum has been filed;

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RESOLUTION NO. (648-A-1993) Continued

NOW, THEREFORE, it is

ORDERED, that the Town Board of the Town of Clarkstown hereby adopts a final Order establishing the Spring Hill Ambulance District, encompassing the unincorporated area of the Town of Clarkstown as shown on Schedule "A" annexed, and it is

FURTHER ORDERED, that the Town Board of the Town of Clarkstown determines that the improvement will not constitute an undue burden on the property which will bear the cost thereof, and it is

FURTHER ORDERED, that the cost of the proposed improvement is to be assessed against a benefitted area, and all of the property to be so assessed will be benefitted by the proposed district, and it is

FURTHER ORDERED, that no benefitted property has been excluded from said district, and it is

FURTHER ORDERED, that the Town Clerk be and hereby is authorized and directed to file a certified copy of the final Order in the Office of the Clerk of the County of Rockland within ten (10) days of adoption of the Order, and it is

FURTHER ORDERED, that within the ten (10) days after adoption of the final Order, the Town Clerk of the Town of Clarkstown shall file a certified copy thereof with the Office of the New York State Department of Audit and Control, and it is

FURTHER ORDERED, that the Town Supervisor be and hereby is authorized and directed to execute, in pursuance of this Order, any further documentation on behalf of the Town of Clarkstown, Rockland County, New York.

(Schedule "A" 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

RESOLUTION NO. (648-B-1993)

ESTABLISHING CONGERS/
VALLEY COTTAGE
AMBULANCE DISTRICT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, has proposed the establishment of the CONGERS/VALLEY COTTAGE AMBULANCE DISTRICT in a section of the unincorporated area of the Town of Clarkstown, and

WHEREAS, Atzl, Scatassa & Zigler, surveyors and planners, prepared a general map and description, and Robert Geneslaw, Planning Consultant, prepared a plan and report for providing basic life support service and general ambulance service within the unincorporated area of the Town wherein the

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RESOLUTION NO. (648-B-1993) Continued

Congers/Valley Cottage Ambulance District was proposed to be established, and

WHEREAS, on March 22, 1993 the said map and description prepared by Atzl, Scatassa & Zigler, and on March 23, 1993 the plan and report prepared by Robert Geneslaw were duly filed in the office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, on March 23, 1993, the Town Board determined that it shall act as lead agency for the purposes of SEQRA, and authorized and directed Robert Geneslaw, Planning Consultant, to act as agent for the Town Board with respect to SEQRA review, and

WHEREAS, the boundaries of the proposed Congers/Valley Cottage Ambulance District are shown on Schedule "A" annexed hereto, and

WHEREAS, the services proposed to be performed or provided is basic life support and general ambulance service, and are shown in the report of Robert Geneslaw, and

WHEREAS, the maximum amount proposed to be expended for such services in the year 1994, as stated in the Order and Notice calling for a public hearing filed in the Office of the Town Clerk, was not to exceed \$127,190.00, and

WHEREAS, the expense of the cost of performing or providing such service by the Congers/Valley Cottage Ambulance District, shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, and

WHEREAS, the proposed method to be employed for paying for such service is by taxation levied upon the parcels of land in the district, and

WHEREAS, the map, description, plan and report describing the Congers/Valley Cottage Ambulance District and the services to be performed or provided thereby are on file in the office of the Town Clerk of the Town of Clarkstown for public inspection, and

WHEREAS, the Town Board of the Town of Clarkstown by Order duly adopted on March 23, 1993, scheduled a public hearing for April 27, 1993 at 8:45 P.M., to consider the establishment of the Congers/Valley Cottage Ambulance District, and to hear all persons interested in the subject thereof, and

WHEREAS, the Order calling for the public hearing was duly published and posted as required by law and the public hearing was duly held at the time and place specified in the Order, and the Town Board heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the Town Board of the Town of Clarkstown received a report dated March 29, 1993, concerning SEQRA from Robert Geneslaw, acting as agent on behalf of the Town Board, which the Board has discussed and considered in making their decision herein, and

WHEREAS, the evidence offered at such time and place required that the Town Board make a determination, and

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RESOLUTION NO. (648-B-1993) Continued

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, determined the following:

1. The Order and Notice was published as required by law and is otherwise sufficient.
2. That all of the property and property owners within the proposed Congers/Valley Cottage Ambulance District are benefitted thereby.
3. That all of the property and property owners benefitted are included within the proposed Congers/Valley Cottage Ambulance District as hereinafter described.
4. It is in the public interest to establish the proposed Congers/Valley Cottage Ambulance District,

and

WHEREAS, based on the report dated March 29, 1993, from Robert Geneslaw, Planning Consultant, acting as agent on behalf of the Town Board, as lead agency, the Town Board found that the establishment of the proposed Congers/Valley Cottage Ambulance District is a Type II action and does not have any significant impact upon the environment and no further processing is required under SEQRA, and

WHEREAS, the cost of performing or providing said services, including legal fees and other expenses shall be paid for by taxation upon the various parcel of land in the district, and

WHEREAS, the cost of such district shall be apportioned upon a benefit basis among the various lots or parcels within the district and maximum amount to be expended in the year 1994 shall not be more than \$127,190.00, and

WHEREAS, on April 27, 1993, the Town Board of the Town of Clarkstown passed a Resolution authorizing the establishment of the Congers/Valley Cottage Ambulance District, subject to Permissive Referendum, in a manner provided in Article 7 of the Town Law and §209-e(3) of Town Law, and

WHEREAS, more than thirty (30) days have elapsed since the aforesaid Resolution was adopted and no petition for Permissive Referendum has been filed;

NOW, THEREFORE, it is

ORDERED, that the Town Board of the Town of Clarkstown hereby adopts a final Order establishing the Congers/Valley Cottage Ambulance District, encompassing the unincorporated area of the Town of Clarkstown as shown on Schedule "A"

FURTHER ORDERED, that the Town Board of the Town of Clarkstown determines that the improvement will not constitute an undue burden on the property which will bear the cost thereof, and it is

FURTHER ORDERED, that the cost of the proposed improvement is to be assessed against a benefitted area, and all of the property to be so assessed will be benefitted by the proposed district, and it is

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RESOLUTION NO. (648-B-1993) Continued

FURTHER ORDERED, that no benefitted property has been excluded from said district, and it is

FURTHER ORDERED, that the Town Clerk be and hereby is authorized and directed to file a certified copy of the final Order in the Office of the Clerk of the County of Rockland within ten (10) days of adoption of the Order, and it is

FURTHER ORDERED, that within the ten (10) days after adoption of the final Order, the Town Clerk of the Town of Clarkstown shall file a certified copy thereof with the Office of the New York State Department of Audit and Control, and it is

FURTHER ORDERED, that the Town Supervisor be and hereby is authorized and directed to execute, in pursuance of this Order, any further documentation on behalf of the Town of Clarkstown, Rockland County, New York.

(Schedule "A" 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

RESOLUTION NO. (648-C-1993)

ESTABLISHING NANUET
AMBULANCE DISTRICT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, has proposed the establishment of the NANUET AMBULANCE DISTRICT in a section of the unincorporated area of the Town of Clarkstown, and

WHEREAS, Atzl, Scatassa & Zigler, surveyors and planners, prepared a general map and description, and Robert Geneslaw, Planning Consultant, prepared a plan and report for providing basic life support service and general ambulance service within the unincorporated area of the Town wherein the Nanuet Ambulance District was proposed to be established, and

WHEREAS, on March 22, 1993 the said map and description prepared by Atzl, Scatassa & Zigler, and on March 23, 1993 the plan and report prepared by Robert Geneslaw were duly filed in the office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, on March 23, 1993, the Town Board determined that it shall act as lead agency for the purposes of SEQRA, and authorized and directed Robert Geneslaw, Planning Consultant, to act as agent for the Town Board with respect to SEQRA review, and

WHEREAS, the boundaries of the proposed Nanuet Ambulance District are shown on Schedule "A" annexed hereto, and

WHEREAS, the services proposed to be performed or provided is basic life support and general ambulance service, and are shown in the report of Robert Geneslaw, and

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RESOLUTION NO. (648-C-1993) Continued

WHEREAS, the maximum amount proposed to be expended for such services in the year 1994, as stated in the Order and Notice calling for a public hearing filed in the Office of the Town Clerk, was not to exceed \$149,506.00, and

WHEREAS, the expense of the cost of performing or providing such service by the Nanuet Ambulance District, shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, and

WHEREAS, the proposed method to be employed for paying for such service is by taxation levied upon the parcels of land in the district, and

WHEREAS, the map, description, plan and report describing the Nanuet Ambulance District and the services to be performed or provided thereby are on file in the office of the Town Clerk of the Town of Clarkstown for public inspection, and

WHEREAS, the Town Board of the Town of Clarkstown by Order duly adopted on March 23, 1993, scheduled a public hearing for April 27, 1993 at 8:50 P.M., to consider the establishment of the Nanuet Ambulance District, and to hear all persons interested in the subject thereof, and

WHEREAS, the Order calling for the public hearing was duly published and posted as required by law and the public hearing was duly held at the time and place specified in the Order, and the Town Board heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the Town Board of the Town of Clarkstown received a report dated March 29, 1993, concerning SEQRA from Robert Geneslaw, acting as agent on behalf of the Town Board, which the Board has discussed and considered in making their decision herein, and

WHEREAS, the evidence offered at such time and place required that the Town Board make a determination, and

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, determined the following:

1. The Order and Notice was published as required by law and is otherwise sufficient.
2. That all of the property and property owners within the proposed Nanuet Ambulance District are benefitted thereby.
3. That all of the property and property owners benefitted are included within the proposed Nanuet Ambulance District as hereinafter described.
4. It is in the public interest to establish the proposed Nanuet Ambulance District,

and

WHEREAS, based on the report dated March 29, 1993, from Robert Geneslaw, Planning Consultant, acting as agent on behalf of the Town Board, as lead agency, the Town Board found that the establishment of the proposed Nanuet Ambulance District

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RESOLUTION NO. (648-C-1993) Continued

is a Type II action and does not have any significant impact upon the environment and no further processing is required under SEQRA, and

WHEREAS, the cost of performing or providing said services, including legal fees and other expenses shall be paid for by taxation upon the various parcel of land in the district, and

WHEREAS, the cost of such district shall be apportioned upon a benefit basis among the various lots or parcels within the district and maximum amount to be expended in the year 1994 shall not be more than \$149,506.00, and

WHEREAS, on April 27, 1993, the Town Board of the Town of Clarkstown passed a Resolution authorizing the establishment of the Nanuet Ambulance District, subject to Permissive Referendum, in a manner provided in Article 7 of the Town Law and §209-e(3) of Town Law, and

WHEREAS, more than thirty (30) days have elapsed since the aforesaid Resolution was adopted and no petition for Permissive Referendum has been filed;

NOW, THEREFORE, it is

ORDERED, that the Town Board of the Town of Clarkstown hereby adopts a final Order establishing the Nanuet Ambulance District, encompassing the unincorporated area of the Town of Clarkstown as shown on Schedule "A" annexed, and it is

FURTHER ORDERED, that the Town Board of the Town of Clarkstown determines that the improvement will not constitute an undue burden on the property which will bear the cost thereof, and it is

FURTHER ORDERED, that the cost of the proposed improvement is to be assessed against a benefitted area, and all of the property to be so assessed will be benefitted by the proposed district, and it is

FURTHER ORDERED, that no benefitted property has been excluded from said district, and it is

FURTHER ORDERED, that the Town Clerk be and hereby is authorized and directed to file a certified copy of the final Order in the Office of the Clerk of the County of Rockland within ten (10) days of adoption of the Order, and it is

FURTHER ORDERED, that within the ten (10) days after adoption of the final Order, the Town Clerk of the Town of Clarkstown shall file a certified copy thereof with the Office of the New York State Department of Audit and Control, and it is

FURTHER ORDERED, that the Town Supervisor be and hereby is authorized and directed to execute, in pursuance of this Order, any further documentation on behalf of the Town of Clarkstown, Rockland County, New York.

(Schedule "A" 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. (648-D-1993)

ESTABLISHING NEW CITY
AMBULANCE DISTRICT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, has proposed the establishment of the NEW CITY AMBULANCE DISTRICT in a section of the unincorporated area of the Town of Clarkstown, and

WHEREAS, Atzl, Scatassa & Zigler, surveyors and planners, prepared a general map and description, and Robert Geneslaw, Planning Consultant, prepared a plan and report for providing basic life support service and general ambulance service within the unincorporated area of the Town wherein the New City Cottage Ambulance District was proposed to be established, and

WHEREAS, on March 22, 1993 the said map and description prepared by Atzl, Scatassa & Zigler, and on March 23, 1993 the plan and report prepared by Robert Geneslaw were duly filed in the office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, on March 23, 1993, the Town Board determined that it shall act as lead agency for the purposes of SEQRA, and authorized and directed Robert Geneslaw, Planning Consultant, to act as agent for the Town Board with respect to SEQRA review, and

WHEREAS, the boundaries of the proposed New City Ambulance District are shown on Schedule "A" annexed hereto, and

WHEREAS, the services proposed to be performed or provided is basic life support and general ambulance service, and are shown in the report of Robert Geneslaw, and

WHEREAS, the maximum amount proposed to be expended for such services in the year 1994, as stated in the Order and Notice calling for a public hearing filed in the Office of the Town Clerk, was not to exceed \$194,900.00, and

WHEREAS, the expense of the cost of performing or providing such service by the Congers/Valley Cottage Ambulance District, shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, and

WHEREAS, the proposed method to be employed for paying for such service is by taxation levied upon the parcels of land in the district, and

WHEREAS, the map, description, plan and report describing the New City Ambulance District and the services to be performed or provided thereby are on file in the office of the Town Clerk of the Town of Clarkstown for public inspection, and

WHEREAS, the Town Board of the Town of Clarkstown by Order duly adopted on July 13, 1993, scheduled a public hearing for August 2, 1993 at 9:40 P.M., to consider the establishment of the New City Ambulance District, and to hear all persons interested in the subject thereof, and

WHEREAS, the Order calling for the public hearing was duly published and posted as required by law and the public hearing was duly held at the time and place specified in the

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RESOLUTION NO. (648-D-1993) Continued

Order, and the Town Board heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the Town Board of the Town of Clarkstown received a report dated March 29, 1993, concerning SEQRA from Robert Geneslaw, acting as agent on behalf of the Town Board, which the Board has discussed and considered in making their decision herein, and

WHEREAS, the evidence offered at such time and place required that the Town Board make a determination, and

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, determined the following:

1. The Order and Notice was published as required by law and is otherwise sufficient.
2. That all of the property and property owners within the proposed New City Ambulance District are benefitted thereby.
3. That all of the property and property owners benefitted are included within the proposed New City Ambulance District as hereinafter described.
4. It is in the public interest to establish the proposed New City Ambulance District,

and

WHEREAS, based on the report dated March 29, 1993, from Robert Geneslaw, Planning Consultant, acting as agent on behalf of the Town Board, as lead agency, the Town Board found that the establishment of the proposed Congers/ Valley Cottage Ambulance District is a Type II action and does not have any significant impact upon the environment and no further processing is required under SEQRA, and

WHEREAS, the cost of performing or providing said services, including legal fees and other expenses shall be paid for by taxation upon the various parcel of land in the district, and

WHEREAS, the cost of such district shall be apportioned upon a benefit basis among the various lots or parcels within the district and maximum amount to be expended in the year 1994 shall not be more than \$194,900.00, and

WHEREAS, on August 2, 1993, the Town Board of the Town of Clarkstown passed a Resolution authorizing the establishment of the New City Ambulance District, subject to Permissive Referendum, in a manner provided in Article 7 of the Town Law and §209-e(3) of Town Law, and

WHEREAS, more than thirty (30) days have elapsed since the aforesaid Resolution was adopted and no petition for Permissive Referendum has been filed;

NOW, THEREFORE, it is

ORDERED, that the Town Board of the Town of Clarkstown hereby adopts a final Order establishing the New City Ambulance District, encompassing the unincorporated area of the Town of Clarkstown as shown on Schedule "A"

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RESOLUTION NO. (648-D-1993) Continued

FURTHER ORDERED, that the Town Board of the Town of Clarkstown determines that the improvement will not constitute an undue burden on the property which will bear the cost thereof, and it is

FURTHER ORDERED, that the cost of the proposed improvement is to be assessed against a benefitted area, and all of the property to be so assessed will be benefitted by the proposed district, and it is

FURTHER ORDERED, that no benefitted property has been excluded from said district, and it is

FURTHER ORDERED, that the Town Clerk be and hereby is authorized and directed to file a certified copy of the final Order in the Office of the Clerk of the County of Rockland within ten (10) days of adoption of the Order, and it is

FURTHER ORDERED, that within the ten (10) days after adoption of the final Order, the Town Clerk of the Town of Clarkstown shall file a certified copy thereof with the Office of the New York State Department of Audit and Control, and it is

FURTHER ORDERED, that the Town Supervisor be and hereby is authorized and directed to execute, in pursuance of this Order, any further documentation on behalf of the Town of Clarkstown, Rockland County, New York.

(Schedule "A" 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

RESOLUTION NO. (648-E-1993)

ESTABLISHING THE NYACK
AMBULANCE DISTRICT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, has proposed the establishment of the NYACK AMBULANCE DISTRICT in a section of the unincorporated area of the Town of Clarkstown, and the portion of Clarkstown within the Villages of Nyack and Upper Nyack, New York, and

WHEREAS, the Village Boards of Nyack and Upper Nyack consented to the formation of the Nyack Ambulance District within the incorporated Villages of Nyack and Upper Nyack, located in the Town of Clarkstown, New York, and

WHEREAS, Atzl, Scatassa & Zigler, surveyors and planners, prepared a general map and description, and Robert Geneslaw, Planning Consultant, prepared a plan and report for providing basic life support service and general ambulance service within the unincorporated area of the Town wherein the Nyack Ambulance District was proposed to be established, and

WHEREAS, on March 22, 1993 the said map and description prepared by Atzl, Scatassa & Zigler, and on March

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RESOLUTION NO. (648-E-1993) Continued

23, 1993 the plan and report prepared by Robert Geneslaw were duly filed in the office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, on March 23, 1993, the Town Board determined that it shall act as lead agency for the purposes of SEQRA, and authorized and directed Robert Geneslaw, Planning Consultant, to act as agent for the Town Board with respect to SEQRA review, and

WHEREAS, the boundaries of the proposed Nyack Ambulance District are shown on Schedule "A" annexed hereto, and

WHEREAS, the services proposed to be performed or provided is basic life support and general ambulance service, and are shown in the report of Robert Geneslaw, and

WHEREAS, the maximum amount proposed to be expended for such services in the year 1994, as stated in the Order and Notice calling for a public hearing filed in the Office of the Town Clerk, was not to exceed \$71,300.00, and

WHEREAS, the expense of the cost of performing or providing such service by the Nyack Ambulance District, shall be assessed by the Town Board in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, and

WHEREAS, the proposed method to be employed for paying for such service is by taxation levied upon the parcels of land in the district, and

WHEREAS, the map, description, plan and report describing the Nyack Ambulance District and the services to be performed or provided thereby are on file in the office of the Town Clerk of the Town of Clarkstown for public inspection, and

WHEREAS, the Town Board of the Town of Clarkstown by Order duly adopted on March 23, 1993, scheduled a public hearing for April 27, 1993 at 8:55 P.M., to consider the establishment of the Nyack Ambulance District, and to hear all persons interested in the subject thereof, and

WHEREAS, the Order calling for the public hearing was duly published and posted as required by law and the public hearing was duly held at the time and place specified in the Order, and the Town Board heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, the Town Board of the Town of Clarkstown received a report dated March 29, 1993, concerning SEQRA from Robert Geneslaw, acting as agent on behalf of the Town Board, which the Board has discussed and considered in making their decision herein, and

WHEREAS, the evidence offered at such time and place required that the Town Board make a determination, and

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, determined the following:

1. The Order and Notice was published as required by law and is otherwise sufficient.
2. That all of the property and property owners within the proposed Nyack Ambulance District are benefitted thereby.

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RESOLUTION NO. (648-E-1993) Continued

3. That all of the property and property owners benefitted are included within the proposed Nyack Ambulance District as hereinafter described.
4. It is in the public interest to establish the proposed Nyack Ambulance District,

and

WHEREAS, based on the report dated March 29, 1993, from Robert Geneslaw, Planning Consultant, acting as agent on behalf of the Town Board, as lead agency, the Town Board found that the establishment of the proposed Nyack Ambulance District is a Type II action and does not have any significant impact upon the environment and no further processing is required under SEQRA, and

WHEREAS, the cost of performing or providing said services, including legal fees and other expenses shall be paid for by taxation upon the various parcel of land in the district, and

WHEREAS, the cost of such district shall be apportioned upon a benefit basis among the various lots or parcels within the district and maximum amount to be expended in the year 1994 shall not be more than \$71,300.00, and

WHEREAS, on April 27, 1993, the Town Board of the Town of Clarkstown passed a Resolution authorizing the establishment of the Nyack Ambulance District, subject to Permissive Referendum, in a manner provided in Article 7 of the Town Law and §209-e(3) of Town Law, and

WHEREAS, more than thirty (30) days have elapsed since the aforesaid Resolution was adopted and no petition for Permissive Referendum has been filed;

NOW, THEREFORE, it is

ORDERED, that the Town Board of the Town of Clarkstown hereby adopts a final Order establishing the Nyack Ambulance District, encompassing the unincorporated area of the Town of Clarkstown as shown on Schedule "A" annexed, and it is

FURTHER ORDERED, that the Town Board of the Town of Clarkstown determines that the improvement will not constitute an undue burden on the property which will bear the cost thereof, and it is

FURTHER ORDERED, that the cost of the proposed improvement is to be assessed against a benefitted area, and all of the property to be so assessed will be benefitted by the proposed district, and it is

FURTHER ORDERED, that no benefitted property has been excluded from said district, and it is

FURTHER ORDERED, that the Town Clerk be and hereby is authorized and directed to file a certified copy of the final Order in the Office of the Clerk of the County of Rockland within ten (10) days of adoption of the Order, and it is

FURTHER ORDERED, that within the ten (10) days after adoption of the final Order, the Town Clerk of the Town of

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RESOLUTION NO. (648-E-1993) Continued

Clarkstown shall file a certified copy thereof with the Office of the New York State Department of Audit and Control, and it is

FURTHER ORDERED, that the Town Supervisor be and hereby is authorized and directed to execute, in pursuance of this Order, any further documentation on behalf of the Town of Clarkstown, Rockland County, 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

RESOLUTION NO. (649-1993)

AUTHORIZING STREET NAME
CHANGES (CLOVER DRIVE
TO ROBIN PLACE, WEST
NYACK; NORTH AND SOUTH
PARK TERRACE, VALLEY
COTTAGE; AND QUAIL
HOLLOW LANE, WEST NYACK)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to change street names pursuant to memorandum from the Police Department, which are attached hereto. (Attachments are 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

RESOLUTION NO. (650-1993)

AUTHORIZING ATTENDANCE
AT CONFERENCE -
COUNSELING CENTER
(EMILY FEINER)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, Emily Feiner, CSW, Director Clarkstown Counseling Center attend "Mood Disorders - Current Controversies, Future Directions" on Friday, November 19th, 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. (651-1993)

AUTHORIZING TOWN
ATTORNEY TO DEFEND
PROCEEDING (SELVAGGI V.
TOWN)

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Co. Maloney offered and Co. Smith seconded

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

DOMINICO and SILVANA SELVAGGI,
Plaintiffs,
-against-
TOWN OF CLARKSTOWN,
Defendants.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (652-1993)

AUTHORIZING RESURFACING
OF STURBRIDGE COURT,
NANUET

Co. Smith offered and Co. Maloney seconded

BE IT RESOLVED, that the Superintendent of Highways
is hereby authorized to resurface Sturbridge Court, Nanuet, and
be it

FURTHER RESOLVED, that all proper charges be charged
against Capital Account #H 5110-409-4-6.

On roll call the vote was as follows:

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

There was a recess for the Board to go into
Executive Session at 9:35 P.M. to discuss potential acquisition
or litigation. The Board returned at 9:45 P.M.

There being no futher business to come before the
Town Board and no one further wishing to be heard, on motion of
Councilman Dusanenko, seconded by Councilman Maloney and
unanimously adopted, the Town Board Meeting was declared closed,
time: 9:46 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk