

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

11/9/93

8:00 P.M.

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

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

Supervisor announced that the Town Board had a special presentation to make to the members of the Clarkstown Special Olympics Soccer Team. He noted that they had recently won the Division I Championship and the Gold Medal at the Fall Tournament of the State Special Olympics. He asked the coaches and the players to come forward and they accepted trophies and certificates presented by the members of the Town Board.

Supervisor noted the tremendous job that South High School, its participants, coaches and players have done. Years ago he said he had the privilege of teaching at South and he saw the Special Olympics go from there at its inception in the 70's. He said the members of the faculty and the students have carried the ball for so many years. He said it is a heart-rending experience to see the results of that, the joy and the hope and the success that everybody has attained. He said he knew that South High School has been in the forefront of that Special Olympics movement and for that they are to be commended. Supervisor thanked everybody.

Councilman Dusanenko said they had done a great job and with the help of all the faculty, advisers and parents we are counting on you to bring home more rewards to Clarkstown in the future.

Councilwoman Smith congratulated the fine athletes, coaches, and parents. She stated that now that you have set yourselves a standard you have to do that every year.

Councilman Mandia said you should certainly be proud of yourselves. We are proud of you, your parents, your teachers, and your schools. He also thanked the student volunteers for helping out because that is real team work. God bless you.

Councilman Maloney congratulated all. He said he hopes that the media covers something like this because unfortunately they always cover when some youngster steps out of line. You are to be congratulated and this should make headlines. Keep up the good work and bring back some more trophies.

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Supervisor opened the public portion of the meeting inviting anyone who wished to speak to step forward. No one appeared. He noted that the public hearing scheduled for 8:45 P.M. had been withdrawn.

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RESOLUTION NO. (709-1993)

ACCEPTING MINUTES OF  
TOWN BOARD MEETING OF  
OCTOBER 26, 1993

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RESOLUTION NO. (709-1993) Continued

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of October 26, 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. (710-1993)

REFERRING TO TOWN AND COUNTY PLANNING BOARDS A PETITION TO ABANDON UNNAMED MAPPED STREET BETWEEN CONGERS AND SNEDECKER ROADS, CONGERS

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, a request has been made by Maze1 Karkah Corp. that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of an unnamed street as shown on the map of "Sections W.X.Y. Snedecker Estates" filed in the Rockland County Clerk's Office on April 20, 1905, in Book No. 11, on Page 50, as Map No. 54, and described in the metes and bounds description attached as Schedule "A," upon the grounds that the unimproved portion of an unnamed mapped street situate between Snedecker Road and Congers Road, Congers, New York, has never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the Town of Clarkstown and said applicant has further requested that such allegedly abandoned road be deleted from same;

NOW, THEREFORE, be it

RESOLVED, that a copy of this resolution be referred to the Rockland County Commissioner of Planning and to the Clarkstown Planning Board, for their report and recommendations, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

(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. (711-1993)

ADOPTING INVESTMENT  
POLICY FOR TOWN OF  
CLARKSTOWN

Co. Smith offered and Co. Maloney seconded

WHEREAS, §39 of the General Municipal Law provides for Investment Policies for local governments, and

WHEREAS, the Investment Policy for the Town of Clarkstown has been prepared by Edward J. Duer, Town Comptroller, and

WHEREAS, it would be in the best interest of the Town of Clarkstown to adopt the Investment Policy;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby adopts the Investment Policy for the Town of Clarkstown, which Investment Policy is annexed hereto as Exhibit "A."

(Exhibit "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. (712-1993)

AUTHORIZING HIRING OF  
ENGINEER TO REVIEW  
RESIDENTIAL BULK  
REFUSE BID

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown believes it is in the best interest of the Town to review the low bidder's capability to perform the duties as specified in the Residential Bulk Refuse Bid No. 52-1993, and

WHEREAS, Parnell Engineering, P.C. has submitted a proposal dated October 18, 1993, to review said bid;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the hiring of Parnell Engineering, P.C. to review the capabilities of the low bidder to perform the duties specified in the Residential Bulk Refuse Bid No. 52-1993, and submit a report to the Town Board of its findings on or before November 23, 1993, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed \$975.00, and shall be charged to Account No. SR-8160-409-0.

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. (713-1993)

AUTHORIZING SUPERVISOR  
TO ENTER INTO  
AGREEMENT WITH NYACK  
HOSPITAL

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Nyack Hospital for the Employee Assistance Program for the twelve (12) month period commencing October 1, 1993 and terminating on September 30, 1994, and be it

FURTHER RESOLVED, that the appropriation of \$11,000.00 to pay for services to be provided, shall be charged to Account No. A 8840 424, and be it

FURTHER RESOLVED, that this resolution is retroactive to October 1, 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. (714-1993)

AUTHORIZING SUPERVISOR  
TO ENTER INTO  
AGREEMENT WITH ARTHUR  
CONKLIN

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to provide services to the Building Department on an advisory and consultative basis, consistent with the terms of said contract, for the period from November 14, 1993 to May 13, 1994.

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. (715-1993)

SETTING PUBLIC HEARING  
RE PROPOSED LOCAL LAW  
AMENDMENT TO CHAPTER  
262 (TAXATION)

Co. Maloney offered and Co. Smith seconded

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

"AMENDMENT TO CHAPTER 262 (TAXATION)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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RESOLUTION NO. (715-1993) Continued

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 14, 1993 at 8:35 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

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. (716-1993)

AMENDING ZONING  
ORDINANCE RE: BRUNO  
BIONDI

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on June 22, 1993, provided for a public hearing on August 2, 1993, at 8:30 P.M., to consider the application of BRUNO BIONDI, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner described on the Clarkstown Tax Map as Map 164, Block A, Lots 20 and 21, from an LIO District to an LS District, 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, and

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

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated June 30, 1993, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the change of zone shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of

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RESOLUTION NO. (716-1993) Continued

Clarkstown be and it hereby is amended by redistricting from an LIO District to a LS District, the following described property in the Spring Valley section of Clarkstown, New York, subject to the receipt and acceptance by the Town Board of a covenant in a form approved by the Town Attorney submitted by the record owner, shall provide that the recommendations of the Planning Board made upon review of the proposed zone change shall be implemented by the property owners or his successor in interest as follows:

1. Applicant shall provide a gratuitous dedication along Smith Road in accordance with the Rockland County Highway Department, 35 feet from the center line of the road, together with deed, title report, map and metes and bounds description to the satisfaction of the Town Attorney,
2. Applicant shall upgrade the site to visually enhance the appearance of the site, in conformance with the Achitecture and Landscape Commission requirements.

and be it

FURTHER RESOLVED, that the Town Board has determined to adopt this zone change by a majority plus one vote of the Board in contravention of the recommendation of the Rockland County Department of Planning, because it believes that the change shall not be significant, and be it

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

(Description 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. (717-1993)

GRANTING SPECIAL PERMIT (CARBONE)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS. C & A Carbone, Inc. petitioned the Town Board of the Town of Clarkstown on June 23, 1989, for a Special Permit pursuant to the provisions of Section 106-16(R) of the Town Code of the Town of Clarkstown to operate a recycling facility on certain property designated on the Town of Clarkstown Tax Map as Map 88, Block A, Lot 15, and

WHEREAS, said application was referred to the Clarkstown Planning Board pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and the Rockland County Commissioner of Planning pursuant to the provisions of General Municipal Law, Section 239 L, and General Municipal Law, Section M, for report and study, and to the Department of

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RESOLUTION NO. (717-1993) Continued

Environmental Control of the Town of Clarkstown, the Building Inspector of the Town of Clarkstown and the Rockland County Drainage Agency, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on November 14, 1989, at 10:00 P.M., to consider such application, and

WHEREAS, reports from the Clarkstown Planning Board, the Rockland County Commissioner of Planning, the Rockland County Highway Department, the Rockland County Drainage Agency, the Rockland County Soil and Water Conservation District Board and the Department of Environmental Control of the Town of Clarkstown were read into the record, and

WHEREAS, comments from the public were received in addition to the presentation and representations by counsel of the petitioner, including representations that the proposed facility is to be operated exclusively as a recycling facility and not a transfer station and that the proposed facility would not accept purscibles and household or industrial garbage, and

WHEREAS the Town Board of the Town of Clarkstown reserved decision at the Town Board meeting of November 14, 1989, and

WHEREAS, it was determined that the Special Permit application required no further processing pursuant to the State Environmental Quality Review Act, and

WHEREAS, on November 27, 1990, the Town Board of the Town of Clarkstown denied such Special Permit to conduct a recycling facility because of public health, safety and welfare, and

WHEREAS, C & A Carbone, Inc. commenced a proceeding pursuant to Article 78 of the CPLR to annul and set aside the determination of the Town Board of the Town of Clarkstown, and

WHEREAS, the Supreme Court, State of New York, thereafter entered an order directing the Town Board of the Town of Clarkstown to issue a Special Permit to the petitioner subject to the imposition of reasonable conditions;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to allow for a recycling center on the above described property is hereby granted to the Petitioner subject to the following conditions:

1. The petitioner shall in all respects comply with any and all rules, regulations and requirements of the State of New York as they may relate to a recycling facility, including but not limited to Title 6, Part 360 of the Official Compilation Codes, Rules and Regulations of the State of New York entitled "Solid Waste Management Facilities" now in effect or as may hereinafter be amended.

2. Screening shall be provided as required by the Clarkstown Planning Board.

3. The facility shall only be operated as a recycling facility center and not a transfer station.

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RESOLUTION NO. (717-1993) Continued

4. Petitioner to provide a gratuitous widening of Western Highway 30 feet from the center line of the road, and provide a deed, title report and map with metes and bounds description.

5. Petitioner to obtain a permit from the Rockland County Highway Department prior to the commencement of any construction on the site.

6. Petitioner to obtain any permit required by the Rockland County Drainage Agency.

7. Petitioner to obtain all required permits from the Rockland County Health Department.

8. All construction is to be subject to the comments of the Rockland County Soil and Water Conservation District Board which states that the subject property is on soil which is considered to be a poor filter so that potential for ground water contamination should be addressed in the planning and design of the proposed facility.

9. The entranceway to the site and the exitway from the scale area to be paved to prevent dust coming on to Western Highway.

10. No trucks may leave the premises before 5:30 A.M.

11. No trucks may enter the premises before 7:00 A.M.

12. No trucks may either enter or leave the premises between 6:00 P.M. in the evening and 5:30 A.M. on the next day.

13. Comply with all other rules, regulations, local laws and ordinances of the Town of Clarkstown including the Waste Flow Law of the Town of Clarkstown (Local Law No. 9-1990).

14. Comply with the Rockland County Solid Waste Management Plan.

15. Comply with all rules, regulations, laws and ordinances of the County of Rockland and all boards and agencies thereof having jurisdiction.

and be it

FURTHER RESOLVED, that the within Special Findings and resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk of 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

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RESOLUTION NO. (718-1993)

AUTHORIZING TOWN  
ATTORNEY TO DEFEND  
PROCEEDING (RAM  
EXPRESS )

Co. Smith offered and Co. Maloney seconded

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

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ROCKLAND  
-----X  
RAM EXPRESS TRANSPORT, INC.,

Petitioner,

For an Order Pursuant to Article 7801  
of the Civil Practice Law and Rules  
Directed to WILLIAM J. COLLINS, Chief  
of Police of the Town of Clarkstown  
compelling the Return of Certain  
Property Unlawfully Held,

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7192/93

Respondent.

-----X

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that this Resolution shall be  
retroactive to November 4, 1993.

On roll call the vote was as follows:

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

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RESOLUTION NO. (719-1993)

AUTHORIZING TOWN  
ATTORNEY TO DEFEND  
PROCEEDING (RAM  
EXPRESS)

Co. Smith offered and Co. Maloney seconded

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

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ROCKLAND  
-----X  
RAM EXPRESS TRANSPORT, INC.,

Plaintiff,

-against-

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7288/93

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RESOLUTION NO. (719-1993) Continued

WILLIAM J. COLLINS, as Chief of  
Police of the Town of Clarkstown,  
  
Defendant.

-----X

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that this Resolution shall be  
retroactive to November 4, 1993.

On roll call the vote was as follows:

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

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RESOLUTION NO. (720-1993)

AUTHORIZING TOWN  
ATTORNEY TO DEFEND  
PROCEEDING (GENERAL  
MOTORS ACCEPTANCE  
CORPORATION)

Co. Smith offered and Co. Maloney seconded

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

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ROCKLAND

-----X  
GENERAL MOTORS ACCEPTANCE CORPORATION,

Plaintiff,

-against-

INDEX NO.

7456/93

WILLIAM J. COLLINS, CHIEF OF POLICE  
OF THE TOWN OF CLARKTOWN, ANGELO  
RAFFA, RAM EXPRESS TRANSPORT, INC.,  
"JOHN DOE", "EDWARD COE" and  
"RICHARD ROE" the last three names  
being fictitious and intended to be  
persons or corporations who are or  
may be in possession of the chattel  
that is the subject matter of this  
action,

Defendants.

-----X

NOW, THEREFORE, be it

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RESOLUTION NO. (720-1993) Continued

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to protect the Town's interest in said proceeding.

On roll call the vote was as follows:

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

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RESOLUTION NO. (721-1993)

AUTHORIZING  
INSTALLATION OF "NO  
TURN ON RED" SIGNS AT  
NEW HEMPSTEAD ROAD AND  
LITTLE TOR ROAD, NEW  
CITY

Co. Maloney offered and Co. Dusanenko seconded

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

Signs to read "No Turn on Red" on all corners at the intersection of New Hempstead Road and Little Tor Road, New City, New York

and be it

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

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. (722-1993)

AUTHORIZING  
INSTALLATION OF "STOP"  
SIGN NELSON PLACE AT  
SHERWOOD DRIVE, NANUET

Co. Maloney offered and Co. Dusanenko seconded

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

A "Stop" sign on Nelson Place at Sherwood Drive, Nanuet.

and be it

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RESOLUTION NO. (722-1993) Continued

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

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. (723-1993)

AUTHORIZING  
INSTALLATION OF "NO  
STANDING" SIGN WEST  
NYACK ROAD EAST OF  
WEST NYACK ELEMENTARY  
SCHOOL

Co. Maloney offered and Co. Dusanenko seconded

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

Signs to read "No Standing" to be erected on the north side of West Nyack Road from a point 75 feet east of the West Nyack Elementary School, West Nyack, west to Crossfield Road

and be it

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

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. (724-1993)

READVERTISING FOR BID  
#63A-1993 - ANTENNA  
SYSTEM FOR POLICE DEPT.

Co. Maloney offered and Co. Smith seconded

WHEREAS, there were no responses to the original solicitation for competitive proposals,

NOW, THEREFORE, be it

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

BID #63A-1993  
ANTENNA SYSTEM FOR POLICE DEPT.

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RESOLUTON NO. (724-1993) Continued

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 December 1, 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. (725-1993)

ADVERTISING FOR BID  
#8-1994 - ATHLETIC &  
RECREATION SUPPLIES

Co. Maloney offered and Co. Smith seconded

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

BID #8-1994  
ATHLETIC & RECREATION 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 December 9, 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. (726-1993)

AUTHORIZING PAYMENT  
(KIRCHNER)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the sum of \$500.00 be paid to KARL A. KIRCHNER, INC. for attendance and consultation for all of the following three tax certiorari settlement conferences;

Mall 59 Corp. v. Town of Clarkstown  
Seaman's Furniture v. Town of Clarkstown  
Grossman v. Town of Clarkstown (Valley Cottage Shopping Center property)

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RESOLUTION NO. (726-1993) Continued

and be it

FURTHER RESOLVED, that this resolution shall be retroactive to October 1, 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. (727-1993)

REGULATING ANY CABLE  
TELEVISION SYSTEM  
OPERATING IN CLARKSTOWN

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, on October 5, 1993, Congress enacted the Cable Television Consumer Protection and Competition Act of 1992 which, among other things, provided that the equipment, installation and services, of a cable television system (hereinafter, "Basic Service Rates and Charges") shall be subject to regulation by a franchising authority in accordance with regulations prescribed by the Federal Communications Commission (hereinafter the "FCC"), and

WHEREAS, on April, 1993, the FCC prescribed such regulations in the Report and Order, In the Matter of Implementation of Sections of Cable Television Consumer Protection and Competition Act of 1992: Rate Regulation, MM Docket 92-266, FCC 93-177 (released May 3, 1993) hereinafter the "FCC Rate Regulations"), and

WHEREAS, the Town of Clarkstown (hereinafter, the "Town") is a franchising authority with the legal authority to adopt, and the personnel to administer, regulations with respect to the Basic Service Rates and Charges of any cable television system operating in the Town, including, without limitation, the system currently being operated by TKR Cable Company, pursuant to the Town of Clarkstown Cable Television Franchise Agreement (hereinafter the "Franchise"), and

WHEREAS, the Town desires to regulate the Basic Service Rates and Charges of the Company and any other cable television system operating in the Town and shall do so in accordance with the FCC Rate Regulations, notwithstanding any different or inconsistent provisions in the Franchise;

NOW, THEREFORE, be it

RESOLVED, by the Town of Clarkstown, that:

1. The Town will follow the FCC Rate Regulations in its regulation of the Basic Service Rates and Charges of the Company and any other cable television system operating in the Town, notwithstanding any different or inconsistent provisions in the Franchise;

2. In connection with such regulation, the Town will ensure a reasonable opportunity for consideration of the views of interested parties;

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RESOLUTION NO. (727-1993) Continued

3. That the Supervisor of the Town of Clarkstown, or his designee, is authorized to execute on behalf of the Town and file with the FCC such certification forms or other instruments as are now or may hereafter be required by the FCC Rate Regulations in order to enable the Town to regulate Basic Service Rates and Charges;

4. This Resolution shall be effective immediately.

TOWN OF CLARKSTOWN

Attest:

/s/ Patricia Sheridan  
Patricia Sheridan  
Town Clerk

By: /s/ Charles E. Holbrook  
Charles E. Holbrook  
Supervisor

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. (728-1993)

AUTHORIZING PLACING OF  
STONE ON LAKEVIEW  
COURT, CONGERS AND  
RAMMLER LANE, BARDONIA

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to place stone on Lakeview Court in Congers and Rammler Lane in Bardonia.

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. (729-1993)

AUTHORIZING ATTENDANCE  
AT CONFERENCE (BRIAN  
CONNOLLY)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, Brian Connolly, CSW, Clarkstown Counseling Center to attend conference on December 7, 1993 offered by Planned Parenthood.

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. (730 -1993)

AUTHORIZING ATTENDANCE  
AT NYS GOVERNMENT  
FINANCE OFFICERS'  
ASSOCIATION SEMINAR  
(SMITH, SQUILLACE,  
DUER, LODICO, FOGEL  
AND DeFOREST)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the NYS Government Finance Officers'  
Association is having a seminar on December 16, 1993 at the  
Westchester Hills Golf Club, White Plains, NY to update  
NYS-GFOA,

NOW, THEREFORE, be it

RESOLVED, that Ann Marie Smith, Elizabeth  
Squillace, Edward Duer, Dolores Lodico, Doris Fogel and Mary  
DeForest attend said meeting, and be it

FURTHER RESOLVED, that all proper charges be  
charged to Appropriation Account No. A 1010 414  
(Councilmen-Conferences & Schools).

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (731-1993)

AUTHORIZING  
ADVERTISING IN CANDLE  
SOUVENIR JOURNAL

Co. Maloney offered and Co. Smith seconded

RESOLVED, the Clarkstown Counseling Center  
advertise in CANDLE Souvenir Journal on November 18, 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. (732-1993)

LOCAL LAW NO. 4-1993  
AMENDMENT TO CHAPTER  
18 OF THE CODE OF  
CLARKSTOWN (ETHICS)

Co. Maloney offered and Co. Holbrook seconded

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 18 (ETHICS, CODE OF)  
OF THE CODE OF THE TOWN OF CLARKSTOWN"

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RESOLUTION NO. (732-1993) Continued

was introduced by Councilwoman Smith at a Town Board meeting held on September 14, 1993, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on September 14, 1993, directed that a public hearing be held on October 12, 1993, at 8:35 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on September 24, 1993, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on September 7, 1993, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on October 12, 1993;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4-1993, entitled:

"AMENDMENT TO CHAPTER 18 (ETHICS, CODE OF)  
OF THE CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

On roll call Councilman Dusanenko said for all the reasons previously stated at other public hearings he was voting "No."

Charles E. Holbrook, Supervisor.....	Yes
John R. Maloney, Councilman.....	Yes
Ralph F. Mandia, Councilman.....	No
Ann Marie Smith, Councilwoman.....	Yes
Theodore R. Dusanenko, Councilman....	No

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

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RESOLUTION NO. (733-1993)

AWARDING BID #1-1994  
-STATIONERY AND OFFICE  
SUPPLIES

Co. Smith offered and Co. Dusanenko seconded

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

BID #1-1994  
STATIONERY AND OFFICE SUPPLIES

is hereby awarded to:

MANHATTAN STATIONERY  
3010 WESTCHESTER AVENUE  
PURCHASE NY 10577  
PRINCIPAL: HARVEY ARONOFF

ADVANTAGE BUSINESS PRODUCTS  
3 CROSS STREET  
SUFFERN NY 10901  
PRINCIPALS: SAM SCHWED  
JUDITH SCHWED  
TAMARA BRISK  
JACK SCHWED

BT SUMMIT PRODUCTS INC.  
66 BROCKWAY PLACE  
WHITE PLAINS NY 10602  
PRINCIPAL: PUBLIC CORPORATION

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RESOLUTION NO. (733-1993) Continued

ROCKLAND OFFICE SUPPLY INC.  
120 SHUART ROAD  
AIRMONT NY 10954  
PRINCIPALS: DEBBIE TORTORA  
PAUL TORTORA

CHESLERS STATIONERY  
15 E CENTRAL AVE  
PEARL RIVER NY 10965  
PRINCIPAL: CHARLES CHESLER

as per the attached item/price schedule

(Item/price schedule attached)

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. (734-1993)

AUTHORIZING  
INSTALLATION OF STREET  
SIGNS - LITTLE TOR  
ROAD AT RED HILL ROAD,  
NEW CITY

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Clarkstown School District has changed school hours for the Link Elementary School, Red Hill Road, New City, and

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated November 2, 1993 has recommended the Town Board change the timing of the "No Turn on Red" regulation currently in place at the intersection of Little Tor Road at Red Hill Road, New City, accordingly,

NOW, THEREFORE, be it

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

<u>SIGNS</u>	<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
	Little Tor Road at Red Hill Road, New City	"No Turn on Red" "7 AM to 3 PM" "School Days"	R7-4W

(Note: Change three (3) existing panels to conform to MUTCD Sign #R7-4W - Sign panel = 24" x 12" - Lettering lower panels = 3" B series)

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. (735-1993)

AUTHORIZING  
INSTALLATION OF STREET  
SIGNS - PROSPECT  
STREET WEST FROM INTER-  
SECTION ORCHARD STREET

Co. Maloney offered and Co. Smith seconded

WHEREAS, construction of the Nanuet Train Station expansion lot has been completed providing 200 additional parking spaces to commuters utilizing the Metro North Railroad - Pascack Valley Branch, Nanuet Station,

NOW, THEREFORE, be it

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

<u>SIGNS</u>	<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
	South side Prospect Street from intersection Orchard Street west for a distance of approximately 125' (to train tracks), Nanuet	"No Parking Anytime"	P1-1

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. (736-1993)

AMENDING RESOLUTION  
NO. 641 RE: KINGSGATE  
LOT E-2 (PARAGRAPH  
FIFTH)

Co. Maloney offered and Supv. Holbrook seconded

WHEREAS, Resolution No. 641 was adopted by the Town Board on September 28, 1993, to authorize modification to restrictive covenants affecting Kingsgate Lot E-2, and

WHEREAS, so much of said resolution which authorized a change in Paragraph "FIFTH" of a Declaration dated December 19, 1973, contained a typographical error which unintentionally restricts access to Lot E-2 of Kingsgate;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 641 is hereby amended to correct Paragraph "FIFTH" therein 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

Continued on Next Page

RESOLUTION NO. (736-1993) Continued

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 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 an access roadway to New Clarkstown Road, subsurface utilities, drainage or sewer lines or surface walkways."

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (737-1993)

ADOPTING THE 1994  
BUDGET FOR THE TOWN OF  
CLARKSTOWN

Co. Maloney offered and Co. Smith seconded:

WHEREAS, a public hearing pursuant to Town Law Section 108, to consider the Town of Clarkstown Preliminary Budget for the year 1994, was duly scheduled and noticed for October 12, 1993, at 8:45 P.M. at the Town Hall Auditorium, and

WHEREAS, the Town Board met at the time and place specified in the Notice of the Public Hearing and heard all persons desiring to be heard;

NOW, THEREFORE, be it

RESOLVED, that such Preliminary Budget, as amended, a copy of which is attached hereto, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the fiscal year beginning the 1st day of January, 1994, and that such Budget, as so adopted, be entered in detail in the proceedings of this Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown shall prepare and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together with Assessment Rolls for benefit improvements, if any, adopted pursuant to Section 202-a, Subd. 2 and Section 231, Subd. 2 of the Town Law and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Legislature of Rockland County pursuant to Section 115 of the Town Law and other applicable sections of the Town Law.

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RESOLUTION NO. (737-1993) Continued

On roll call Councilman Dusanenko stated that he had not had any input on this and there had been no meetings on it. The budget figures aren't bad but he felt we owe it to ourselves to spend some time in meetings prior to adoption. He said since the Town Board has had no meetings other than the public hearing and has had no opportunity to make any changes, increases, decreases, eliminations or modifications he would vote no at this time.

On roll call the vote was as follows:

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

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RESOLUTION NO. (738-1993)

AUTHORIZING  
LANDSCAPING WORK ON  
TOWN PROPERTY MAP 8,  
BLOCK A, LOT 25.19

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has received several complaints from the residents of Forest Brook Road and Spring Brook Road, Spring Valley, concerning the overgrown and debris laden parcel owned by the Town of Clarkstown (8-A-25.19) located at the end of Spring Brook Road, and

WHEREAS, Bill's Landscaping Company has submitted a proposal to cut down all vegetation except trees and remove that vegetation and all debris found on this Town owned parcel for a cost of \$1,150.00, and

WHEREAS, the Acting Director, Department of Environmental Control recommends that Bill's Landscaping Company perform this work;

NOW, THEREFORE, be it

RESOLVED, that the Acting Director, Department of Environmental Control, be authorized to hire Bill's Landscaping Company to perform this work at a cost of \$1,150.00, and be it

FURTHER RESOLVED, that this amount be charged to A-8730-384.

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. (739-1993)

TRANSFER OF FUNDS  
(POLICE)

Co. Smith offered and Co. Mandia seconded

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RESOLUTION NO. (739-1993) Continued

WHEREAS, the Town of Clarkstown has received \$95,268.00 from the sale of surplus police vehicles, and

WHEREAS, it is necessary to purchase new police vehicles,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account No. A 01 9 2770 2 (Bids, Specs & Plans) and Appropriation Account No. A 3120 203 (Police-Motor Vehicles) by \$95,268.00.

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. (740-1993)

TRANSFER OF FUNDS  
(POLICE)

Co. Smith offered and Co. Mandia seconded

WHEREAS, \$5,149.94 has been received from the County of Rockland in March of 1992, and

WHEREAS, pursuant to a contract with Rockland County and Section 1197 of the NYS Vehicle and Traffic Law funds received through the STOP DWI program must be used exclusively for DWI overtime, patrols and other related DWI purposes,

NOW, THEREFORE, be it

RESOLVED, to decrease Fund Balance (A909) and increase General Ledger Account No. A 887 (Reserve for DWI) by \$5,149.00, and be it

FURTHER RESOLVED, to decrease General Ledger Account No. A 887 and increase Appropriation Account No. A 3120 111 (Police-Overtime) by \$7,794.00.

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. (741-1993)

TRANSFER OF FUNDS  
(VARIOUS ACCOUNTS)

Co. Smith offered and Co. Mandia seconded

WHEREAS, various funds require additional funding,

NOW, THEREFORE, be it

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RESOLUTION NO. (741-1993) Continued

RESOLVED, to decrease Contingency Account No. A 1990 505 by \$18,500.00 and increase the following Appropriation Account Nos.:

A 1010 414 (Councilmen-Conferences & Schools)	\$2,000.00
A 1450 409 (Elections-Fees for Services)	500.00
A 3320 409 (Install Traffic Signals-Fees for Serv)	12,400.00
A 3320 414 ( " " " (Conf. & Schs.)	600.00
A6410 405 (Advertising)	3,000.00

and be it

FURTHER RESOLVED, to decrease DA 5130 306 (Highway-Maintenance Supplies) and increase DA 5130 447 (Private Equipment Rental) by \$500.00; decrease A 4210 405 (Counseling Advertising) by \$83.00 and increase A 4210 201 (Furniture & Furnishings) by \$46.00 and A 4210 301 (Food) by \$37.00; decrease A 5630 209 (Mini-Trans-Other Equipment) and increase A 5630 424 (Contractural Expense) by \$1,000.00.

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. (742-1993)

AMENDING RESOLUTION  
NO. 688-1993 TRANSFER  
OF FUNDS

Co. Smith offered and Co. Mandia seconded

WHEREAS, it is necessary to amend T. B. Resolution No. 688 dated October 26, 1993

NOW, THEREFORE, be it

RESOLVED, to transfer \$20,961.74 from Money-in-Lieu-of-Land to Parklands and Improvement.

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. (743-1993)

TRANSFER OF FUNDS  
(VARIOUS ACCOUNTS)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown received \$5,000.00 from Orange & Rockland Utilities for resurfacing costs for Maple and Hillside Drives in West Nyack,

NOW, THEREFORE, be it

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RESOLUTION NO. (743-1993) Continued

RESOLVED, to increase Estimated Revenue Account No. DB 041 9 2770 0 (Highway-Misc. Revenue) and DB 5110 381 (Bituminous) by \$5,000.00.

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. (744-1993)

APPOINTING CROSSING  
GUARD - POLICE DEPT.  
(SHARON M. BLIESE)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Sharon M. Bliese, 4 Highland Place, West Nyack, New York, to the position of Crossing Guard - Police Department - at the rate of \$9.83 per crossing covered, effective and retroactive to October 18, 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. (745-1993)

APPOINTING CROSSING  
GUARD - POLICE  
DEPARTMENT (EDWARD J.  
BOHAN)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Edward J. Bohan, 9 Flitt Street, West Nyack, New York, to the position of Crossing Guard - Police Department - at the rate of \$9.83 per crossing covered, effective and retroactive to September 8, 1993.

On roll call the vote was as follows:

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

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RESOLUTION NO. (746-1993)

GRANTING SICK LEAVE OF  
ABSENCE - TOWN JUSTICE  
DEPARTMENT (LUCILLE  
KELLY)

Co. Maloney offered and Co. Smith seconded

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RESOLUTION NO. (746-1993) Continued

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Lucille Kelly, 249 North Middletown Road, Apt. 6B, Nanuet, New York, Clerk Typist - Town Justice Department - is hereby granted an Extension of her Sick Leave of Absence - at one-half pay - effective and retroactive to November 7, 1993 to December 7, 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. (747-1993)

ACCEPTING RESIGNATION  
- MAINTENANCE  
DEPARTMENT (JOSEPH  
McCLAFFERTY)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the resignation of Joseph McClafferty, 46 Marion Street, Nyack, New York - Maintenance Helper - Maintenance Department - is hereby accepted - with regret - effective and retroactive to October 20, 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. (748-1993)

ACCEPTING RESIGNATION  
- TOWN JUSTICE  
DEPARTMENT (CLARE  
McCUE CINCOTTA)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the resignation of Hon. Clare McCue Cincotta, 186 Massachusetts Avenue, Congers, New York - Town Justice - Town Justice Department - is hereby accepted, effective November 9, 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. (749-1993)

APPOINTING TO  
SANITATION COMMISSION -

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RESOLUTION NO. (749-1993) Continued CLARE McCUE CINCOTTA

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Clare McCue Cincotta, 186 Massachusetts Avenue, Congers, New York, is hereby appointed to the position of Member - Sanitation Commission - at the current 1993 annual salary of \$1,000.00 - term effective November 9, 1993 and to expire on December 31, 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. (750-1993)

SETTING PUBLIC  
INFORMATIONAL MEETING  
RE: REMEDIATION OF  
FORMER CLARKSTOWN  
SANITARY LANDFILL

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown is in the process of remediating the former Clarkstown Sanitary Landfill site situate on Route 303, West Nyack, New York, and

WHEREAS, as part of the remediation process the Town is preparing a Remedial Investigation and Feasibility Study (RI/FS), and

WHEREAS, as part of the remediation process, there are public informational meetings conducted by the Town of Clarkstown and the New York State Department of Environmental Conservation to discuss the status of the RI/FS, and inform the public;

NOW, THEREFORE, be it

RESOLVED, that a public informational meeting be held by the Town of Clarkstown and the New York State Department of Environmental Conservation, on December 1, 1993, at 7:30 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that legal notice of said meeting be publised by the Town Clerk, and be it

FURTHER RESOLVED, that copies of the Project Waste Plan, Site Operation Plan, Interim Phase I Remedial Investigation Report, Draft Remedial Investigtion Report, and other documents relative to the RI/FS be filed at the Clarkstown Department of Environmental Control, the New City Library, and West Nyack Library, and be available for review by the public at large.

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. (751-1993)

GRANTING EXTENSION TO  
PLANNING BOARD RE  
PARKER NANUET  
ASSOCIATES

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Clarkstown Planning Board has requested an extension of time to make its recommendation with respect to the proposed zone change petition of Parker Nanuet Associates;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants the Clarkstown Planning Board an extension of ninety days to make its recommendation with respect to the proposed zone change petition of Parker Nanuet Associates.

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. (752-1993)

GRANTING EXTENSION TO  
PLANNING BOARD RE  
D'ALBERTI AND BOCCARDI

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Clarkstown Planning Board has requested an extension of time to make its recommendation with respect to the proposed zone change petition of D'Alberti and Boccardi;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants the Clarkstown Planning Board an extension of ninety days to make its recommendation with respect to the proposed zone change petition of D'Alberti and Bocardi.

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. (753-1993)

GRANTING CERTIFICATES  
OF REGISTRATION  
(ADVANCE PLUMBING,  
RONALD J. TARIGO AND  
COPPOLA SERVICES, INC.)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the following have applied for

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RESOLUTION NO. (753-1993) Continued

Certificates of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

ADVANCE PLUMBING & HEATING  
68 American Legion Way  
New City, New York 10956

RONALD J. TARIGO d/b/a  
Ronald J. Tarigo  
5 Crosscreek Lane  
Stony Point, New York 10980

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

RESOLVED, that the following Certificates of Registration be issued:

- No. 94-1 Advance Plumbing & Heating
- No. 94-2 Ronald J. Tarigo d/b/a Ronald J. Tarigo
- No. 94-3 Coppola Services, Inc.

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. (754-1993)

SUPERINTENDENT OF  
HIGHWAYS TO PERFORM  
CORRECTIVE WORK (UNDER  
RAILROAD BRIDGE NORTH  
OF RAIL CROSSING -  
VICINITY OF BREGA  
PROPERTY)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to clean out debris from under the railroad bridge north of the rail crossing in Valley Cottage, in the vicinity of the Brega property. There are some obstructions caught under that railroad bridge.

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. (755-1993)

PLANNING BOARD TO  
RECONSIDER MF-1 OR  
MF-2 ZONING FOR LOT 4  
OF CLARKSTOWN  
EXECUTIVE PARK

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the residents adjacent to Clarkstown Executive Park in Valley Cottage have requested that the Town

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RESOLUTION NO. (755-1993) Continued

consider rezoning the property known as Lot 4 of Clarkstown Executive Park from LIO to MF-1 or MF-2, and

WHEREAS, the developers have indicated that they might willingly accept that zoning designation for the property even though they are close to final site-plan approval from the Planning Board for said Lot 4,

NOW, THEREFORE, be it

RESOLVED, that the Clarkstown Planning Board is requested to make a recommendation on changing the zoning of Lot 4 of Clarkstown Executive Park from LIO to MF-1 or MF-2.

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. (756-1993)

SUPERINTENDENT OF  
HIGHWAYS TO PAVE  
FISHER AVENUE, NANUET

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Superintendent of Highways, John F. Mauro, is hereby authorized to pave Fisher Avenue, Nanuet.

On roll call the vote was as follows:

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

\*\*\*\*\*

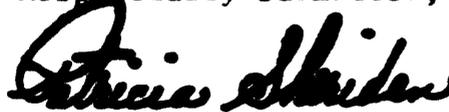
On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Extension of Water District to include Brega Company, was opened, time: 8:30 P.M.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Extension of Water District to include Brega Company, was closed, ORDER SIGNED, time: 8:32 P.M.

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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:33 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

11/9/93

8:30 P.M.

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

RE: Extension of Clarkstown Consolidated Water Supply District  
#1 to include Brega Company

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication. Town Clerk stated there was on file in the Town Clerk's Office an affidavit from the Deputy Director of Environmental Control testifying as to the benefit to surrounding property owners of this proposed extension.

Supervisor asked if there was anyone present wishing to speak in favor of this proposed extension?

No one appeared.

Supervisor asked if there was anyone present wishing to speak in opposition to this proposed extension?

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, ORDER SIGNED, time: 8:32 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk