

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

9/12/95

8:00 P.M.

Present: Supervisor Holbrook  
Council Members Dusanenko, Mandia, Maloney and Smith  
Phillip B. Fogel, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

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

Councilman Dusanenko called for a moment of silence  
in memory of former Supervisor George Gerber who provided this  
Town with so much leadership.

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RESOLUTION NO. (590-1995)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of August 8,  
1995 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

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RESOLUTION NO. (591-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, as a condition to the approval of the  
final map with regard to a subdivision of property for ERIK  
HILLS, prepared by Robert E. Sorace, PLS, dated February 7,  
1994 and last revised on August 22, 1994, the Planning Board of  
the Town of Clarkstown requested a deed for a Sanitary Sewer  
Easement and a Road Maintenance Declaration affecting Lots 2,  
3, 4 and 5, as shown on said subdivision map;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the  
Director of the Department of Environmental Control and the  
Town Attorney, deed dated August 16, 1995 from Bowman Builders,  
Inc. to the Town of Clarkstown for a 10 foot wide Sanitary  
Sewer Easement and Road Maintenance Declaration, dated August  
15, 1995, by Bowman Builders, Inc. are hereby accepted and  
ordered recorded in the Rockland County Clerk's Office, and be  
it

FURTHER RESOLVED, that this resolution shall be  
retroactive to August 17, 1995.

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. (592-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a request has been made for the installation of a sanitary sewer pump and spur on certain property located at 67 North Greenbush Road, West Nyack, New York, and

WHEREAS, the owner of the property, Christine Renstrom, has agreed that upon installation of such pump and spur, any additional costs in connection with the continued maintenance of said pump shall be at her own cost and expense;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the installation of a sanitary sewer pump and spur at the premises located at 67 North Greenbush Road, West Nyack, New York, and be it

FURTHER RESOLVED, that Christine Renstrom, owner of the aforesaid property, shall execute an agreement, in a form satisfactory to the Town Attorney, under the terms of which she executes a covenant running with the land and agrees to maintain at her own cost and expense the force main and line from the sanitary sewer pump to the spur, and further covenants agrees to waive any and all claims for damages of whatever kind in connection with the installation of the sanitary sewer pump and spur.

"Co. Dusanenko asked the Supervisor what the owners of the property were going to pay for. Supervisor replied that they were going to pay for the line coming in from the spur to the road. We are going to pay for the pump to be installed and the owners are going to maintain it forever." Co. Dusanenko asked that the record show that it was never to be the Town's responsibility.

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. (593-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, MELVILLE REALTY CO., INC. has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property of the contract purchaser, from an MF-4 District to a CS District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 14, Block B, Lot 10.02;

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 October 24, 1995, at 8:05 P.M., relative to the proposed amendment, and be it

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RESOLUTION NO. (593-1995) Continued

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

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RESOLUTION NO. (594-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, FREDERIC M. LEHRMAN v. TOWN OF CLARKSTOWN, TOWN OF CLARKSTOWN ZONING BOARD OF APPEALS, JOSEPH MARAIA, JR.;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Town Attorney to take all necessary steps to defend said proceeding.

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. (595-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proposal for insurance coverage for Workers' Compensation has been submitted to the Town of Clarkstown, and

WHEREAS, it appears that the PERMA package for Workers' Compensation Insurance is most beneficial to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with PERMA concerning Workers' Compensation Insurance, in a form satisfactory to the Town Attorney, in the amount of \$299,238.00, which agreement shall commence July 1, 1995 and terminate June 30, 1996, and be it

FURTHER RESOLVED, that such sum shall be charged to the Workers' Compensation Fund, and be it

Continued on Next Page

RESOLUTION NO. (595-1995) Continued

FURTHER RESOLVED, that this Resolution is retroactive to June 30, 1995.

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. (596-1995)

Co. Smith offered and Co. Maloney offered

WHEREAS, The Great Hunger Foundation is a not-for-profit organization which promotes and sponsors events that will develop a greater understanding of the "Great Famine" in Ireland and its impact on American history and culture, and to conduct charitable activities that will help fight hunger, and

WHEREAS, this organization has asked the Town of Clarkstown to support its efforts to help the hungry by granting permission to collect non-perishable food products in the Town of Clarkstown from October 16th through October 27, 1995;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to The Great Hunger Foundation, the use of the Town of Clarkstown facilities from October 16th through October 27, 1995, to collect non-perishable food products for their "Day of Remembrance" on October 28, 1995.

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. (597-1995)

Co. Dusanenko offered and Co. Smith seconded

RESOLVED, that the Town Board hereby grants use of the Town of Clarkstown's showmobile on Sunday, September 17, 1995, to the Town of Orangetown Heritage Committee for the Heritage Day Celebration, and be it

FURTHER RESOLVED, that the Town of Orangetown Heritage Committee shall be charged a fee of \$860.00 for the use of the showmobile.

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. (598-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 547-1995 dealing with economic assistance is hereby rescinded.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes  
Councilman Maloney.....Yes  
Councilman Mandia.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes  
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RESOLUTION NO. (599-1995)

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 northside of Old Nyack Turnpike from the intersection of Sherwood Drive, West the length of the Turnpike Professional Building (#20), 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. (600-1995)

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

the attached list of curve warning sign improvements on Old Mill Road, West Nyack, 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  
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RESOLUTION NO. (601-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13 BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, New York Trap Rock Corporation (NYTRC) wishes to adopt SNAKE HILL ROAD, between Crusher Road and Old Mill Road, which encompasses the bridge over the West Shore Railroad line, West Nyack, New York, and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that New York Trap Rock Corporation will perform a public service in removing trash from said roadway which would otherwise require Town employees perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with New York Trap Rock Corporation, in a form approved by the Town Attorney, to adopt SNAKE HILL ROAD, between Crusher Road and Old Mill Road, which encompasses the bridge over the West Shore Railroad line, West Nyack, New York, and to provide and coordinate services by New York Trap Rock Corporation, to remove trash from the roadway and install one (1) sign identifying the volunteer adopting SNAKE HILL ROAD.

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. (602-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13 BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, Ronald G. Salvaggione, D.C. wishes to adopt LUDVIGH ROAD, from Route 304 to Middletown Road, Bardonia/Nanuet, New York, and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Ronald G. Salvaggione, D.C. will perform a public service in removing trash from said roadway which would otherwise require Town employees perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an

RESOLUTION NO. (602-1995) Continued

agreement, in a form approved by the Town Attorney, to adopt LUDVIGH ROAD, from Route 304 to Middletown Road, Bardonia/Nanuet, New York, and to provide and coordinate services by Ronald G. Salvaggione, D.C., to remove trash from the roadway and install two (2) signs identifying the volunteer adopting LUDVIGH ROAD.

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. (603-1995)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the Rockland County Center for the Arts, a non-profit organization, in a form approved by the Town Attorney, to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance to the Rockland County Center for the Arts in the amount of \$10,000.00, and be it

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1995, and are to be charged against Account No. A 8840-424

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. (604-1995)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organizations to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate the following sums in economic assistance for 1995 to:

MEALS ON WHEELS OF ROCKLAND COUNTY, INC.	\$10,500.00
RSVP (Retired and Senior Volunteer Program)	500.00

FURTHER RESOLVED, that the total amount of \$11,000.00 be transferred from Account #A 1990-505 to #A 8840-424, and be it

Continued on Next Page

RESOLUTION NO. (604-1995) Continued

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1995 and are to be charged against Account #A 8840-424.

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. (605-1995)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved the the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate the following sum in economic assistance for 1995 to:

Clarkstown Summer Theatre Festival                      \$700.00

FURTHER RESOLVED that the total amount of \$700.00 be transferred from Account # A 1990-505 to Account # A 8840 424.

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1995 and are to be charged against Account # A 8840 424.

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. (606-1995)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with the library organization listed below, in a form approved by the Town Attorney, which provides a service for residents of the Town of Clarkstown which is deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that said library shall receive library assistance, pursuant to §256 of the Education Law of New York State, in the amount of \$3,000.00 for the calendar year 1995.

NANUET PUBLIC LIBRARY

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. (607-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Councilwoman, Ann Marie Smith, is hereby authorized to attend Environmental Compliance Symposium sponsored by Marist College in Poughkeepsie, New York on August 24, 1995 and be it

FURTHER RESOLVED, that all proper charges be charged against line 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

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RESOLUTION NO. (608-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, is hereby authorized to attend the 66th Annual Conference of the New York State Association of Town Superintendents of Highways, to be held Tuesday, September 19 thru Friday, September 22, 1995, at Kutsher's Monticello, New York 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.....Yes  
Councilman Maloney.....Yes  
Councilman Mandia.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (609-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, George Drescher, HMS III, John Clune, HMS II and Karl Gerlach, HMS II, along with the HMS I's (total of 15 HMS I's), are hereby authorized to attend a workshop entitled: "Job Site Safety", presented by the Cornell Local Roads Program, sponsored by the Federal Highway Administration, the New York State Department of Transportation and Cornell University, to be held on Tuesday, September 12, 1995, 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.....Yes  
Councilman Maloney.....Yes  
Councilman Mandia.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (610-1995)

Co. Maloney offered and Co. Smith seconded

Rudolph J. Yacyshyn, Chairman of the Clarkstown Planning Board is hereby authorized to attend the New York Planning Federation Conference to be held in Ellenville, New York, October 15 - 17, 1995. All fees shall be charged against Department of Planning account B8020, Lines 404 & 414.

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. (611-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, Clarkstown Counseling Center staff (Brian Connolly, Glen Leeds, Arlene Teichberg, Lisa Kloenne) attend Regional Training Conference (OASAS) on Tuesday, October 24, 1995.

Registration fee: \$25.00 per person, includes lunch.

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. (612-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that John F. Mauro, Superintendent of Highways and George Drescher, Highway Maintenance Supervisor III, are hereby authorized to attend the New York State Conference of Mayors and Municipal Officials Drug and Alcohol Testing Workshop to be offered in Croton-on-Hudson on Thursday, October 5, 1995 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.....Yes  
Councilman Maloney.....Yes  
Councilman Mandia.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes  
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RESOLUTION NO. (613-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of

RESOLUTION NO. (613-1995) Continued

Clarkstown entitled, ARTHUR AND CAMILLE KARATKA v. ARNOLD AMSTER, et al;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Town Attorney to take all necessary steps to defend said proceeding.

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. (614-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, an action has been instituted against the Town of Clarkstown, in the United States District Court entitled, Joseph Clark v. The Town of Clarkstown, Town of Clarkstown Police Department and the New York State and Local Retirement Systems;

NOW, THEREFORE, be it

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

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. (615-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, MARTIN FARRELL v. WILLIAM COLLINS, as Chief of the Clarkstown Police Department, The TOWN OF CLARKSTOWN, THE POLICE COMMISSION OF THE TOWN OF CLARKSTOWN and THE TOWN BOARD OF THE TOWN OF CLARKSTOWN;

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 retroactive to August 28, 1995.

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. (616-1995)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$3,648.00 from Corporate Property Investors and

WHEREAS, they have also received \$942.50 and \$1,645.84 from the County of Rockland for Summer Youth Employment and overtime patrols in the Town, and be it

THEREFORE RESOLVED, to amend the budget as follows  
- Increase Estimated Revenue Account A 01 9 2705 (General-Gifts & Donations) and Account No. 3120 111 (Police-Overtime) by \$3,648.00; increase Estimated Revenue No. A 01 10 3839 (Summer Employment) and A 6256 114 (Summer Employment Part-time) by \$942.00 and Estimated Revenue Account No. A 01 10 3612 (Police Enforcement) and A 3120 111 (Police Overtime) by \$1,645.00 and be it

FURTHER RESOLVED, to decrease Appropriation Account No. A 8730 110 (Environmental Control - Salaries) and increase A 8730 409 (Fees for Services) by \$25,000.00.

On roll call the vote was as follows:

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

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RESOLUTION NO. (617-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, various appropriation accounts require additional funding, be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 by \$16,175.00 and increase to following Appropriation Accounts:

A 1010 141	Councilman-Conference & Schools.....	\$ 820.00
A 1220 204	Supervisor-Office Machines.....	1,225.00
A 1220 313	" -Office Supplies & Prtg....	70.00
A 1220 319	" -Misc. Supplies.....	125.00
A 1670 114	Mail & Copy-Part Time.....	260.00
A 1670 313	" -Office Supplies & Prtg...	3,100.00
A 3320 409	Traffic Signals-Fees for Services....	10,575.00

and be it

FURTHER RESOLVED, to increase Estimated Revenue Account No. A 01 14 2999 0 (General-Unexpended Balance) and Appropriation Account A 8090 409 (Aquatic Pests Fees for Services) by \$7,670.00; decrease Appropriation Account A 1640 311 (Town Garage-Gasoline) and increase A 1640 406 (Repairs to Vehicles) by \$10,000.00

On roll call the vote was as follows:

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

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RESOLUTION NO. (618-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the (verbal) resignation of Judith Ann Ames, 49 Laurel Road, New City, New York - Crossing Guard - Police Department - is hereby accepted - effective and retroactive to August 23, 1995.

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 (619-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the (verbal) resignation of Orazio Calore, 56 Massachusetts Avenue, Congers, New York - Crossing Guard - Police Department - is hereby accepted - effective and retroactive to August 23, 1995.

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 (620-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the (verbal) resignation of Sharon M. Bliese, 272 Congers Road, Apt. A. New City, New York - Crossing Guard - Police Department - is hereby accepted - effective and retroactive to August 23, 1995.

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 (621-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation of Lucille Gelormino, 25 Beech Street, Nanuet, New York, Crossing Guard - Police Department - is hereby accepted - effective and retroactive to August 28, 1995.

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RESOLUTION NO. (621-1995) Continued

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 (622-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Elizabeth Heuer, 48 Continental Drive, West Nyack, New York, to the position of Crossing Guard - Police Department - at the current 1995 salary of \$10.65 - per crossing - effective and retroactive to September 5, 1995.

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 (623-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of August E. Fuchs, 40 Barry Lane, Bardonia, New York, to the position of Crossing Guard - Police Department - at the current 1995 salary of \$10.65 - per crossing - effective and retroactive to September 5, 1995.

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 (624-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Irene P. Savarese 6 Scales Road, West Nyack, New York, to the position of Crossing Guard - Police Department - at the current 1995 salary of \$10.65 - per crossing - effective and retroactive to September 5, 1995.

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 (625-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Lorraine Gelormino 25 Beech Street, Nanuet, New York, to the position of Crossing Guard - Police Department - at the current 1995 salary of \$10.65 - per crossing - effective and retroactive to September 5, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO (626-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Ronna Weiner, 49 Congers Road, New City, New York, to the position of Crossing Guard - Police Department - at the current 1995 salary of \$10.65 - per crossing - effective and retroactive to September 5, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (627-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Karen Zambri, 10 Louise Drive, West Nyack, New York, to the position of (Substitute) Crossing Guard - Police Department - at the current 1995 salary of \$10.65 - per crossing - effective and retroactive to September 5, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (628-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Lisa Cea, 132 Congers Road, Congers, New York, is hereby appointed to the position of (Temporary)

Continued on Next Page

RESOLUTION NO. (628-1995) Continued

Clerk Stenographer - Department of Environmental Control - for a period not to exceed 3 months - at the current 1995 annual salary of \$20,852.00, effective September 13, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (629-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Sheila Reiter, 7 Brenda Lane, Bardonia, New York - Registry Clerk Steno - Town Clerk's Office - is hereby accepted - with regret - effective and retroactive to September 9, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (630-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel office has certified on August 18, 1995 that the position of (part-time) Counselor (Municipal Counseling Services) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of (part-time) counselor (Municipal Counseling Services) - Clarkstown Counseling Center - is hereby created - effective September 12, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (631-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Pamela A. Peck, 88 Branchwood Lane, Nanuet, New York, is hereby appointed to the position of (Part-time) Counselor - Clarkstown Counseling Center - at the current 1995 hourly rate of \$18.50 - effective September 13, 1995.

Continued on Next Page

RESOLUTION NO. (631-1995) 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. (632-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on September 7, 1995 that the position of Deputy Town Clerk - Town Clerk's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Deputy Town Clerk - Town Clerk's Office - is hereby created - effective September 13, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (633-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Oona Fitzpatrick, 64 South Grant Avenue, Congers, New York, is hereby appointed to the position of Deputy Town Clerk - Town Clerk's Office - at the current 1995 annual salary of \$35,000.00, effective September 25, 1995.

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. (634-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Ippolito Pellicano has been absent due to a non-work related disability and,

WHEREAS, in the judgement of the Town Board he is therefore unable to perform the duties of his position by reason of a non work related disability,

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (634-1995) Continued

RESOLVED, that Ippolito Pellicano, 233 South Broadway, Apartment 4, Nyack, New York, is hereby placed on a leave, effective and retroactive to February 22, 1995 pursuant to Section 72 of the Civil Service 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. (635-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Town Board resolution #442-1995 is hereby updated to read:

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

BID #46-1995  
AMORY DRIVE DRAINAGE - PHASE I

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 Friday, September 29, 1995 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. (636-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Town Board resolution #577-1995 is hereby corrected to read:

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

BID #51-1995  
MEDWAY AVENUE ASPHALT PAVING

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 October 3, 1995 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.

Continued on Next Page

RESOLUTION NO. (636-1995) 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. (637-1995)

Co. Dusanenko offered and Co. Mandia seconded

BE IT RESOLVED, that the Town Board of the Town of Clarkstown, in compliance with the Omnibus Transportation Act of 1991, hereby approves and ratifies the Town of Clarkstown Federally Mandated Alcohol and Drug Testing Policy and Procedure and hereby authorizes and directs that this alcohol and drug testing of safety sensitive employees be conducted consistent therewith.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (638-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 562-1995, adopted by the Town Board on August 8, 1995, is hereby RESCINDED, and be it

FURTHER RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts the proposal from Orange and Rockland Utilities, Inc. dated August 17, 1995, for the installation of three street lights at the following location:

NEW CLARKSTOWN ESTATES  
NEW CLARKSTOWN ROAD, 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. (639-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

Continued on Next Page

RESOLUTION NO. (639-1995) Continued

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

Alan Drive, New City  
(Install one (1) 5800 lumen sodium vapor street light existing utility pole number 59713/41857)

Foxwood Road, West Nyack  
(Install one (1) 5800 lumen sodium vapor street light existing utility pole number 59568/39691)

Johnson's Lane, New City  
(Install one (1) 5800 lumen sodium vapor street light existing utility pole number 59463/41179)

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (640-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Board of Trustees of the West Nyack Free Library has requested the Town Board of the Town of Clarkstown to waive building permit fees with respect to the renovation and expansion of the West Nyack Library;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby waives the building permit fees with respect to the renovation and expansion of the West Nyack Library.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (641-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 294 - 1995 is hereby amended to read as follows:

Continued on Next Page

RESOLUTION NO. (641-1995) Continued

RESOLVED, that the Supervisor is hereby authorized to enter into agreements with A & R Alarm Corp. to provide for the installation and servicing of fire alarm, burglar alarm, and flood detection systems at the Town of Clarkstown Community Centers and other areas mentioned below:

- Central Nyack Community Center
- Congers Lake Memorial Park
- Germonds Pool
- Parks Board and Recreation Commission Offices
- Parks Board and Recreation Warehouse
- Street Community Center

and be it

FURTHER RESOLVED, that the term of the agreements covering the above locations shall become effective on April 1, 1995 for a period of three years, and shall thereafter be renewable for increments of one year by letter of agreement signed by the parties, and be it

FURTHER RESOLVED, that the agreements shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 1, 1995.

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. (642-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as ROSELAND ESTATES II, the Planning Board of the Town of Clarkstown requested deeds for a slope easement, conservation easement and for road widening purposes along Phillips Hill Road, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, deeds dated August 1, 1995 from Aleksandra Jurist to the Town of Clarkstown for a slope easement, conservation easement and for road widening purposes along Phillips Hill Road, New City, New York are hereby accepted and ordered recorded in the Rockland County 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. (643-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Building Department has received a request from Gene Kornell, Jill Drive, West Nyack, New York, for a refund of \$432.00 for building permit fees (B.P. #93-903), and

WHEREAS, the Building Department has advised the Town that processing and review fees total \$150.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Building Inspector to refund the sum of \$282.00 to Gene Kornell.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (644-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown commenced an action entitled, Town of Clarkstown v. Aetna Casualty and Surety Company, Guarantee Insurance Company, Insurance Company of North America, Pacific Employers Insurance Company, and National Union Fire Insurance Company of Pittsburgh, Pa., to recover costs with respects to claims and obligations pursuant to the consent decree with the New York State Department of Environmental Conservation for the remediation of the Clarkstown Sanitary Lanfill, and

WHEREAS, Aetna Casualty and Surety Company has proposed to settle said action as against it alone, and

WHEREAS, such settlement of the action against the Aetna Casualty and Surety Company is in the best interest of the Town of Clarkstown, and

WHEREAS, New York State Department of Environmental Conservation has approved and consented to the aforesaid settlement;

NOW, THEREFORE, be it

RESOLVED, that said action with respect to Aetna Casualty and Surety Company only is hereby settled, and it is further resolved that the Supervisor and the Deputy Town Attorney are hereby authorized to execute 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. (645-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown commenced an action entitled, Town of Clarkstown v. Aetna Casualty and Surety Company, Guarantee Insurance Company, Insurance Company of North America, Pacific Employers Insurance Company, and National Union Fire Insurance Company of Pittsburgh, Pa., to recover costs with respects to claims and obligations pursuant to the consent decree with the New York State Department of Environmental Conservation for the remediation of the Clarkstown Sanitary Lanfill, and

WHEREAS, National union Fire Insurance Company of Pittsburgh, Pa. has proposed to settle said action as against it alone, and

WHEREAS, such settlement of the action against the National union Fire Insurance Company of Pittsburgh, Pa. is in the best interest of the Town of Clarkstown, and

WHEREAS, New York State Department of Environmental Conservation has approved and consented to the aforesaid settlement;

NOW, THEREFORE, be it

RESOLVED, that said action with respect to National Union Fire Insurance Company of Pittsburgh, Pa. only is hereby settled, and it is further resolved that the Supervisor and the Deputy Town Attorney are hereby authorized to execute 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. (646-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown commenced an action entitled, Town of Clarkstown v. Aetna Casualty and Surety Company, Guarantee Insurance Company, Insurance Company of North America, Pacific Employers Insurance Company, and National Union Fire Insurance Company of Pittsburgh, Pa., to recover costs with respects to claims and obligations pursuant to the consent decree with the New York State Department of Environmental Conservation for the remediation of the Clarkstown Sanitary Lanfill, and

WHEREAS, Pacific Employers Insurance Company and Insurance Company of North America have proposed to settle said action as against both parties, and

WHEREAS, such settlement of the action against the Pacific Employers Insurance Company and Insurance Company of North America is in the best interest of the Town of Clarkstown, and

WHEREAS, New York State Department of Environmental Conservation has approved and consented to the aforesaid settlement;

Continued on Next Page

RESOLUTION NO. (646-1995) Continued

NOW, THEREFORE, be it

RESOLVED, that said action with respect to Pacific Employers Insurance Company and Insurance Company of North America only is hereby settled, and it is further resolved that the Supervisor and the Deputy Town Attorney are hereby authorized to execute 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. (647-1995)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, based upon the recommendation of Charles F. Connington, Supt. of Recreation and Parks, that the Supervisor is hereby authorized to file a Recreation Project Renewal application entitled "Community Center Programs" with the New York State Division for Youth, in the amount of \$24,717.00 for the period commencing January 1, 1996 through December 31, 1996.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (648-1995)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, based upon the recommendation of Charles F. Connington, Supt. of Recreation and Parks, that the Supervisor is hereby authorized to file a Recreation Project Renewal application entitled "Community Center Programs/5 Towns" with the New York State Division for Youth, in the amount of \$5,399.00 for the period commencing January 1, 1996 through December 31, 1996.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (649-1995)

Co. Smith offered and Co. Dusanenko seconded

Continued on Next Page

RESOLUTION NO. (649-1995) Continued

RESOLVED, that Resolution No. 583-1994, adopted by the Town Board of August 8, 1995, with respect to a proposed agreement for auditing services concerning the processing of insurance claims for basic and advanced life support services, is hereby RESCINDED.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (650-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, Shoreline Medical Billing Systems, Inc. acts as the service organization for the Towns of Clarkstown, Orangetown, and Ramapo to process insurance claims for basic and advanced life support services provided by volunteer ambulance corps and Rockland Paramedic Services, Inc., and

WHEREAS, it is necessary that the Town of Clarkstown have a limited scope audit to obtain reasonable assurance that Shoreline has the necessary controls and procedures in place to provide reliance that the billing is proper, and

WHEREAS, the Town of Orangetown and Ramapo will share the costs;

NOW, THEREFORE, be it

RESOLVED, that Supervisor Holbrook is hereby authorized to enter into an agreement, in a form satisfactory to the Town Attorney, with Korn, Rosenbaum, Phillips & Jauntig, Certified Public Accountants, with offices at Palisades Office Park, 26 Firemen's Memorial Drive, Pomona, New York, for a cost not to exceed \$2,500.00 to the Town of Clarkstown.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (651-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Resolution No. 232-1995 adopted by the Town Board of the Town of Clarkstown on March 28, 1995, authorized the Planning Board to apply Town Law Section 278 to the Scotland Hill Subdivision, in connection with the Average Density Plan dated January 11, 1994, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended approval of a revised Average Density Plan dated July 18, 1995, for the Scotland Hill Subdivision;

Continued on Next Page

RESOLUTION NO. (651-1995) Continued

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 232-1995 is hereby amended by authorizing the Planning Board to use Town Law Section 278 to the Scotland Hill Subdivision, in connection with revised Average Density Plan dated July 18, 1995, as recommended by the Planning Board.

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. (652-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, unforeseen sub-surface field conditions have necessitated modifications to the original design of the retaining wall; and

WHEREAS, deterioration of the existing embankment on the south side of South Mountain Road east of and adjacent to the proposed retaining wall has necessitated a forty foot extension of said retaining wall; and

WHEREAS, the Department of Environmental Control has obtained proposals from the contractor to whom the bid was awarded for said modifications and proposed extensions; and

WHEREAS, these proposals have been reviewed and accepted by the design consultant, M.G. McLaren, P.C. of West Nyack, N.Y. and the Department of Environmental Control;

NOW, THEREFORE, be it

RESOLVED, that the original amount allotted for the South Mountain Road Retaining Wall Project via Town Board Resolution 710-1994 be increased by a sum of \$66,846.00; and be it

FURTHER RESOLVED, that this amount be a proper charge to account H-1994-400-409-0-141.

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. (653-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, unforeseen sub-surface field conditions have necessitated modifications to the design of the proposed retaining wall; and

Continued on Next Page

RESOLUTION NO. (653-1995) Continued

WHEREAS, deterioration of the existing embankment on the south side of South Mountain Road east of and adjacent to the proposed retaining wall has necessitated a forty foot extension of said retaining wall; and

WHEREAS, the Department of Environmental Control has obtained a proposal from M.G. McLaren, P.C. of West Nyack, New York, for engineering services related to said modification and proposed wall extension.

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to obtain the services of M.G. McLaren, P.C. of West Nyack, New York, as per their proposal of \$4,550.00; and be it,

FURTHER RESOLVED, that this is a proper charge to Account #H-1994-400-409-0-14-1.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (654-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, field conditions on Parrott Road require the installation of an additional catch basin to be located within the right-of-way for Parrott Road; and

WHEREAS, the Department of Environmental Control has obtained a proposal from the contractor to whom the bid was awarded for said installation of an additional catch basin;

NOW, THEREFORE, be it

RESOLVED, that Ufheil Construction be authorized to install an additional field inlet catch basin as per their proposal of \$1,500.00; and be it

FURTHER RESOLVED, that this be a proper charge to account # H-8735-400-409-0-124.

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. (655-1995)

Co. Smith offered and Co. Maloney seconded

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

Continued on Next Page

RESOLUTION NO. (655-1995) Continued

BID 50-1995  
FOUNTAIN AERATOR PUMP

is hereby awarded to:

AQUARIUS IRRIGATION SUPPLY, INC.  
1120 GOFFLE ROAD  
HAWTHORNE, N.J. 07506  
PRINCIPAL: B. GEORGE BEAUSOLEIL

as per their low bid proposal for one (1) rainjet model F90P5, two HP Aquavator Fountain Pump @ \$2,500.00 plus cost of any extra 12/4 wire, if necessary, and be it

RESOLVED, that funds for same shall be charged to the contingency fund.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (656-1995)

Co. Dusanenko offered and Supv. Holbrook seconded

WHEREAS, by Resolution No. 404-1995, the County of Rockland passed a resolution approving a County wide revaluation of real property subject to certain conditions, and

WHEREAS, the aforesaid resolution contained certain terms and conditions requiring each of the five towns located within Rockland County to express their consent to such conditions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the following:

1. Supervisor of the Town of Clarkstown to sign a Home Rule Request which would require the Town of Clarkstown to conduct an update of its assessments of real property quadrennially;
2. The Town of Clarkstown enter into an agreement with the County consenting to the formation of an eleven (11) member operating committee whose purpose shall be to select a revaluation company to conduct a County wide revaluation and recommend same to the County Executive subject to the approval of the County Legislature;
3. Provide that each of the five towns of Rockland County adopt an assessment roll reflecting such revaluation;
4. Provide that the Supreme Court of Rockland County shall have continuing jurisdiction in connection with the case Cirlin, et al v. Town of Ramapo and East Ramapo Central School District, Index No. 2458 of 1993, and

Continued on Next Page

RESOLUTION NO. (656-1995)

5. Provide that each town located in the County of Rockland agree to provide written notice to the County and each of the other towns of every assessment reduction or increase (other than by Court Order) within seven days of such reduction or increase, and be it

FURTHER RESOLVED, that the within resolution is hereby made subject to the approval of a similar resolution by the Towns of Haverstraw, Orangetown, Ramapo and Stony Point.

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. (657-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, an action is pending in the Supreme Court of the County of Rockland entitled Cirlin, et al v. Town of Ramapo and East Ramapo Central School District, Index No. 2458 of 1993, and

WHEREAS, a proposed resolution of such litigation is pending, and

WHEREAS, said proposed resolution requires approvals of the Towns of Clarkstown, Haverstraw, Orangetown, Ramapo and Stony Point;

NOW, THEREFORE, be it

RESOLVED, that in the event that resolution is not effectuated, that the matter of Cirlin, et al v. Town of Ramapo and East Ramapo Central School District, Index No. 2458 of 1993, be continued as between the Towns and the Town of Ramapo and the East Ramapo Central School District.

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. (658-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, it has been proposed that the site known as "Dutch Gardens," which is located on the County of Rockland property at 11 New Hempstead Road, New City, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 39, Block A, Lot 15 (part of), be designated as an Historical Site pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown, and

RESOLUION NO. (658-1995) Continued

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, that "Dutch Gardens," which is located on the County of Rockland property at 11 New Hempstead Road, New City, New York, be and the same hereby is designated as an historical site, and be it

FURTHER RESOLVED, that said historical site be so indicated on the Official Map of the Town of Clarkstown.

On roll call the vote was as follows:

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

Councilman Maloney closed the meeting in memory of George Gerber who was Supervisor of the Town of Clarkstown and very active in this community. No matter what political persuasion you come from, everyone realizes that George Gerber did what he did for the the betterment of this Town and some of the things that he fought for are going to be a legacy for many, many years to come.

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 Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 8:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/12/95

8:10 P.M.

Present: Supervisor Holbrook  
Council Members Dusanenko, Maloney, Mandia & Smith  
Philip B. Fogel, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

Re: Chapter 216 - Property Maintenance - 6 Ellen Street,  
New City (166-A-3.81)

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the violation hearing was declared open.

Supervisor Holbrook called upon Mr. Adolph Milich, to give his report.

Appearance: Adolph Milich (sworn)  
Building Inspector

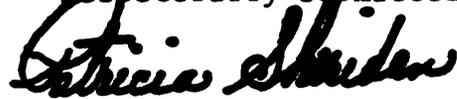
Mr. Milich testified to George Burton's, Code Enforcement Officer II, report. Mr. Burton's report stated:

"An exterior inspection conducted on September 12, 1995 showed the following:

The grass has been cut to an overall height of 6 - 8 inches. However, as a result, a large volume of grass clippings was not raked up and left on the ground creating an eyesore to adjacent neighbors. There are some loose branches on the ground in the front and rear yard. There are also a few scattered tall weeds, some over four feet in height on this lot."

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was adjourned, sine die, time: 8:14 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/12/95

8:15 P.M.

Present: Supervisor Holbrook  
Council Members Dusanenko, Maloney, Mandia & Smith  
Philip B. Fogel, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

Re: Historical Site - Dutch Gardens, New City

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was opened. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor stated that the Dutch Gardens are located adjacent to the Courthouse. It was the first county park in Rockland County when people did not think much of parks because there was much open land. Supervisor asked if there was anyone present wishing to make a comment or ask a question.

Appearance: John Lodico  
President, Friends of Dutch Garden's  
Restoration  
New City

Mr. Lodico stated that this particular park is almost like the Korean War. As you know the symbol for the Korean War was the forgotten War. There is now a monument honoring those who served in the Korean War. With regards to the Dutch Gardens, this can also be considered the forgotten garden or the stepchild of the County park system in that it was the first official County park from the standpoint of its installation in 1934 (the WPA era). There were ten acres at the time of its installation. It was the largest park with a beautiful setting. Since the original park of ten acres was installed, as a result of County government expansion, it has been reduced to three acres. However, from the time that this park was developed to the present time, the County government is now into 2,200 acres of County park consisting of thirteen parks which seem to be cared for. Mr. Lodico stated that he hoped the Town Board would pass a resolution making Dutch Gardens an historical site without any questions. Mr. Lodico also requested that the meeting tonight be closed in memory of George Gerber.

Appearance: Martin Bernstein  
New City

Mr. Bernstein stated that in 1965 he was the Chairman of the Community Planning Board No. 1 in lower Manhattan. At that time, developers wanted to knock down Francis's Tavern. Mr. Bernstein was the one that started the ball rolling to create in the City of New York a Preservation Historical Committee which since then has developed many historic sites in the City of New York. In creating an historical park or site, you have to do something with it that can be used by the public. When Mr. Bernstein moved here almost forty years ago, Dutch Gardens was being used. It had been developed in 1934 by the WPA. Since then, commercial development was produced in front of it. For the past thirty years this park has not been used and it won't be used because it is hidden. It is a place where people are afraid to go to because it is hidden. If it were used, it might very well cause some serious crime in the back. Back in 1967, this County purchased the Greenberg property. At that time, they were discussing the possibility of developing it and creating it in a park like setting. If you go into the Greenberg property, there is a beautiful pond. People do not go into it

Continued on Next Page

9/12/95

because the County doesn't allow them to go into it even though we purchased it. It is a beautiful piece of property. For many years Mr. Bernstein tried to get the park to be used and then the question came up about spending \$250,000.00 to try to develop the Dutch Gardens. Mr. Bernstein suggested that the \$250,000.00 could be put to better use. We could take the \$250,000.00 and create a five or ten acre park in a beautiful setting right in the middle of New City where people could use it. Very few people have been there or seen Dutch Gardens. Mr. Bernstein feels that it would be a serious mistake to take that money and use it for emotional reasons. In 1934, they did build beautiful brick work. They could for \$250,000.00 take the brick work, move it, redo it and make a beautiful park that can be used. To make Dutch Gardens an historical site just because some people want to do this does not make any sense.

Appearance: Mr. David Zuckerberg  
Vice President of Friends of Dutch Gardens  
New City

Mr. Zuckerberg said that clearly to the extent that Dutch Gardens has been neglected and to the extent that there is poor access to the park, it won't be used. Therefore, part of the objective of historic preservation is to make it usable. Moving the park to another location would be absurd. The Dutch Gardens is part of the Courthouse lawn. You can move the brick work, but you can't move the Demarest Kill creek which is part of it. You can create a park on the Greenberg property, but it would not be Dutch Gardens. This a part of our history and culture. The \$250,000.00 is less than 1% of the cost of renovating the Courthouse.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time 8:38 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN  
Town Clerk