

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

1/25/04

8: P.M.

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

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

Supervisor noted that the first order of business this evening would be the presentation of proclamations re School Nurse Day and the Clarkstown High School North Rams Varsity Football Team. He read the following:

"SCHOOL NURSE DAY"
January 26, 1994

WHEREAS, January 26, 1994 has been designated as 'SCHOOL NURSE DAY' in New York State and recognized as National School Nurse Day throughout the United States, and

WHEREAS, the Town of Clarkstown would especially like to recognize the school nurses of the Clarkstown School District for providing health care to all students and striving for the safety, good health and optimal learning for all children in their care, and

WHEREAS, in tribute to their dedication and excellent service, the Town of Clarkstown would like to thank all school nurses and especially the school nurses in our Clarkstown School District for their significant contribution to the betterment of our community,

NOW, THEREFORE, be it

RESOLVED, that I, Charles F. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, do hereby proclaim Wednesday, January 26, 1994 as SCHOOL NURSE DAY in the TOWN OF CLARKSTOWN in honor of the SCHOOL NURSES OF THE CLARKSTOWN SCHOOL DISTRICT.

IN WITNESS WHEREOF I HEREUNTO
SET MY HAND AND CAUSE THE SEAL
OF THE TOWN OF CLARKSTOWN TO BE
AFFIXED THIS 25TH DAY OF
JANUARY, 1994.

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

Suprvisor asked if there was any nurses present to please come forward and be recognized. They did and received the congratulations of the entire Town Board on behalf of the residents of Clarkstown.

Supervisor then read the following proclamation:

Continued on Next Page

TRM - 1/25/04
Page 2

"CLARKSTOWN RAMS FOOTBALL DAY
January 25, 1994

- WHEREAS, the Clarkstown North High School Varsity Football Team has completed an outstanding season of 8 wins/1 loss, including a Section I Bowl Victory - the only loss being to the undefeated state champion, and
- WHEREAS, the exemplary esprit de corps exhibited by these outstanding young men and their coaches contributed to an exciting, enriching experience for the entire student body, faculty and staff, and
- WHEREAS, the team's fine play and tuned skills made each Saturday's game a source of pride for their parents and the community, and
- WHEREAS, the sportsmanship demonstrated by everyone associated with the football program is an inspiration to all, and
- WHEREAS, the tremendous concern for each other and the welfare of the team, as well as concern for self, made this group of athletes and coaches truly perform as a 'family,' and
- WHEREAS, their determination, drive, commitment to excellence and strong work ethic were inspirational to all and instructional to those that will follow,

NOW, THEREFORE, be it

RESOLVED, that I, Charles F. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, proudly commend these fine young men and their coaches for their outstanding achievements and do hereby proclaim January 25, 1994 as Clarkstown Rams Football Day in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREBY SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 25TH DAY OF JANUARY, 1994.

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

Supervisor asked Coach Henry to receive the proclamation on behalf of the Town Board, which he did.

The Town Board Members presented awards to all team members and to Coach Henry and his staff after which Coach Henry presented Coach's Awards to several players and spoke about the excellence of the players. The Town Board Members extended congratulations to all involved.

(There was a five minute recess.)

Supervisor then declared a public portion open asking if anyone wished to speak. No one did.

Continued on Next Page

TBM - 1/25/94
Page 3

RESOLUTION NO. (72-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of January 11, 1994 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. (73-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Sturz Enterprises, Ltd. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 128, Block A, Lot 21 for the years 1991/92, 1992/93 and 1993/94, and

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that this resolution shall be retroactive to December 30, 1993.

On roll call the vote was as follows:

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

RESOLUTION NO. (74-1994)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the Nyack Lions Club has requested the consideration of the Town Board of the Town of Clarkstown to hold a Ham Shoot as a fund raiser for their organization, and

WHEREAS, the proposed Ham Shoot is to be held on April 24th and May 1, 1994, on property of Carl H. Landgren, located near Route 9W and Christian Herald Road;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Nyack Lions Club to hold a Ham Shoot on the dates specified, and be it

Continued on Next Page

TBM - 1/25/94
Page 4

RESOLUTION NO. (74-1994) Continued

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Ham Shoot.

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. (75-1994)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Supervisor is authorized to enter into a contract with Rockland Computer Associates, Inc. for the years 1994 and 1995 utilizing their services as needed, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$260,000.00 per year, which shall be charged to Appropriation Account No. A 1680-409 and SR 8160-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (76-1994)

Co. Maloney offered and Co. Mandia 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 the east side of Maple Avenue at Congers Road, New City, NY

and be it

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

On roll call the vote was as follows:

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

TBM - 1/25/94
Page 5

RESOLUTION NO. (77-1994)

Co. Maloney offered and Co. Mandia 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:

"No Parking" signs with directional arrows on the south side of First Street, New City on either side of driveway of Map 57, Block F, Lot 1

and he 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

RESOLUTION NO. (78-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

PHOENIX EXCAVATORS CORP.
62 Rose Road
West Nyack, New York 10994

LIFESTYLE BUILDERS, INC.
495 Country Club Lane
Pomona, New York 10970

BRUCE H. SMITH CONTRACTING, INC.
P.O. Box 563
Stony Point, New York 10980

ENVIRONMENTAL CONSTRUCTION
73 Central Drive
Stony Point, New York 10980

RESOLVED, that the following Certificates of Registration be issued:

No. 94-11 Phoenix Excavators Corp.
No. 94-12 Lifestyle Builders, Inc.
No. 94-15 Bruce H. Smith Contracting, Inc.
No. 94-16 Environmental Construction

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. (79-1994)

Co. Smith offered and Co. Maloney seconded

Continued on Next Page

TBM - 1/25/94
Page 6

RESOLUTION NO. (79-1994) Continued

RESOLVED, that John T. Dinnen, Street Construction Inspector, is hereby authorized to attend the 1994 Construction Inspector's School, sponsored by the American Public Works Association, to be held in Rochester, New York February 7-9, 1994, and be it

FURTHER RESOLVED, that all necessary expenses be allocated against Appropriation Account No. A 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (80-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Bruce D. Knarich, Maintenance Supervisor (Grounds); Fred Hastings, Groundskeeper II; Frank Kemmer, Groundskeeper; Tony Leto, Groundskeeper; and Bill Hastings, Sr. Groundsworker; are hereby authorized to attend the one day seminar on Playgrounds in a New Era to be held February 3, 1994 in Poughkeepsie, New York, and be it

FURTHER RESOLVED, that all necessary expenses be allocated against Account # 7140-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (81-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Director of Purchasing is hereby authorized to attend the following educational conferences for continuing education

May 4-6, 1994	NY State Association of Municipal Purchasing Officials Conference Saratoga Springs, NY
July 16-20, 1994	National Institute of Government Purchasers Milwaukee, WI

and be it

FURTHER RESOLVED, that all proper charges be charged against line 1010-414.

Continued on Next Page

TBM - 1/25/94
Page 7

RESOLUTION NO. (81-1994) Continued

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. (82-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Eric D. Eisele,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Eric D. Eisele, 249 North Middletown Road, #5R, Nanuet, New York, to the (temporary) position of Police Officer (pending clearance of medical and psychological examination and physical fitness tests) - Police Department - at the current 1994 annual salary of \$38,141.00, effective and retroactive to January 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. (83-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Joseph T. Knarich, Jr.,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Joseph T. Knarich, Jr., 411 Glen Avenue, Upper Nyack, New York, to the (temporary) position of Police Officer (pending clearance of medical and psychological examination and physical fitness tests) - Police Department - at the current 1994 annual salary of \$34,141.00, effective and retroactive to January 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

TBM - 1/25/94
Page 8

RESOLUTION NO. (84-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Michael A. Garvey,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Michael A. Garvey, 34 Kenwood Lane, New City, New York, to the (temporary) position of Police Officer (pending clearance of medical and psychological examination and physical fitness tests) - Police Department - at the current 1994 annual salary of \$34,141.00, effective and retroactive to January 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. (85-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of JoAnne M. Brogna,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of JoAnne M. Brogna, 151 Third Street, New City, New York, to the (temporary) position of Police Officer (pending clearance of medical and psychological examination and physical fitness tests) - Police Department - at the current 1994 annual salary of \$34,141.00, effective and retroactive to January 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. (86-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Brian E. Gorsky,

NOW, THEREFORE, be it

Continued on Next Page

TBM - 1/25/94
Page 9

RESOLUTION NO. (86-1994) Continued

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Brian F. Gorsky, 14 Arbor Lane, Bardonia, New York, to the (temporary) position of Police Officer (pending clearance of medical and psychological examination and physical fitness tests) - Police Department - at the current 1994 annual salary of \$34,141.00, effective and retroactive to January 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. (87-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of James S. Fav,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of James S. Fav, 17 Convent Road, Nanauet, New York, to the (temporary) position of Police Officer (pending clearance of medical and psychological examination and physical fitness tests) - Police Department - at the current 1994 annual salary of \$34,141.00, effective and retroactive to January 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. (88-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #91189 Paralegal Specialist I (Municipal Law) which contains the name of Rosemary A. Sanfratello,

NOW, THEREFORE, be it

RESOLVED, that Rosemary A. Sanfratello, 16 Tanglewood Court, Congers, New York, is hereby appointed to the position of (Permanent) Paralegal Specialist I (Municipal Law) - Town Attorney's Office - at the current 1994 annual salary of \$32,888.00, effective January 31, 1994.

On roll call the vote was as follows:

Continued on Next Page

TBM - 1/25/04
Page 10

RESOLUTION NO. (88-1994) Continued

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

RESOLUTION NO. (89-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #93118 Weigher II - which contains the name of Walter C. Hayward,

NOW, THEREFORE, be it

RESOLVED, that Walter C. Hayward, 98 Lenox Avenue, Congers, New York, is hereby appointed to the (Permanent) position of Weigher II - Sanitary Landfill - at the current 1994 annual salary of \$34,374.00, effective January 26, 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. (90-1994)

Co. Maloney offered and Co. Mandia seconded

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.F.A., Dorothy Marshall, 16 Jerrys Avenue, Nanuet, New York - Sr. Clerk Typist - Town Justice Office - is hereby granted an extension of her Sick Leave of Absence - at one-half pay - effective February 1, 1994 to March 1, 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. (91-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Sr. Vincent Cirelli, O.P., 31 Lake Road, Valley Cottage, New York, is hereby appointed to the position of Member - Board of Ethics - (to fill the unexpired term of Rev. Donald Peet) at the 1994 annual salary of \$1,000.00, term effective January 26, 1994 and to expire on November 12, 1995.

Continued on Next Page

TBM - 1/25/94
Page 11

RESOLUTION NO. (91-1994) 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. (92-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks that the following 1994 part-time salaries be established:

<u>PART-TIME</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Recreation Aide	\$4.25/hr.	\$ 4.50/hr.
Recreation Assistant	\$4.50/hr.	\$13.00/hr.
Recreation Leader	\$7.00/hr.	\$16.00/hr.
Recreation Specialist	\$7.00/session	\$35.00/session
Refreshment Stand Attendant I	\$4.25/hr.	\$ 7.00/hr.
Refreshment Stand Attendant II	\$6.00/hr.	\$10.00/hr.
Lifeguard	\$7.00/hr.	\$11.00/hr.
Head Lifeguard	\$8.50/hr.	\$12.00/hr.
Water Safety Instructor	\$8.50/hr.	\$11.00/hr.
Head Water Safety Instructor	\$9.00/hr.	\$12.00/hr.
Laborer-Student	\$6.00/hr.	\$ 9.00/hr.
Groundswoker (L)	\$8.00/hr.	\$12.00/hr.
Custodial Worker (Seasonal)(L)	\$5.00/hr.	\$11.00/hr.
Senior Citizen's Leader (P/T)	\$11,222.00	\$22,443.00
Swim Area Supervisor (Seasonal)	\$10,290.00	\$15,465.80
Senior Recreation Leader (Seasonal)	\$ 5,157.00	\$ 8,107.00
Senior Recreation Activity Specialist (Seasonal)	\$ 3,688.00	\$ 6,633.00

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. (93-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the 1994 Salary Schedule, adopted at the January 3, 1994 Town Board Meeting, is hereby amended to reflect the corrected annual salary of Nicholas Longo, Assessor - At the 1994 annual salary of \$74,380.00.

On roll call the vote was as follows:

Continued on Next Page

TBM - 1/25/94
Page 12

RESOLUTION NO. (93-1994) Continued

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

RESOLUTION NO. (94-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that William F. Bowler, 13 Pigeon Hill Road, Nanuet, New York, is hereby appointed to the position of (temporary) Fire Safety Inspector - Building Department - at the 1994 hourly rate of \$18.00 per hour - effective January 31, 1994 for a period not to exceed three (3) months.

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. (95-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Wendy Gannon, 50 Lake Road, Valley Cottage, New York, is hereby appointed to the position of Member - Architecture and Landscape Commission - term effective and retroactive to October 13, 1993 and to expire on October 13, 2000 at the current 1994 annual salary of \$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. (96-1994)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, MOUNTAIN SHADOW COMPANY has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioner, from an LO District to an MF-2 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 129, Block A, Lot 2;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section

Continued on Next Page

TBM - 1/25/94
Page 13

RESOLUTION NO. (96-1994) Continued

106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEORA), 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.

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. (97-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, JOSEPH MITLOF has requested use of Town Law §280-a(2) for the erection of a one-family residence on property situate at Chester Avenue and Beacon Street, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 114, Block A, Lot 19.04;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby refers this matter to the Clarkstown Planning Board for their review and recommendation.

On roll call the vote was as follows:

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

RESOLUTION NO. (98-1994)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Denker & Bodnar, architects, to provide architectural services to implement the American with Disabilities Transition Plan, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed the sum of \$13,900.00, and shall be charged to Capital Account.

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (98-1994) Continued

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

RESOLUTION NO. (99-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby elects to pay on account of any member of its Police Department who duly elects Section 384-e of the Retirement and Social Security Law, as presently or hereafter amended, and be it

FURTHER RESOLVED, that this Resolution is hereby adopted retroactive to January 3, 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. (100-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board adopted Resolution No. 210-1993 at the Town Board meeting of March 23, 1993, which awarded the Maintenance/Improvement of Town cul-de-sacs to Touch of Green of Rockland, Inc. for an amount of \$22,397.00, and

WHEREAS, residents have complained that additional pruning, mulching or removal of dead trees or shrubs are required on several of the cul-de-sacs, and

WHEREAS, the Acting Director of the Department of Environmental Control has recommended that these improvements be made

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the Acting Director of the Department of Environmental Control, the proposal from Touch of Green of Rockland, Inc. for the additional work be authorized at a cost not to exceed \$6,180.00, and be it

FURTHER RESOLVED, that this be an amendment to Resolution NO. 210-1993 bringing the total cost authorized to \$28,577.00.

On roll call the vote was as follows:

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

TBM - 1/25/04
Page 15

RESOLUTION NO. (101-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed dated January 9, 1992, from Regina Cropsey to the Town of Clarkstown conveying the following roads:

<u>REGINALD DRIVE</u>	1,870 L.F.
<u>WATERS EDGE</u>	1,820 L.F.
<u>REGINA COURT</u>	420 L.F.
<u>SOUTH PINE AVENUE</u>	809 L.F.

and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Subdivision of Property for CROPSEY ESTATES filed in the Rockland County Clerk's Office on May 4, 1990, in Book No. 112 at Page No. 4 as Map No. 6472, is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that the agreement guaranteeing the roads and public improvements for a period of one (1) year with security posted by the developer in the amount of \$56,000.00 is hereby accepted.

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. (102-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Acting Director of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deeds dated January 23, 1991, from GHAT ASSOCIATES, INC. conveying the following road:

CASEY COURT	375 L.F.
-------------	----------

and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Subdivision of NAURAUSHAUN BROOK filed in the Rockland County Clerk's Office on July 25, 1991, in Book No. 113 at Page 3 as Map No. 6571, are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Maintenance Bond No. 40450, dated December 22, 1993, GHAT ASSOCIATES, INC. as Principal, and New York Surety as Surety, guaranteeing the road and improvements for a period of one year, is hereby accepted, and be it

FURTHER RESOLVED, that Performance Bond secured by a passbook in the sum of \$12,000.00 furnished to the Town in

Continued on Next Page

TBM - 1/25/94
Page 16

RESOLUTION NO. (102-1994) Continued

connection with final approval of the aforesaid subdivision is terminated and the passbook may be released to the guarantor.

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. (103-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, VIP ASSOCIATES v. The ASSESSOR of the TOWN OF CLARKSTOWN, The BOARD OF ASSESSMENT REVIEW of the TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN, Index Nos. 6702/91, 6100/92 and 4357/93 affecting parcels designated as Map 163, Block D, Lots 38.1/01, 39 and 40 for the years 1991, 1992 and 1993, 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:

<u>DESCRIPTION</u>	<u>YEAR</u>	<u>OLD ASSESSMENT</u>	<u>NEW ASSESSMENT</u>
163-D-38.1/01	1991	\$1,174,000	\$1,056,600
163-D-39	1991	110,600	no change
163-D-40	1991	244,100	no change
163-D-38.1/01	1992	1,174,000	704,400
163-D-39	1992	110,600	no change
163-D-40	1992	244,100	no change
163-D-38.1/01	1993	1,174,000	704,400
163-D-39	1993	110,600	no change
163-D-40	1994	244,100	no change

That reimbursement for the years 1991, 1992, and 1993 be made within 60 days through the office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged, and

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 East Ramapo 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 to effectuate such settlement.

Continued on Next Page

RESOLUTION NO. (103-1994) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (104-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DELLWOOD COUNTRY CLUB, INC. v. TOWN OF CLARKSTOWN AND NICHOLAS LONGO, Assessor, Index Nos. 3448/89, 3895/90, 5004/91, 4220/92 and 4964/93 affecting parcels designated as Map 42, Block A, Lot 1 and Map 61, Block A, Lot 1 for the years 1989, 1990, 1991, 1992 and 1993, 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:

<u>DESCRIPTION</u>	<u>YEAR</u>	<u>OLD ASSESSMENT</u>	<u>NEW ASSESSMENT</u>
42-A-1	1989	\$ 575,100	\$ 517,590
61-A-1	1989	3,334,700	3,001,230
42-A-1	1990	575,100	460,080
61-A-1	1990	3,334,700	2,667,760
42-A-1	1991	575,100	448,578
61-A-1	1991	3,334,700	2,601,066
42-A-1	1992	575,100	448,578
61-A-1	1992	3,334,700	2,601,066
42-A-1	1993	575,100	448,578
61-A-1	1993	3,334,700	2,601,066

That reimbursement for the years 1989, 1990, 1991, 1992 and 1993 be made within 90 days through the office of the Commissioner of Finance. If payment is made within 90 days, no interest will be charged, and

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 to effectuate such settlement.

On roll call the vote was as follows:

Continued on Next Page

TBM - 1/25/94
Page 18

RESOLUTION NO. (104-1994) Continued

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

RESOLUTION NO. (105-1994)

Co. Smith offered and Co. Maloney seconded

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

BID #12-1994
CRUSHED STONE

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 February 9, 1994 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. (106-1994)

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

BID #13-1994
BITUMINOUS CONCRETE

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 February 10, 1994 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

TBM - 1/25/94
Page 19

RESOLUTION NO. (107-1994)

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

BID #14-1994
FIRST AID 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 February 18, 1994 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. (108-1994)

Co. Smith offered and Co. Maloney seconded

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

BID #15-1994
HIGHWAY SIGNING AND ROAD
MAINTENANCE 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 February 23, 1994 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. (109-1994)

Co. Smith offered and Co. Maloney seconded

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

BID #16-1994
STORAGE AND DELIVERY OF
TOWN VOTING MACHINES

Continued on Next Page

TBM - 1/25/94
Page 20

RESOLUTION NO. (109-1994) 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 March 1, 1994 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. (110-1994)

Co. Smith offered and Co. Maloney seconded

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

BID #17-1994
FURNITURE FOR NEW
POLICE/COURT FACILITY

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on February 28, 1994 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and 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. (111-1994)

Co. Smith offered and Co. Maloney seconded

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

BID #4-1994
PAPER AND PLASTIC SUPPLIES

is hereby awarded to:

BURKE SUPPLY CO.
BUILDING 293
BROOKLYN NAVY YARD
BROOKLYN, NY 11205
PRINCIPALS: PHIL BURKE, NORMAN
BURKE, HERB BURKE, CYRUS J.
ARNOLD

CALICO INDUSTRIES
501 MAIN STREET
MONROE, CT 06468
PRINCIPALS: MALCOLM & FRANK
JARET

TBM - 1/25/94
Page 21

RESOLUTION NO. (111-1994) Continued

CENTRAL POLY CORP.
PO BOX 4097
LINDEN, NJ 07036
PRINCIPALS: ANDREW HOFFER,
AGNES SERHOFFER

E. A. MORSE & CO.
PO BOX 728
MIDDLETOWN, NY 10940
PRINCIPALS: WINIFRED V. MORSE,
EMERSON A. MORSE II, JOHANNF
MORSE CORTRIGHT

PHOENIX PAPER SUPPLY
27 N. MADISON AVENUE
SPRING VALLEY, NY 10977
PRINCIPAL: PHILIP SCHWARTZ

STRAUSS PAPER COMPANY
10 SLATER STREET
PORT CHESTER, NY 10573
PRINCIPALS: JOYCE STRAUSS
JONAP, RUTH F. STRAUSS,
ROBERT P. JONAP, STEWART
J. STRAUSS

as per the attached item/price list

(Item/price list 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. (112-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks and the Director of Purchasing that

BID #10-1994
FIREWORKS DISPLAY

is hereby awarded to

ZAMBELLI INTERNATIONALE
FIREWORKS MFG. CO., INC.
P.O. BOX 1463
NEW CASTLE, PA 16103-1463
PRINCIPALS: GEORGE R. ZAMBELLI
CONSTANCE J. ZAMBELLI

as per their low bid proposal of \$3,750.00, and be it

FURTHER RESOLVED, that said award is subject to a review and approval of submitted Certificates of Insurance by the Town's insurance broker.

Councilman Dusanenko said he and others have noticed that the firework show seems to get shorter and shorter each year. Is there any time involved in awarding that bid tonight? Supervisor asked Mr. Connington, Superintendent of Recreation and Parks what the length of the program was? Mr. Connington said it was twenty minutes. Supervisor asked could we make it longer? Mr. Connington said we would have to spend more money. Supervisor asked that it be checked and perhaps we could go out to bid again. Councilman Dusanenko asked that

Continued on Next Page

TBM - 1/25/94
Page 22

RESOLUTION NO. (113-1994)

other communities be checked to see what they are getting. Supervisor asked Mr. Connington to check tomorrow with Purchasing to see what has to be done.

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. (113-1994)

RESOLVED, that based upon the recommendation of the Chief of Police, Ram Communication Consultants and the Director of Purchasing that

BID #59-1993
VOICE AND DATA CABLING FOR
NEW POLICE/COURT FACILITY

is hereby awarded to

NYNEX MERIDIAN SYSTEMS
1055 WASHINGTON BLVD
STAMFORD CT 06901
A PUBLIC CORPORATION

as per their total low bid proposal of \$83,573.00, and be it

FURTHER RESOLVED, that said award is subject to the receipt of a Performance Bond and a Labor and Material Payment Bond each in the amount of 100% of award.

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. (114-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, this nation owes a great deal of debt to the men and women who served in the armed forces during times of conflict and war; and

WHEREAS, there are more than 1.9 million of these aging veterans in New York State in need of a facility to provide nursing care; and

WHEREAS, the Westchester County Veterans Advisory Board recently collected 13,000 signatures throughout the Mid-Hudson Valley region urging the State delegation to approve the construction of a Veterans Nursing Home in Montrose, New York; and

Continued on Next Page

TBM - 1/25/94
Page 23

RESOLUTION NO. (114-1994) Continued

WHEREAS, the Mid-Hudson area is the only section of New York State that is lacking such a facility; and

WHEREAS, the V.A. Hospital Montrose, as a site for a State Veterans Home, is geographically in the center of our medical district, is easily accessible to New York City and Long Island, and is a short distance from other medical facilities which could provide major medical and other supportive care; and

WHEREAS, more than eleven acres bordered by Route 9 and the Hudson River are currently available for development; and

WHEREAS, the cost of such a facility would be minimal considering the Federal Government would fund 65% of the construction and land acquisition costs with the State absorbing the remaining 35% and the Federal government paying a per diem per veteran cost for services through pension and social security allocations;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown supports the efforts of the Westchester County Veterans Advisory Board and urges the State delegation to approve the construction of a Veterans Nursing Home in Montrose, New York; and be it

FURTHER RESOLVED, that the Town Clerk send a certified copy of this resolution to the Hon. Mario Cuomo, Governor of the State of New York; Hon. Alexander J. Gromack, Hon. Sam Colman, Hon. Nancy Calhoun, New York State Assemblypersons; Hon. Joseph R. Holland, New York State Senator; Hon. Donald Tocci, Chair, New York State Assembly, Veterans Standing Committee; Hon. John A. DeFrancisco, Chair, New York State Senate Standing Committee on Veterans; and to such other persons as the Town Clerk in her discretion may deem appropriate.

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. (115-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 60-1994, adopted on January 11, 1994 by the Town Board of the Town of Clarkstown, is hereby amended as follows:

WHEREAS, the Town of Clarkstown is conveying title to the commuter parking lot area at Kemmer Lane, Nanuet, New York, to Alfred T. Rossi, pursuant to the terms of the contract of sale, and

WHEREAS, it has been proposed that the Town can continue to use said property under an agreement from the new owner without charge, and

Continued on Next Page

TBM - 1/25/94
Page 24

RESOLUTION NO. (115-1994) Continued

WHEREAS, the Town Board believes it is in the best interest of the Town that an agreement be executed;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with Alfred T. Rossi, for the continued use of the Kemmer Lane property as a commuter parking lot at no cost to the Town, and be it

FURTHER RESOLVED, the the commuter parking lot located at Kemmer Lane shall remain open for commuter parking for at least one (1) year after January 31, 1994, and be it

FURTHER RESOLVED, that the Red and Tan Lines may continue to provide bus service from the Kemmer Lane commuter parking lot, and be it

FURTHER RESOLVED, that the Red and Tan Lines may commence providing bus service at the commuter parking lot located at Fisher Avenue, Nanuet, 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. (116-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on April 28, 1992, on its own motion, provided for a public hearing on May 26, 1992, at 8:50 P.M. to consider amendment of the Zoning Ordinance of the Town of Clarkstown by redistricting the property owned by Bradco Realty Corp. from an LIO District to an MF-2 District or RG-2 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 165, Block A, Lot 3.02, 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, acting as staff to the Town Board as lead agency, dated January 19, 1994, the Town Board hereby determines that the change of zone shall not have any significant impact on the

Continued on Next Page

TBM - 1/25/94
Page 25

RESOLUTION NO. (116-1994) Continued

environment and no further processing pursuant to the State Environmental Quality Review Act (SEORA) is required, and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting property owned by Bradco Realty Corp. from an LIO District to an MF-2 District, which property is designated on the Clarkstown Tax Map as Map 165, Block A, Lot 3.02, subject to the following conditions:

1. Applicant shall obtain and construct sole access to New Clarkstown Road.
2. No access shall be permitted to Pascack Road.
3. Public sewers and water shall be provided, as required in the MF-2 Zoning District.

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.

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. (117-1994)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than a majority of all members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, hereby authorizes the issuance of Budget Notes (the "Notes") of the Town, including renewals thereof, in the principal amount of not to exceed \$500,000.00 for the specific object or purpose of providing funds to meet expenditures for which insufficient provision has been made in the Town's 1994 Annual Budget, to wit: expenditures associated with the spreading of salt and sand and the removal of ice and snow on Town thoroughfares resulting from the unanticipated frequency of inclement weather conditions during the current winter season. Said Notes shall be issued pursuant to Section 29.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York ("Law").

Section 2. The following matters are hereby determined and declared:

- (a) The amount of Notes to be issued pursuant

Continued on Next Page

TBM - 1/25/94
Page 26

RESOLUTION NO. (117-1994) Continued

hereto will not be in excess of the limitations prescribed in the Law.

(b) There are no other funds currently budgeted and available to pay or provide for the object or purpose set forth in Section 1. hereof.

(c) Said Notes shall mature within one year from their date of issuance and may be renewed from time to time but said Notes, including the renewals thereof, shall mature not later than the close of the fiscal year succeeding the fiscal year in which such Notes are issued.

(d) The proceeds of the Notes herein authorized may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose of which said Notes are authorized. The foregoing statement is made in conformity with Treasury Regulation section 1.103-18 of the United States Treasury Department.

Section 3. The Notes herein authorized and any notes issued in renewal thereof shall contain the recital of validity prescribed by Section 52.00 of the Law, and shall be general obligations of the Town and the faith and credit of the Town are irrevocably pledged to the punctual payment of the principal of and interest on said Notes, and unless said Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the Town and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and of the Law, and pursuant to Section 30.00, and Sections 50.00, 56.00 and 60.00 of the Law, the powers to authorize and to prescribe the terms, form and contents and as to the sale and issuance of any such Notes and the renewals of the Notes authorized by this resolution, are hereby delegated to the Supervisor as the chief fiscal officer of the Town.

Section 5. Each of the Notes herein authorized shall be executed in the name of the Town by its Supervisor and the corporate seal of the Town shall be affixed thereon and attested by its Town Clerk.

Section 6. This resolution shall take effect immediately.

Mr. Duer, Town Comptroller, said basically, to date, based on having four snow storms in the month of January we have incurred approximately \$225,000.00 worth of overtime. The comparable number last year was about \$5,000.00. We wound up 1993 with approximately \$300,000.00 in the overtime and that was substantially due to the storms that we had in the month of March, 1993, if you recall where there was some federal disaster funds available to us. At this particular time, our budget had approximately \$130,000.00 just for overtime and we are at the \$225,000.00 level. If we go with the budget notes we will be bringing up the overtime. We've had extensive use of salt and have used up our inventory there. We have dipped into amounts that we have budgeted in 1994. For example, we budgeted 5,100 tons of salt in the \$170,000.00 that we budgeted

Continued on Next Page

RESOLUTION NO. (117-1994) Continued

and we have used up approximately 1,800 tons of that 5,100 ton budget. In addition, we used up the inventory that we had at the beginning of the year. Basically, we need additional salt to replenish us back to the 4,500 ton level. We need certain funds to cover overexpenditures of overtime at this point. We need certain contingencies for the balance of the year. He said \$500,000.00 that we have in this particular budget note is a reasonable number at this time. Councilman Dusanenko asked how much do we have in contingency now? Mr. Duer said if we apply the full contingency to the overtime line - right now we have \$225,000.00 in total overtime. Last year we only had \$5,000.00 expended at this time of the year and wound up at \$300,000.00. Depending on which way the rest of the year goes we could incur another \$300,000.00. Predominantly the contingency we have placed is about \$115,000.00 for additional overtime.

Supervisor said it is like a crap shoot. Some years you win. Some years you lose. Maybe it won't snow from now until next New Year. Mr. Duer said basically, we are looking at \$500,000.00 which doesn't mean we have to go out and secure the full \$500,000.00 but at least we would have the authority to go and do that. Right now, the budget is overextended. Councilman Dusanenko asked how much do we have in fund balance in that account? Mr. Duer said the fund balance we estimate at the end of 1993 to probably be in the neighborhood of \$30,000.00 or \$40,000.00. We are talking about the DA fund here. These numbers are not final because we are going to go through a year end audit. Councilman Dusanenko said this will automatically have to be attributable to the 1995 collection of taxes, is that right? Mr. Duer said once we go out and secure the funds it would go into the 1995 because it would have to be repaid in 1995. Councilman Dusanenko said would that be in full? Mr. Duer said his understanding is that is correct. Councilman Mandia said then it is now a long term debt to pay for the salt? Mr. Duer said if we borrow the funds we would have to repay it in 1995. Supervisor said we are only going to use what we need. If we don't need it we won't borrow it.

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. (118-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, pursuant to Chapter 62 of the New York Laws of 1989, the State of New York (the "State") amended certain statutes concerning the payment of employer contributions to retirement systems, which resulted in the creation of liabilities for the Town of Clarkstown, in the County of Rockland, New York (the "Town"), in the amount of \$1,255,059.00 with respect to the New York State and local Employee's Retirement System and \$1,291,041.00 with respect to the New York State and local Police and Fire Retirement Systems, aggregating \$2,546,100.00; and

Continued on Next Page

TBM - 1/25/94
Page 28

RESOLUTION NO. (118-1994) Continued

WHEREAS, the State has permitted the Town to amortize such liability over a seventeen (17) year period commencing in the year 1989 at the interest rate of eight and three-quarters per centum (8.75%) per annum, and since 1989 such aggregate liability of \$2,546,100.00 has been reduced to \$1,975,000.00; and

WHEREAS, the Town Board of the Town has determined that as a result of the general decline in interest rates it may now be able to obtain financing at an interest rate which is less than eight and three-quarters per centum (8.75%) per annum, and on terms beneficial to the Town; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to authorize the financing of such \$1,975,000.00 liability;

NOW, THEREFORE,

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to finance the Town's \$1,975,000.00 aggregate unpaid liability to the New York State and local Employees' Retirement System and the New York State and local Police and Fire Retirement System. The total amount of said unpaid liability is \$1,975,000.00, and such amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,975,000.00 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$1,975,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared.

(a) The period of probable usefulness of the object or purpose described herein, for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 (a) 85 of the Law, is the period of time remaining for the amortization of the amount due under Section 17-a and 317-a of the Retirement and Social Security Law, and, accordingly, the bonds herein authorized shall mature not later than December 15, 2005.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Continued on Next Page

RESOLUTION NO. (118-1994) Continued

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

On roll call the vote was as follows:

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

TBM - 1/25/94
Page 30

RESOLUTION NO. (119-1994)

Co. Dusanenko offered and Co. Maloney seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Clarkstown shall, within ten (10) days after the adoption of this resolution cause to be published, in full, in the "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on January 25, 1994, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted January 25, 1994, authorizing the issuance of \$1,975,000.00 serial bonds of said Town to finance the Town's outstanding liability for retirement contributions to the State of New York,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to finance its \$1,975,000.00 aggregate unpaid liability to the New York State and local Employees' Retirement System and the New York State and local Police and Fire Retirement System; APPROPRIATING \$1,975,000.00 for said financing; STATING the plan of financing includes the issuance of \$1,975,000.00 serial bonds of the Town, and levy and collection of taxes upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND, AUTHORIZING the issuance of \$1,975,000.00 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is the period of time remaining for amortization of the amounts due, and, accordingly the bonds shall mature not later than December 15, 2005; the proceeds of the bonds may be used to reimburse the Town for expenditures made after the effective date hereof for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,975,000.00 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

Continued on Next Page

TBM - 1/25/94
Page 31

RESOLUTION NO. (119-1994) Continued

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum

DATED: January 25, 1994

Patricia Sheridan
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 thereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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. (120-1994)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, is hereby authorized to make an emergency purchase of one Truck-Mounted Material Spreader (sand/salt) for Highway Truck #51, at an estimated cost of \$7,200.00.

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. (121-1994)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, the New York State Thruway is proposing continued payment of tolls at Spring Valley, New York, and

WHEREAS, the members of the Town Board of the Town of Clarkstown believe that there should be no toll collected at Spring Valley because a disproportionate share of total Thruway revenue is collected from this part of the State, and

WHEREAS, the removal of the toll at the Spring Valley location would benefit the area by resulting in some traffic being taken off local roads;

NOW, THEREFORE, be it

Continued on Next Page

TBM - 1/25/94
Page 32

RESOLUTION NO. (121-1994) Continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby memorializes State representatives that the toll booths at Spring Valley, New York, should be eliminated and there should be no tolls charged at that location, and be it

FURTHER RESOLVED, that the Town Clerk shall forward a copy of this Resolution to Senator Joseph Holland and Assemblyman Alex Gromack.

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. (122-1994)

Supv. Holbrook offered and all Town Board Members seconded

WHEREAS, due to the severity of the winter storms which have buffeted our area, the Highway Department personnel, the Police Department personnel, the Fire Departments' personnel, the Ambulance Districts' personnel and the Paramedics have rendered their usual excellent service to the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby acknowledges their contributions to the health, safety and welfare of all the residents of Clarkstown and commend them all for their efforts on our behalf.

Councilman Dusanenko said when somebody doesn't do a job, that's one thing, but when somebody does a good job you want to compliment them. He asked the Superintendent of Highways if it was so that when the temperature is less than 23 degrees salt is really not as effective? When we had those subzero temperatures you could put six inches of salt there and it wouldn't do any good at all. The public should understand that. Supervisor said it is a tough situation. Councilman Dusanenko said if you don't move it when it's wet you can't move it when it freezes below 20 degrees.

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 Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the public hearing re: Community Development Citizen Viewpoint, was opened, time: 8:45 P.M.

Continued on Next Page

TBM - 1/25/94
Page 33

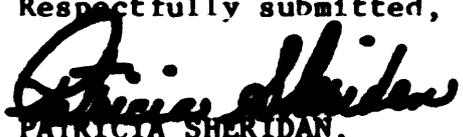
RESOLUTION NO. (122-1994) Continued

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Community Development Citizen Viewpoint, was closed, time: 8:48 P.M.

On motion of Councilman Dusanenko, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Abandonment of a Portion of Unnamed Street between Congers Road and Snedecker Road, Congers, was opened, time: 8:48 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Abandonment of a Portion of Unnamed Street between Congers Road and Snedecker Road, Congers, was closed, Certificate of Abandonment signed, time: 8:50 P.M.

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: 8:51 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/25/94

8:45 P.M.

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

RE: COMMUNITY DEVELOPMENT CITIZEN VIEWPOINT - 1994 PROGRAM

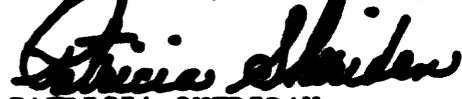
On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing noting that the County had caused the notice to be published in the newspaper.

Councilman Dusanenko asked that where possible we use the funds for projects within the Town this year. Supervisor said we have a sidewalk planned for Pascack Road which is being surveyed right now. Councilman Dusanenko said and whatever else meets the criteria.

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

There being no one wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, time: 8:48 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/25/94

8:48 P.M.

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

RE: ABANDONMENT OF PORTION OF UNNAMED STREET BETWEEN CONGERS ROAD AND SNEDECKER ROAD, CONGERS

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

Town Attorney stated that the Rockland County Planning Board approves. SEORA shows no environmental impact. The Clarkstown Planning Board approves with their recommendation that:

"As per original recommendation made March 17, 1993 to the Honorable Town Board, from a planning point of view, since this land abuts Spring Valley Water Company and is not required for access, the Planning Board reiterates the recommendation that the unnamed mapped street be deleted from the Official Map, and such land added to the proposed lots within SD of Waterview Estates.

"A provision shall be added that any widening required by the R.C. Highway Dept. along New City Congers Road shall be gratuitously conveyed to the County of Rockland, with appropriate documents to be provided for T.A. review and approval."

The Highway Superintendent and the Director of Environmental Control note that there is a sewer line of the Rockland County Sewer District No. 1 that if it is approved there be a condition upon the granting of an easement to Rockland County Sewer District No. 1 for said sewer line. Supervisor said the sewer line is already in.

Supervisor asked if there was anyone wishing to speak relative to this matter.

Appearance: Joseph Deutsch, Esq.
Attorney for Petitioner

Mr. Deutsch said the conditions are acceptable and he is speaking in favor of the granting of this application as recommended by the Planning Board. This would allow for greater flexibility.

Supervisor said this is a street that is part of the Dan Snedecker Tract that was laid out in 1895 leading to nowhere. We do not know who owns it and the Town is just taking it off the Official Map.

There being no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was closed, CERTIFICATE OF ABANDONMENT signed, time: 8:50 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk