

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/22/94

8:00 P.M.

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

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

Supervisor Holbrook stated that the Hutton Public Hearing will not be held tonight due to a defective notice in the Journal News. It will be readvertise and the Public Hearing will be held two weeks hence.

Supervisor opened the public portion of the meeting.

Appearance: Mr. Jack Cuff
West Nyack, NY

Mr. Cuff asked about the status of Item 2 on the agenda (water extension district for Mallard Dr., Madarin La., Cardinal Court, Pheasant Dr. and a portion of Parrot Rd. in West Nyack.)..

Appearance: Stan Markowitz
Nanuet, NY

Mr. Markowitz has a business in Nanuet and he spoke regarding the new Police/Court building. He asked if the bids went out for the carpet job? Mr. Markowitz stated that he has been in the County and in business for thirty years and he did not receive any notice. The carpet job was done by a firm in Albany, New York. Mr. Markowitz further stated that the people in this County, who work in this County and support the County, did not have an opportunity to bid or work on this job.

Appearance: Mr. Russell Trojan
Nanuet, NY

Mr. Trojan spoke regarding the New Jersey Transit's plans for the rail yard. He also spoke about Item 6 (advertisement to encourage industrial development).

RESOLUTION NO. (197-1994)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of March 8, 1994 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

TBM - MARCH 22, 1994
Page 2

RESOLUTION NO. (198-1994)

Co. Dusanenko offered and Co. Mandia seconded

At a regular meeting of the
Town Board of the Town of
Clarkstown, in the County of
Rockland, New City, New York, in
said Town of Clarkstown, on the
22nd day of March, 1994

PRESENT:	Charles E. Holbrook,	Supervisor
	John R. Maloney,	Councilman
	Ann Marie Smith,	Councilwoman
	Ralph F. Mandia,	Councilman
	Theodore R. Dusanenko,	Councilman

-----X

In the Matter of
Extension of the Clarkstown Consolidated
Water Supply District #1 to include:
the Area of Pheasant Drive, Cardinal
Court, Mallard Drive and Mandarin Place,
West Nyack, New York

ORDER CALLING FOR
A CONTINUATION OF
A PUBLIC HEARING

-----X

WHEREAS, the Town Board of the Town of Clarkstown, County of Rockland, New York, has theretofore duly caused the Department of Environmental Control, to prepare a general map, plan and report, which map, plan and report has been duly filed in the Office of the Town Clerk of said Town and is available for public inspection, and

WHEREAS, said Town Board has determined to proceed with the extension of said water supply district, and

WHEREAS, said proposed extension of the Clarkstown Consolidated Water Supply District No. 1 is more particularly described in Schedule "A", attached hereto and made a part hereof, and

WHEREAS, the maximum amount proposed to be expended for supplying fire hydrant services is \$39,000.00, which amount shall be raised by taxation in the proposed extension of said district pursuant to Town Law, and

WHEREAS, a public hearing was held on September 14, 1993, at which time the Town Board convened the meeting, discussed the matter and adjourned the hearing without date, and

WHEREAS, the Town Board has decided to reconvene the public hearing on April 12, 1994, at 8:35 P.M.;

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of said Town of Clarkstown be held at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 12, 1994, at 8:35 P.M., to consider the proposed extension of said Clarkstown Consolidated Water Supply District No. 1 as herein referred to, and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation thereto as may be required by law, and be it

FURTHER RESOLVED, that the Town Clerk publish at least once in the Rockland Journal News, the official newspaper of said Town, and post on the sign board of said Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law, and

Continued on Next Page

TBM - 3/22/94
Page 3

RESOLUTION NO. (198-1994) Continued

conspicuously in at least five public places within said proposed Clarkstown Consolidated Water Supply District No. 1, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten or more than twenty days before the day designated herein for said public hearing as aforesaid.

TOWN BOARD, TOWN OF CLARKSTOWN

/s/
Charles E. Holbrook, Supervisor
/s/
John R. Maloney, Councilman
/s/
Ann Marie Smith, Councilwoman
/s/
Ralph F. Mandia, Councilman
/s/
Theodore R. Dusanenko, Councilman

(Schedule "A" on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (199-1994)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Resolution No. 175-1994, adopted by the Town Board on February 22, 1994, is hereby amended by changing the date of the Public Hearing as follows:

WHEREAS, the Town Board, on its own motion, recommends that the Zoning Ordinance of the Town be amended by redistricting of property designated on the Clarkstown Tax Map as Map 163, Block A, Lots 4, 10, 11.1, 11.3, 11.4, and that portion of Lot 11 that is zoned R-15, from an R-10/R-15 District to an RS District;

NOW, THEREFORE, be it

RESOLVED, that a Public Hearing pursuant to Sections 264 and 265 of the Town Law shall be held at the auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown on April 12, 1994, at 8:40 P.M., relative to the proposed amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the Office of 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

TBM - 3/22/94
Page 4

RESOLUTION NO. (200-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, ABE OSTER 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. 6699/91, 5819/92 and 4351/93, affecting parcel designated as Map 89, Block A, Lot 16 for the years 1991/92, 1992/93 and 1993/94, and

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

1. That the premises owned by the petitioner described on the assessment roll as Map 89, Block A, Lot 16 be reduced for the year 1993/94 from \$1,515,100.00 to \$1,127,000.00;

2. That the proceedings commenced by the petitioner respecting Map 89, Block A, Lot 16 be discontinued for the years 1991/92 and 1992/93;

3. That reimbursement for the year 1993/94 on the parcel designated as Map 89, Block A, Lot 16 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

4. 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.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (201-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, BRADLEY INDUSTRIAL PARK v. The Assessor of the Town of Clarkstown, New York, the Board of Assessment Review of the Town of Clarkstown, New York and the Town of Clarkstown, New York, Index Nos. 196/93 and 5264/93 affecting parcels designated as Map 88, Block A, Lots 11, 12 and 16, and

WHEREAS, the attorney for the petitioner has

Continued on Next Page

RESOLUTION NO. (201-1994) Continued

proposed to settle the proceedings and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioner described on the assessment roll as Map 88, Block A, Lot 11 be reduced for the assessment years 1992 and 1993 from \$93,500 to \$70,100;
2. That the premises owned by the petitioner described on the assessment roll as Map 88, Block A, Lot 12 be reduced for the assessment years 1992 and 1993 from \$240,800 to \$180,600;
3. That the premises owned by the petitioner described on the assessment roll as Map 88, Block A, Lot 16 be reduced for the assessment years 1992 and 1993 from \$380,000 to \$200,000;
4. That reimbursement for the years 1992 and 1993 on the parcels described as Map 88, Block A, Lots 11, 12 and 16 be made within 90 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged, and
5. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid, and such settlement is recommended by the Assessor of the Town of Clarkstown.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (202-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, SONNY PROPERTIES, INC. 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. 6695/91, 5820/92 and 4354/93, affecting parcel designated as Map 6, Block B, Lot 14 for the years 1991/92, 1992/93 and 1993/94, 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:

Continued on Next Page

TBM - 3/22/94
Page 6

RESOLUTION NO. (202-1994) Continued

1. That the premises owned by the petitioner described on the assessment roll as Map 6, Block B, Lot 14 be reduced for the year 1993/94 from \$882,600 to \$708,400;

2. That the proceedings commenced by the petitioner respecting Map 6, Block B, Lot 14 be discontinued for the years 1991/92 and 1992/93;

3. That reimbursement for the year 1993/94 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

4. 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.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (203-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, various appropriation accounts require additional funding, and be it

THEREFORE RESOLVED, to increase Estimate Revenue Account No. A 01 13 5710 (General Fund-Serial Bonds) and Appropriation Account No. A 9710 620 (Principal-Serial Bonds) by \$850,000.00.

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. (204-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, various funds require additional funding as of December 31, 1993, and be it

Continued on Next Page

RESOLUTION NO. (204-1994) Continued

THEREFORE RESOLVED, to transfer \$135,000.00 from B
02 14 2999 0 (Town Outside Village-Unexpended Balance) to the
following Revenue Account Numbers:

DB	041	14	2999	0.....	\$25,000.00
SL	09	14	2999	0.....	70,000.00
SS	06	14	2999	0.....	40,000.00

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. (205-1994)

Co. Maloney offered and Co. Mandia seconde

WHEREAS, HENRY RENELLA and MARY RENELLA have
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 petitioners, from an R-80
District to an R-40 District, and

WHEREAS, said property is designated on the
Clarkstown Tax Map as Map 81, Block B, Lot 6;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections
264 and 265 of the Town Law be held at the Auditorium of the
Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New
City, Rockland County, New York, in the Town of Clarkstown, on
April 26, 1994, at 8:35 P.M., relative to the proposed
amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare
notice of such statutory hearing and that the Town Clerk cause
the same to be published in the official newspaper of the Town
as aforesaid and file proof thereof in the Office of 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. (206-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the
placement of an advertisement in the Commerce and Industry
edition of the Courier newspaper.

On roll call the vote was as follows:

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

TBM - 3/22/94
Page 8

RESOLUTION NO. (207-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Historical Society of Rockland County is holding its second annual Historic Preservation Merit Awards Program. The awards will be presented in recognition of outstanding historic preservation efforts in Rockland County, and

WHEREAS, the Town Board of the Town of Clarkstown believes that the 1994 Historic Preservation Merit Awards Program is a worthy cause;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the expenditure of \$1,000.00 to cover the partial sponsorship of the 1994 Historic Preservation Merit Awards Program by the Historical Society of Rockland County, and be it

FURTHER RESOLVED, that the fee for such program shall be charged to Account No. A-7520-419.

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. (208-1994)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that the Town Board, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 1994 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for percentages and proportions are attached.

(Figures for percentages 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. (209-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #19-1994
REFUSE PICK-UP SERVICE
(TOWN FACILITIES)

TBM - 3/22/94
Page 9

RESOLUTION NO. (209-1994) Continued

is hereby awarded to:

PAT NAZZARO DISPOSAL, INC.
P.O. BOX 481
VALLEY COTTAGE, NY 10989
PRINCIPAL: PAT NAZZARO

as per the attached item/price schedule.

(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. (210-1994)

Co. Duanenko offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the
Director of DEC THAT

BID #27-1993
SQUADRON BLVD. ROAD AND DRAINAGE PROJECT

is hereby awarded to

CALMART CONSTRUCTION CORP.
357A Route 59
West Nyack, NY 10994
PRINCIPALS: CARL V. WORTENDYKE
MARTIN C. WORTENDYKE
PETER T. WORTENDYKE

as their low bid proposal of \$1,116,710.45, and be it

FURTHER RESOLVED, that said award is subject to the
receipt of an executed contract as prepared by the Town Attorney
along with the required Performance and Labor/Material Payment
Bond.

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. (211-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that John F. Mauro, Superintendent of
Highways and Charles T. Burgio, Highway Maintenance Supervisor
III, are hereby authorized to attend the 1994 Highway School to
be held at Cornell University, Ithaca, New York on June 5, 6, 7
and 8, 1994, and be it,

Continued on Next Page

TBM - 3/22/94
Page 10

RESOLUTION NO. (211-1994) Continued

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

RESOLUTION NO. (212-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes Philip B. Fogel, First Deputy Town Attorney, to attend the annual "Cornell Seminar" which includes a review course on income property appraisals. The seminar is being sponsored by New York State Assessors' Association, and shall be held from July 17, 1994 through July 22, 1994, at Ithaca, New York, and be it

FURHTHER RESOLVED, that the fee for such seminar shall be charged to Account No. A-1010-414.

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. (213-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the NYS Government Finance Officers' Association is sponsoring a conference in Albany, NY on March 23-25, 1994, and be it

THEREFORE RESOLVED, that Edward J. Duer, Comptroller attend said conference and all necessary charges to be charged to Approrpiation Account No. A 1010 414 (Conferences & Schools).

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. (214-1994)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Marianne Kilduff, 26 Simkin Drive, New City, New York, is hereby appointed to the position of (part-time) Bus Driver - Mini Trans Department - at the current 1994 hourly rate of \$12.66 - effective March 23, 1994.

Continued on Next Page

TBM - 3/22/94
Page 11

RESOLUTION NO. (214-1994) 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. (215-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation of Anne Wallack-Feo, 10 Forest Avenue, Nanuet, New York - Secretary (part-time) Sanitation Commission - is hereby accepted - effective and retroactive to March 5, 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. (216-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Stanley Lewis, 286-B Browns Road, Walden, New York - Dump Attendant - Solid Waste Facility - is hereby accepted - with regret - effective and retroactive to March 12, 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. (217-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Sheila Deutsch, 9 Pelham Avenue, Nanuet, New York, is hereby reappointed to the position of Member - Traffic and Traffic Safety Advisory Board - at the current annual salary of \$1,210.00, term effective April 1, 1994 and to expire on March 31, 1999.

On roll call the vote was as follows:

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

TBM - 3/22/94
Page 12

RESOLUTION NO. (218-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Salary Schedule for all Town Officials and Employees, adopted January 5, 1994, is hereby amended to fix 1994 salaries for the following employees as set forth hereafter:

Marie Molinare	\$14.00 hr.	Senior Steno (p.t.)
Vincent Pizzutello	11.48 hr.	Clerk (Seasonal)
Madeline Weigold	10.75 hr.	Account Clerk (p.t.)
Nils Eckhart	20.50 hr.	Safety Coordinator (p.t.)
Christine Collin	8.77 hr.	Clerk Typist (p.t.)
Helen Kelly	9.27 hr.	Clerk Typist (p.t.)
Lisa Kloenne	18.50 hr.	Counselor (p.t.)
Arlene Teichberg	19.00 hr.	Counselor (p.t.)
Joyce Barone	13.00 hr.	Account Clerk (p.t.)

Effective and retroactive to March 21, 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. (219-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that resignation of Rukmani DeColyse, 21 Endicott Street, Congers, New York - Secretary (p.t.) Parks Board and Recreation Commission - is hereby accepted - effective April 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. (220-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Eileen C. Gray, 42 Capral Lane, New City, New York - to the position of Secretary (p.t.) - Parks Board and Recreation Commission - at the current 1994 annual salary of \$1,600.00 effective April 7, 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. (221-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that in order to facilitate the E911 emergency response system, the Town Board hereby authorizes the Superintendent of Highways to change street names of the following four properties:

40-A-63	to 5 Jill Lane, New City
40-A-63.1	to 7 Jill Lane, New City
40-A-62.11	to 1 Jill Lane, New City
40-A-64	to 9 Jill Lane, New City

and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized to install a street sign for Jill Lane, New City.

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. (222-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it is proposed to sell at the March 24, 1994 Rockland County auction the following tax parcel in the Town of Clarkstown: Map 5, Block B, Lot 6.35, and

WHEREAS, Map 5, Block B, Lot 6.35 is an historic cemetery and would be known as the Scotland Hill Burial Ground, and

WHEREAS, the obtaining of such parcel from the County of Rockland would be beneficial to the residents of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby memorializes the Rockland County Legislature as to the aforesaid parcel of land and requests that such parcel be transferred to the Town of Clarkstown at no cost to the residents of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a certified copy of this resolution be sent by the Town Clerk of the Town of Clarkstown to the Legislature of the County of Rockland and to the Commissioner of Finance of the County of Rockland.

On roll call the vote was as follows:

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

TBM - 3/22/94
Page 14

RESOLUTION NO. (223-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it is proposed to sell at the March 24, 1994 Rockland County auction the following tax parcel in the Town of Clarkstown: Map 88, Block A, Lot 28.2, and

WHEREAS, Map 88, Block A, Lot 28.2 has a sanitary sewer line crossing the northwest corner of this parcel, and

WHEREAS, the obtaining of such parcel from the County of Rockland would be beneficial to the residents of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby memorializes the Rockland County Legislature as to the aforesaid parcel of land and requests that such parcel be transferred to the Town of Clarkstown at no cost to the residents of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a certified copy of this resolution be sent by the Town Clerk of the Town of Clarkstown to the Legislature of the County of Rockland and to the Commissioner of Finance of the County of Rockland.

On roll call the vote was as follows:

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

RESOLUTION NO. (224-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, bills are presently pending in the U.S. Congress to allow the entry of telephone companies into the Cable T.V. field, and

WHEREAS, such bills make no provision for requiring the telephone companies to obtain local franchises, which franchises are required of the ordinary cable T.V. companies, and

WHEREAS, the requirement of local franchises would be in the best interests of the residents of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests Congressman Benjamin A. Gilman, Senator Daniel P. Moynihan and Senator Alfonse M. D'Amato to sponsor amendments to the bills in Congress, which amendments would require telephone companies to obtain local franchises for cable T.V. operations, and be it

FURTHER RESOLVED, that certified copies of this resolution be sent by the Town Clerk to the offices of Congressman Gilman, Senator Moynihan and Senator D'Amato.

On roll call the vote was as follows:

Continued on Next Page

TBM - 3/22/94
Page 15

RESOLUTION NO. (224-1994) Continued)

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

RESOLUTION NO. 225-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to perform corrective drainage work to alleviate flooding in the vicinity of 9 Lowerre Place, Valley Cottage

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. (226-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, Allen Benezra, et al has commenced tax certiorari proceedings against the Town of Clarkstown affecting 31 parcels in the Bridgewaters Condominiums for the years 1992/93 and 1993/94, and

WHEREAS, it is desirable to have a preliminary 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 preliminary appraisal at a fee not to exceed \$1,500.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (227-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Supervisor is hereby authorized to sign an agreement with Cornell University Office of Sponsored Programs, for a proposal entitled "Assessment of Methyl Anthranilate (ReJeX-it) for Reducing Canada Goose Use of Turf Grass Areas."

Continued on Next Page

TBM - 3/22/94
Page 16

RESOLUTION NO. (227-1994) 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. (228-1994)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Town Board Resolution Number 665 adopted November 16, 1977 regulating parking on American Legion Way, New City is hereby amended, and be it

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

<u>SIGNS</u> <u>LOCATION</u>	<u>LEGEND</u>	<u>NYS SIGN #</u>
West side American Legion Way, New City from intersection Congers Road south for a distance of 175 feet.	NO PARKING ANYTIME	P1-2

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. (229-1994)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the Rockland Business Association shall hold their annual Business to Business Trade Show from March 25, 1994 through April 25, 1994, and

WHEREAS, the Rockland Business Association has requested the Town Board of the Town of Clarkstown sponsor the hanging of two banners at the following locations: Route 304, near Albertus Magnus High School and the other at Route 59 near the Nanuet Mall;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby sponsors the erection of two banners which publicize the Rockland Business Association's annual Business to Business Trade Show, which shall be held from March 25, 1994 through April 25, 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 3/22/94
Page 17

RESOLUTION NO. (230-1994)

Co. Mandia offered and Co. Dusanenko seconded

WHEREAS, a proposed local law entitled:
"INCREASING THE SALARY OF THE TOWN CLERK AND THE
RECEIVER OF TAXES OF THE TOWN OF CLARKSTOWN"

was introduced by Councilman Mandia at a Town Board meeting held on February 22, 1994, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 22, 1994, directed that a public hearing be held on March 8, 1994, at 8:35 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on February 26, 1994, 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 January 18, 1994, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 8, 1994;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1 - 1994, entitled:

"INCREASING THE SALARY OF THE TOWN CLERK AND THE
RECEIVER OF TAXES 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:

Charles E. Holbrook, Supervisor.....	Yes
John R. Maloney, Councilman.....	Abstained
Ralph F. Mandia, Councilman.....	Yes
Ann Marie Smith, Councilwoman.....	Abstained
Theodore R. Dusanenko, Councilman..	Yes

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

At this point an Executive Session was declared at 8:15 P.M. and lasted until 8:40 P.M.

RESOLUTION NO. 231-1994

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Clarkstown and the Police Commission of the Town of Clarkstown to enter into an agreement with the Rockland County Patrolmen's Benevolent Association regarding Hearing Officers pursuant to General Municipal Law Section 207-c matters, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to February 7, 1994.

Continued on Next Page

TBM - 3/22/94
Page 18

RESOLUTION NO. (231-1994) Continued

On roll call the vote was as follows:

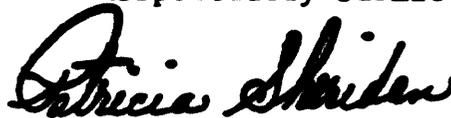
Councilman Dusanenko.....	Yes
Councilman Maloney.....	Yes
Councilman Mandia.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include Windham Park, was opened, time: 8:40 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include Windham Park, was closed, ORDER SIGNED, time: 8:42 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: 8:43 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/22/94

8:40 PM

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

RE: PROPOSED EXTENSION OF WATER DISTRICT FOR WINDHAM PARK

On motion of Councilman Maloney 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.

Supervisor asked if there was anyone present wishing to speak? 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, ORDER SIGNED, time: 8:42 PM.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk