

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/24/94

8:00 P.M.

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

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

Supervisor opened the public portion of the meeting. There was no one wishing to speak.

Supervisor announced that Jay Philip of Boy Scout Troop No. 78 had attained the rank of Eagle Scout. Jay and his parents were called to the dais to receive an award from the Town of Clarkstown. Town Board Members extended their congratulations to Jay and Mr. and Mrs. Phillip.

RESOLUTION NO. (362-1994)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board minutes of May 10, 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. (363-1994)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, "THE BANK OF NEW YORK v. FORD PRODUCTS CORPORATION, PORTOROY MESSENGER, PEARL & ASSOCIATES, KAMERLING ROOFING CO., ROCKLAND CHECK CASHING & PAYROLL SERVICES, INC., PHILIP FURGANG, PEOPLE OF THE STATE OF NEW YORK, NEW YORK STATE DEPARTMENT OF LABOR and JOHN DOE and JANE DOE, the last two names being fictitious and unknown to the plaintiff, the persons or parties intended being tenants, occupants, persons or corporations, if any, having or claiming an interest in or lien upon the premises described in the complaint;"

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that this Resolution is adopted retroactive to January 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

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RESOLUTION NO. (364-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, 303-9W CO. 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 LIO District to an MF-2 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 129, Block A, Lot 21;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 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 (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

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. (365-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, waste flow laws are beneficial in that they guaranty that solid waste is directed to an environmentally safe disposal site, and

WHEREAS, the Supreme Court has decided that, in the absence of a direction from Congress, such waste flow laws are not permissible, and

WHEREAS, it would be in the best interest of the residents of the Town of Clarkstown, and the people of the United States generally, to permit such waste flow laws;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby respectfully requests Congressman Benjamin Gilman, Senator Daniel Patrick Moynahan, and Senator Alphonse D'Amato to sponsor legislation which will provide for state and local waste flow laws, and be it

FURTHER RESOLVED, that the Town Clerk shall send a certified copy of this Resolution to the New York State Representatives mentioned.

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RESOLUTION NO. (365-1994) 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. (366-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the New City, West Nyack, Nanuet and Valley Cottage Libraries have requested a copy of the Clarkstown Town Code Book for the convenience of our residents and taxpayers,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown will provide each library with one copy of the Clarkstown Town Code Book which will be supplemented, and be it

FURTHER RESOLVED, that this copy will be provided to each library at no cost. If, however, said Clarkstown Town Code Book is lost or stolen it will be replaced at the library's expense.

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. (367-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Mayor of the Village of Spring Valley, Allan A. Thomas, Sr., has requested use of the Town of Clarkstown showmobile on Sunday, May 15, 1994, for a Parade to be held at Spring Valley, New York;

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Village of Spring Valley to use the Town of Clarkstown showmobile on Sunday, May 15, 1994, for the the purpose of a parade, subject to the provision of the necessary insurance policies, and be it

FURTHER RESOLVED, that the Town Board shall hereby waive the fee for use of the showmobile by the Village of Spring Valley.

On roll call the vote was as follows:

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

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RESOLUTION NO. (368-1994)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled WISE INVESTORS, INC. v. THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW, Index No. 4981/93 affecting parcel designated as Map 105, Block A, Lot 21 for the year 1993/94, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceeding 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 105, Block A, Lot 21 be reduced for the year 1993/94 from \$530,600 to \$480,600;
- 2. That reimbursement for the year 1993/94 on the parcel designated as Map 105, Block A, Lot 21 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 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. (369-1994)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled ASSOCIATES OF ROCKLAND COUNTY v. THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW, Index No. 4983/93 affecting parcel designated as Map 124, Block C, Lot 41.1 for the year 1993/94, and

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

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RESOLUTION NO. (369-1994) Continued

1. That the premises owned by the petitioner described on the assessment roll as Map 124, Block C, Lot 41.1 be reduced for the year 1993/94 from \$1,141,900 to \$913,520;

2. That reimbursement for the year 1993/94 on the parcel designated as Map 124, Block C, Lot 41.1 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 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. (370-1994)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled ASSOCIATES OF ROCKLAND COUNTY v. THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW, Index No. 4960/93 affecting parcel designated as Map 124, Block C, Lot 41 for the year 1993/94, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceeding 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 124, Block C, Lot 41 be reduced for the year 1993/94 from \$1,331,600 to \$1,065,280;

2. That reimbursement for the year 1993/94 on the parcel designated as Map 124, Block C, Lot 41 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.

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RESOLUTION NO. (370-1994) Continued

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. (371-1994)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled ASSOCIATES OF ROCKLAND COUNTY v. THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW, Index No. 4959/93 affecting parcels designated as Map 124, Block C, Lots 45 and 46 for the year 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 124, Block C, Lot 45 be reduced for the year 1993/94 from \$2,766,500 to \$2,213,200;
2. That the premises owned by the petitioner described on the assessment roll as Map 124, Block C, Lot 46 be reduced for the year 1993/94 from \$2,767,600 to \$2,214,400;
3. That reimbursement for the year 1993/94 on the parcels designated as Map 124, Block C, Lots 45 and 46 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

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RESOLUTION NO. (371-1994) Continued

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. (372-1994)

Co. Smith 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:

"Town Speed Limit 30 MPH" signs on South Mountain Road, New City. The first to be erected just east of Little Tor Road and the second to be erected just west of Zukor Road

and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (373-1994)

Co. Smith 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:

"Stop" sign on Chimney Ridge Road at Seven Oaks Lane, Nanuet

and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (374-1994)

Co. Smith 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 west side of Demarest Avenue, Nanuet. These signs to be erected on the entire length of Demarest Avenue

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

RESOLUTION NO. (375-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received restitution for repairs to car #211 in the amount of \$149.15 and be it

RESOLVED, to increase Estimated Revenue Account No. A 01 9 2770 (General Fund-Misc. Rev.) and Appropriation Account No. A 1640 406 (Town Garage-Repairs to Vehicle) by \$149.00

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. (376-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, various funds require additional funding and be it

THEREFORE RESOLVED, to make the following transfers:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
DB 5110 408 (Highway-Bldg.Repairs)	DB 5110 219 (Misc.Equip)	\$4,020.00
A 1430 201 (Personnel-Furniture)	A 1430 424 (Cont. Exp.)	200.00
A 1640 311 (Town Garage Gasoline)	A 1640 111 (Overtime)	2,000.00
A 1680 226 (Data Processing-Computer Software)	A 1680 313 (Office Supplies)	2,000.00
A 1680 226 " " " "	A 1680 407 (Equip. Repairs)	1,000.00

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RESOLUTION NO. (376-1994) 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. (377-1994)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Town Board resolution #251-1994 is hereby corrected to read.

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

BID #24-1994
SWIMMING POOL AND MISC. CHEMICALS

is hereby awarded to:

JONES CHEMICALS
P.O. BOX 280, RIVER ROAD
WARWICK, N.Y. 10990
PRINCIPAL: JOHN WILEY JONES ESTATE

JERSEY CHEMICALS INC.
775 RIVER STREET
PATERSON, N.J. 07524
PRINCIPAL: ALAN TAUB

ZEP MFG. COMPANY
P.O. BOX 299
SPRINGFIELD, N.J. 07081
PRINCIPAL: PUBLIC CORPORATION

UNIVERSAL CHEMICALS
100 HACKENSACK AVE.
SO. KEARNY, N.J. 07032
PRINCIPALS: ANDREW EPSTEIN,
DONALD EPSTEIN, LAWRENCE
EPSTEIN, MARK EPSTEIN, STEVEN
EPSTEIN, ABBY JARETT, ELAINE
KAPLAN

as per the attached item/price schedule

(Price schedule 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. (378-1994)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that Resolution No. 345-1994, adopted by the Town Board on May 10, 1994, is hereby amended to read as follows:

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a public hearing pursuant to the Eminent Domain Procedure Law to consider the proposed acquisition by condemnation of property, for municipal purposes, which is

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RESOLUTION NO. (378-1994) Continued

located on the south side of Congers Lake, Congers, New York, and which premises are more particularly described on Schedule "A," and together with a temporary construction easement more particularly described on Schedule "B" annexed hereto, which public hearing shall be held on June 14, 1994, at 8:35 P.M., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to prepare and serve notice of such statutory hearing and that the Town Clerk cause the same to be published on at least five consecutive days 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. (379-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the presence of "drop boxes" placed within Town owned and/or operated commuter parking lots severely restricts the Town's ability to mow grass, maintain drainage courses, and perform snow and ice control operations, and in addition, reduces the number of parking spaces available to commuters,

NOW, THEREFORE, be it

RESOLVED, that Patricia A. Betz, Utility Services Coordinator, is hereby directed to contact all agencies placing such "drop boxes" within the Town's commuter parking lots and arrange for the removal by such responsible agencies.

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. (380-1994)

Co. Mandia offered and Co. Maloney 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.,

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RESOLUTION NO. (380-1994) Continued

45 Fernwood Drive, New City, New York, to the (Permanent) position of Police Officer - at the current 1994 annual salary of \$38,141.00, effective and retroactive to May 9, 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. (381-1994)

Co. Mandia offered and Co. Maloney 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, #5B, Nanuet, New York, to the (Permanent) position of Police Officer - at the current 1994 annual salary of \$38,141.00, effective and retroactive to May 9, 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. (382-1994)

Co. Mandia offered and Co. Maloney 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 (Permanent) position of Police Officer - at the current 1994 annual salary of \$38,141.00, effective and retroactive to May 9, 1994.

On roll call the vote was as follows:

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

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RESOLUTION NO. (383-1994)

Co. Mandia offered and Co. Maloney 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 (Permanent) position of Police Officer - at the current 1994 annual salary of \$38,141.00, effective and retroactive to May 9, 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. (384-1994)

Co. Mandia offered and Co. Maloney 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

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Brian E. Gorsky, 14 Arbor Lane, Bardonia, New York, to the (Permanent) position of Police Officer - at the current 1994 annual salary of \$38,141.00, effective and retroactive to May 9, 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. (385-1994)

Co. Mandia offered and Co. Maloney seconded

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of James S. Fay, 17 Convent Road, Nanuet, New York, to the (Permanent) position of Police Officer - at the current 1994 annual salary of \$38,141.00, effective and retroactive to May 9, 1994.

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RESOLUTION NO. (385-1994) 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. (386-1994)

Co. Mandia offered and Co. Maloney 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.E.A., Harold McCoy, 298 Old Haverstraw Road, Congers, New York, Bus Driver - Mini Trans Department - is hereby granted Sick Leave of Absence - at one-half pay - effective and retroactive to May 12, 1994 to June 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. (387-1994)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Elvin Swift, 19 Palmer Avenue, Nanuet, New York - (Part-time) Bus Driver - Mini Trans Department - is hereby accepted - effective June 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. (388-1994)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Peter J. Serpati, 1 Westlyn Drive, Bardonia, New York, is hereby appointed to the position of Maintenance Mechanic II - Building Maintenance Department - at the current 1994 annual salary of \$34,374.00, effective May 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

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RESOLUTION NO. (389-1994)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on March 21, 1994 that the Senior Clerk Typist position #0213 - Personnel Office - can be reclassified to the position of Clerk Typist

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Clerk Typist is hereby reclassified to the position of Clerk Typist - effective and retroactive to May 23, 1994, and be it

FURTHER RESOLVED, that Lorian Macaylo who was reassigned to the Personnel Office on June 28, 1993 encumbers this Clerk Typist position.

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. (390-1994)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Patricia McDonald, 49 Lindberg Lane, New City, New York, is hereby appointed to position of Clerk Stenographer (part-time) - Town Attorney's Office - at the current hourly rate of \$11.00 - effective June 6, 1994 - for a period not to exceed 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. (391-1994)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby adopts the following schedule of pay rate increases for Office Worker students and Laborer Students effective and retroactive to May 23, 1994.

Year-Round High School Students (Office Worker Students)
Hired Prior to 1/1/9425¢ Per Hour

Year-Round College Students (Office Worker Students & Laborer Students)
Hired Prior to 1/1/9450¢ Per Hour

Year-Round College Students & High School Students -
(Office Worker Students & Laborer Students) - Hired after
1/1/94 and Presently on Payroll.....25¢ Per Hour

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RESOLUTION NO. (391-1994) Continued

Returning Seasonal College Students:

Office Worker Students25¢ Per Hour
Laborer Students.....25¢ Per Hour

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. (392-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Tappan Zee Sports Booster Club will be hosting its 9th Annual Rockland Half Marathon on September 25, 1994, and

WHEREAS, the Tappan Zee Sports Booster Club has requested it be allowed to erect a sign in the Town of Clakstown, which will stay in place from June 1st to September 27, 1994, at the location of the green pole by the Exxon Station by Route 59 and Middletown Road;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Tappan Zee Sports Booster Club to erect a sign in the Town of Clarkstown, which will stay in place from June 1st to September 27, 1994, at the location of the green pole by the Exxon Station by Route 59 and Middletown Road.

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. (393-1994)

Co. Dusanenko offered and Co. Mandia seconded

RESOLVED, that Gerald F. Brickwood, Deputy Director of Environmental Control, is hereby directed to investigate the feasibility of the Town of Clarkstown recycling cardboard and telephone books with an anticipated implementation date of July 18, 1994.

On roll call the vote was as follows:

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

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RESOLUTION NO. (394-1994)

Co. Smith offered and Co. Mandia seconded

WHEREAS, it is the intention of the Town Board to encourage Town residents to use biodegradable paper bags to expedite the leaf pickup program,

NOW, THEREFORE, be it

RESOLVED, that the Clarkstown Director of Purchasing, Laurence Kohler, is hereby directed to contact the Director of Purchasing from the Town of Ramapo for the purpose of a joint bid for biodegradable paper bags to secure the best price and assure a sufficient supply to meet the demand for the leaf pickup program in the fall of 1994, and be it

FURTHER RESOLVED, that the specs for biodegradable leaf bags be the same as those used by the Town of Ramapo, and be it

FURTHER RESOLVED, that the initial number of bags to be ordered by the Town of Clarkstown shall be 75,000.

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. (395-1994)

Co. Maloney offered and Co. Smith seconded

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

FURTHER RESOLVED, that this resolution shall be retroactive to May 13, 1994.

On roll call the vote was as follows:

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

RESOLUTION NO. (396-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #34-1994
RIVETED CORRUGATED STEEL CULVERT PIPE

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RESOLUTION NO. (396-1994) 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 June 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

RESOLUTION NO. (397-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #35-1994
ALUMINIZED STEEL TYPE 2 CULVERT PIPE

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 June 13, 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. (398-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #36-1994
CORRUGATED HIGH DENSITY POLYETHYLENE PIPE

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 June 14, 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.

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RESOLUTION NO. (398-1994) 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. (399-1994)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts attached proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Windham Park Subdivision Valley Cottage, 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. (400-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a written Petition dated April 19, 1994 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(DESCRIPTION ON FILE IN TOWN CLERK'S OFFICE)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 28th day of June, 1994, at 8:35 P.M. DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other actions as may be required by law or proper in the premises.

On roll call the vote was as follows:

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

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RESOLUTION NO. (401-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, on April 14, 1992 the Town Board adopted Resolution No. 237-1992 creating a road improvement district to improve a portion of Medway Avenue, Congers, New York to Town's specifications; and

WHEREAS, the Town Highway Department has installed a majority of the required storm drainage system but is unable to complete the remaining portion; and

WHEREAS, the Supervisor of the Town of Clarkstown has directed the Department of Environmental Control to obtain the services of a contractor to complete the remaining portion of the proposed drainage system;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Cal Mart Construction Corp., 357A Route 59, West Nyack, New York to provide the equipment and labor necessary to install the remaining portion of the storm drainage system at a daily rate of \$2,950.00 per day; and be it

FURTHER RESOLVED, that the total cost of the storm drainage installation shall not exceed \$7,400.00 and shall be a proper charge of Account H 5110-400-409.

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. (402-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, an adverse drainage condition exists in the vicinity of Lot 109-B-65, Barry Court, Valley Cottage, New York; and

WHEREAS, the Supervisor of the Town of Clarkstown has directed the Department of Environmental Control to investigate and prepare a plan to ameliorate the adverse drainage condition; and

WHEREAS, the Department of Environmental Control has prepared a plan that will ameliorate said condition;

NOW, THEREFORE, be it

RESOLVED, that in accordance with the request of the Supervisor, the Director of the Department of Environmental Control is hereby authorized to hire Cal Mart Construction, 357A Route 59, West Nyack, New York 10994, to perform the necessary corrective drainage work in accordance with the plans prepared by the Department of Environmental Control; and be it

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RESOLUTION NO. (402-1994) Continued

FURTHER RESOLVED, that the cost of said improvements shall not exceed \$19,950.00 and shall be a proper charge to H 1989-409-329.

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. (403-1994)

Co. Smith offered and Co. Maloney seconded

WHEREAS, an adverse drainage condition exists in the vicinity of lot 14-D-27, Dykes Park Road, Nanuet, New York; and

WHEREAS, the Department of Environmental Control has recommended a solution that would ameliorate the adverse condition; and

WHEREAS, the Superintendent of Highways was directed by Town Board Resolution No. 393-1993 to take the necessary steps to ameliorate the adverse condition; and

WHEREAS, the steps necessary to ameliorate the adverse condition has not yet been completed; and

WHEREAS, the Supervisor of the Town of Clarkstown has now directed the Department of Environmental Control to obtain the services of a contractor to take the necessary steps to ameliorate the adverse drainage problem in the vicinity of lot 14-D-27;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Phoenix Excavators Corp., 62 Rose Road, West Nyack, New York to correct the adverse drainage condition in accordance with the recommendation of the Department of Environmental Control; and be it

FURTHER RESOLVED, that the cost for said improvement shall not exceed \$9,000.00 and shall be a proper charge to H 1989-409-330.

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. (404-1994)

Co. Dusanenko offered and Co. Mandia seconded

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RESOLUTION NO. (404-1994) Continued

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

MICHAEL ADDUCE III
140 Cherry Lane
Monsey, New York 10952

RESOLVED, that the following Certificate of Registration be issued:

No. 94-24 Michael Adduce III

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. (405-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Israel Herskowitz, Judith Herskowitz, and Bluma Kaplan have commenced tax certiorari proceedings against the Town of Clarkstown affecting Map 13, Block D, Lot 21.3 for the year 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 \$2,500.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (406-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Israel Herskowitz, Judith Herskowitz, and Eliezer Herskowitz have commenced tax certiorari proceedings against the Town of Clarkstown affecting Map 109, Block B, Lot 5.1 for the year 1993/94, and

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

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RESOLUTION NO. (406-1994) Continued

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,500.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (407-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Israel Herskowitz, Judith Herskowitz, and Eliezer Herskowitz have commenced tax certiorari proceedings against the Town of Clarkstown affecting Map 120, Block A, Lot 35.49 for the year 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

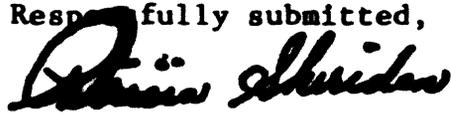
RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,500.00.

On roll call the vote was as follows:

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

Councilman Maloney, seconded by Councilwoman Smith adjourned the meeting in memory of Jacqueline Bouvier Kennedy, former first lady of the United States, time: 8:12 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk