

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/12/95

8:00 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Maloney, & Smith
Councilman Mandia absent due to surgery
Harold Mac Cartney, Jr. Deputy Town Attorney
Patricia Sheridan, Town Clerk

Supervisor declared Town Board Meeting open.

The assemblage saluted the Flag.

Supervisor Holbrook on behalf of the Town Board recognized the achievements of the coaches, the staff and the parents in having a great season and for providing all of Clarkstown residents with a fine recreation program that enhances Clarkstown. Supervisor presented Certificates of Award to the team members and coaches and the Town Board congratulated all the players.

Public Portion

Supervisor declared public portion of the meeting open and invited anyone who wished to speak to come forward.

Appearance: Bruce Broadley
West Nyack

Mr. Broadley spoke on the Pyramid Project in West Nyack rejecting their commitments. He presented an article on Pyramid in Rhode Island which has been placed on file in the Town Clerk's Office

Re. problem with pick-up of cardboard boxes.

Appearance: Donald Tracy, Esq.
New City

Mr. Tracy stated that he was a member of the law firm of Tracy, Bertolino & Edwards. He spoke regarding residential refuse pick-up service in reference to the bids regarding the collection of garbage and lowest responsive bidder for curbside and back door service. He suggested that a fact finding board be created.

Appearance: Nat Scattino - Carter
New City

Mr. Scattino stated that five (5) years ago the bid was \$16.50 for curbside and was not accepted. Fees were highest in State then and now will be the lowest. He stated he was in favor of a Commission to investigate Bids.

RESOLUTION NO. (852-1995)

Co. Dusanenko offered and Co. Maloney Seconded

RESOLVED, that the Town Board Minutes of November 28, 1995 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (853-1995)

Co. Dusanenko offered and Co. Maloney Seconded

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

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

WHEREAS, the Town Board of the Town of Clarkstown consider that it is in the best interest of the Town that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 29, 1995 at 12 o'clock Noon, or as soon thereafter as possible, relative to such proposed local law, and be it

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

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

On roll call the vote was as follows:

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

RESOLUTION NO. (854-1995)

Co. Smith offered and Co. Maloney Seconded

WHEREAS, Saehill Realty, Inc. executed a Declaration of Covenants on April 23, 1986, pursuant to Town Board Resolution No. 292 of March 25, 1986, and

WHEREAS, the declarant has requested that the language of the aforesaid declaration be amended for the purpose of clarification;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes an amendment to the Declaration of Covenants dated April 23, 1986, for the purpose of clarifying language contained in such declaration, in a form approved by the Town Attorney.

On roll call the vote was as follows:

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

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RESOLUTION NO. (855-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, heavy snowfalls and other inclement weather may create hazardous conditions and cause a state of emergency to exist in the Town of Clarkstown and unplowed or impassable roads may pose an increased danger to life and property as a result of fire, sickness, lack of food and medical assistance to persons residing on unplowed or impassable streets;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the authority granted under Executive Law, Section 24(4), the Supervisor of the Town of Clarkstown is hereby authorized to use any and all facilities, equipment, supplies, personnel under his control and direction and other resources of the Town of Clarkstown in such a manner as may be necessary or appropriate to cope with any natural emergency created by an extraordinary fall of snow or other weather condition, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to use personnel and equipment to plow undedicated streets in the Town of Clarkstown during such heavy snowfall or other conditions, if necessary to prevent imminent hazard to life and property, and be it

FURTHER RESOLVED, that if the undedicated streets are part of a development of homes being constructed, that the Superintendent of Highways send a bill to the developer for the cost of snow plowing the undedicated streets in its development. If the bill is unpaid, the amount of such bill shall be included on the next Town tax bill for the developer's property.

On roll call the vote was as follows:

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

RESOLUTION NO. (856-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, an action was commenced by R&R Disposal Carting, Inc. and Duke's Carting, Inc. against the Town of Clarkstown in the U.S. District Court for the Southern District of New York, under Index No. 95 CIV. 4846, to recover monies against the Town of Clarkstown in connection with violations of the Waste Flow Law of the Town of Clarkstown, and

WHEREAS, R&R Disposal Carting, Inc. and Duke's Carting, Inc. have paid, in the form of civil compromise, the sum of \$21,949.10 in payment thereof;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes settlement of the action entitled,

Continued on next page.

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RESOLUTION NO. (856-95) Continued

R&R Disposal Carting, Inc. and Duke's Carting, Inc., for the sum of \$21,949.10, upon receipt of a Stipulation of Discontinuance with prejudice, and the sum of \$21,949.10 is to be refunded and/or credited against any outstanding obligation of R&R Disposal Carting, Inc., and be it

FURTHER RESOLVED, that such sum shall be charged to the Liability and Insurance Account.

On roll call the vote was as follows:

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

RESOLUTION NO. (857-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, an action was commenced by Marangi Bros., Inc. against the Town of Clarkstown in the U.S. District Court for the Southern District of New York, under Index No. 95 CIV. 4846, to recover monies against the Town of Clarkstown in connection with violations of the Waste Flow Law of the Town of Clarkstown, and

WHEREAS, Marangi Bros., Inc. has paid, in the form of civil compromise, the sum of \$75,000.00 in payment thereof;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes settlement of the action entitled, Marangi Bros., Inc. for the sum of \$75,000.00, upon receipt of a Stipulation of Discontinuance with prejudice, and the sum of \$75,000.00 is to be refunded and/or credited against any outstanding obligation of Marangi Bros., Inc., and be it

FURTHER RESOLVED, that such sum shall be charged to the Liability and Insurance Account.

On roll call the vote was as follows:

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

RESOLUTION NO. (858-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, BARVAN CORPORATION v. NICHOLAS LONGO, TAX ASSESSOR and DOLORES AVARAS, PATRICIA T. BATTLES, JOAN A. DERELLA, ARISTO J. FONTANO, and JOHN HORAN constituting and sitting as the Board of Assessment Review and a Board to hear grievances with respect to real property taxes in and for the Town of Clarkstown, Index No. 4769/94, affecting parcel(s) designated as Map 106, Block A, Lot 45.1 for the year(s) 1994/95, and

WHEREAS, the attorney for the petitioner(s) has

Continued on next page

RESOLUTION NO. (858-1995) Continued

proposed to settle the proceeding(s) and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 106, Block A, Lot 45.1 be reduced for the year(s) 1994/95 from \$1,067,000.00 to \$446,000.00;
2. That reimbursement for the year(s) 1994/95 on the parcel described as Map 106, Block A, Lot 45.1 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
3. 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
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (859-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, SEIKI CORP./HITACHI SEIKI U.S.A., INC., index No(s). 4935/94 and 3965/95, affecting parcel(s) designated as Map 128, Block A, Lot 5.10, for the year(s) 1994/95 and 1995/96, and

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

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 128, Block A, Lot 5.10 be reduced for the year(s) 1994 from \$2,137,100.00 to \$1,645,600.00;
- 2) That the premises owned by the petitioner(s) described on the assessment roll as Map 128, Block A, Lot 5.10 be reduced for the year(s) 1995 from \$2,137,100.00 to \$1,602,800.00;
- 3) That reimbursement for the year(s) 1994/95 on the parcel described as Map 128, Block A, Lot 5.10 be made

Continued on next page.

RESOLUTION NO. (859-1995) Continued

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, and the attorney for the Clarkstown Central School District has consented to such settlement.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (860-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, KANEDA REALTY CORP. v. The ASSESSOR of the TOWN OF CLARKSTOWN, THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN, index No(s). 4345/93, 4925/94 and 3978/95, affecting parcel(s) designated as Map 32, Block B, Lot 2.3, for the year(s), and

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

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 32, Block B, Lot 2.3 be reduced for the year(s) 1993, 1994 and 1995 from \$839,900.00 to \$775,900.00;
2. That reimbursement for the year(s) 1993/94 and 1994/95 on the parcel described as Map 32, Block B, Lot 2.3 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
3. 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

Continued on next page.

RESOLUTION NO. (860-1995) Continued

aforsaid; and such settlement is recommended by the Assessor of the Town of Clarkstown, and the attorney for the Nanuet School District has consented to such settlement.

NOW, THEREFORE, be it

RESOLVED, that the settlement of the aforsaid 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (861-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, ALSER AMERICA, INC. and PIERRE BLANCHOT v. The ASSESSOR of the TOWN OF CLARKSTOWN, THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN Index No(s). 4338/93, 4920/94 and 3992/95, affecting parcel(s) designated as Map 128, Block A, Lots 27 and 28, for the year(s) 1993/94, 1994/95 and 1995/96, and

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

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 128, Block A, Lot 27 be reduced for the year(s) 1993, 1994 and 1995 from \$1,419,500.00 to \$1,206,600.00;
2. That the premises owned by the petitioner(s) described on the assessment roll as Map 128, Block A, Lot 28 be reduced for the year(s) 1993, 1994 and 1995 from \$398,800.00 to \$358,900.00;
3. That reimbursement for the year(s) 1993/94 and 1994/95 on the parcels described as Map 128, Block A, Lots 27 and 28 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 aforsaid; and such settlement is recommended by the Assessor of the Town of Clarkstown, and the attorney for the Clarkstown Central School District has consented to such settlement.

NOW, THEREFORE, be it

Continued on next page.

RESOLUTION NO. (861-1995) 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (862-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, STIPE REALTY CORP. V. The ASSESSOR of the TOWN OF CLARKSTOWN, The BOARD OF ASSESSMENT REVIEW of the TOWN OF CLARKSTOWN, and THE TOWN OF CLARKSTOWN Index No(s). 6700/91, 5821/92, 5111/93, 4936/94 and 3993/95, affecting parcel(s) designated as Map 71, Block A, Lot 4, for the year(s) 1991/92, 1992/93, 1994/95 and 1995/96, and

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

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 71, Block A, Lot 4 be reduced for the year(s) 1991, 1992, 1993, 1994 and 1995 from \$899,100.00 to \$647,400.00;
2. That reimbursement for the year(s) 1991, 1992, 1993, 1994 and 1995 on the parcel described as Map 71, Block A, Lot 4 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
3. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid; and such settlement is recommended by the Assessor of the Town of Clarkstown, and the attorney for the Clarkstown Central School District, has consented to such settlement.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (863-1995)

Co. Maloney offered and Co. Smith Seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into settlements with Stephen Segall and Bart Silverman concerning lawsuits dealing with the flooding On Cranford Road, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (864-1995) Continued

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Business Builders Publishing Co., Inc., to provide advertising space for the Town of Clarkstown in the Business Builders Guidebook which is published for the New City Chamber of Commerce, and be it

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

FURTHER RESOLVED, that the fee for such advertising shall be \$750.00 and shall be charged to Account No. A-6410-405.

On roll call the vote was as follows:

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

RESOLUTION NO. (865-1995)

Co. Dusanenko offered and Co. Maloney Seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Town of Stony Point, by the terms of which the Town of Clarkstown will process tax rolls for parcels in the Town of Stony Point, at 40¢ per parcel per year, which agreement shall be in a form satisfactory to the Town Attorney of the Town of Clarkstown.

On roll call the vote was as follows:

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

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RESOLUTION NO. (866-1995)

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to provide services to the Building Department on an advisory and consultative basis, consistent with the terms of said contract, for the period from November 14, 1995 to May 13, 1996, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to November 13, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (867-1995)

Co. Smith offered and Co. Dusanenko Seconded

RESOLVED, to decrease Account 7140-222 (Parks & Recreation Equipment) in the amount of \$3,000.00 and increase Account 7140-408 (Building Repairs) in the amount of \$3,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (868-1995)

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways, that

BID #51-1995
MEDWAY AVE. ASPHALT PAVING PROJECT

is hereby awarded to:

TILCON, NEW JERSEY INC.
P.O. Box 8248
Haledon, New Jersey 07508
A Public Corporation

as per their low bid of \$45.00/ton or total of \$12,375.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt of the following:

Continued on next page.

RESOLUTION NO. (868-1995) Continued

1. Fully executed formal contract.
2. Receipt of a Performance Bond and a Labor/
Material Payment Bond each in the amount of
100% of the award.
3. Receipt of a Certificate of Contractors
Liability Insurance with the Town named as
co-insured party.

On roll call the vote was as follows:

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

RESOLUTION NO. (869-1995)

Co. Smith offered and Co. Maloney Seconded

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

BID #5-1996
CUSTODIAL AND JANITORIAL SUPPLIES

is hereby awarded to:

AETNA JANITORIAL SUPPLY
137 NORTH MAIN STREET
SPRING VALLEY, NY 10977
PRINCIPALS: FAY & HARRY FRIEDMAN

CLEANING SYSTEMS/SUPPLY
44A SECOR LANE
PELHAM, NY 10503
PRINCIPALS: EDWARD CULLEN
BARBARA TRISTER

E.A. MORSE COMPANY
11-25 HARDING STREET
MIDDLETOWN, NY 10940
PRINCIPALS: WINIFRED V. MORSE
EMERSON A. MORSE II
JOHANNE N. CORTRIGHT

MT. ELLIS PAPER
P.O. BOX 4083
NEW WINDSOR, NY 12553
PRINCIPALS: CLIFFORD KAPLAN
SEYMOUR KAPLOWITZ

SUPPLY & DEAMAN
18 KARL COURT
CONGERS, NY 10920
PRINCIPALS: R.E. DEMAN

HALBRO CONTROL IND., INC.
2090 RT. 110
FARMINGDALE, NY 11735
PRINCIPALS: CHARLES & STANTON HALPERN

Continued on next page.

RESOLUTION NO. (869-1995) Continued

PAULRICH JANITORIAL SUPPLY
624 WEST FND DRIVE
MEDFORD, NY 11763
PRINCIPAL: GARRET HUIETT

as per item/price on file in Purchasing Department

On roll call the vote was as follows:

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

RESOLUTION NO. (870-1995)

Co. Smith offered and Co. Maloney Seconded

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

BID #6-1996
BUS TRANSPORTATION

is hereby awarded as follows:

Part A - Summer Youth Busing Program (School Bus)
Item 1 - Summer Camp Swim Routes - PETER BREGA, INC.
P.O. BOX 152
KINGS HIGHWAY
VALLEY COTTAGE, NY 10989
PRINCIPALS: RICHARD BREGA
PETER BREGA
ROBERT BREGA
DAVID BREGA

Item 2 - Summer Camp Day Trips - LAIDLAW TRANSIT
301 ROUTE 17
HILLBURN NY 10931
PRINCIPAL: PUBLIC CORPORATION

Part B - Senior Citizen Busing Program
Item 1 - Senior Citizen One Day Trips (local)
PETER BREGA, INC.
Item 2 - Senior Citizen One Day Trips - Long Distance - Coach
LEISURE LINE
4 LEISURE LINE
MAHWAH NJ 07430
PRINCIPALS: GERALD MERCADANTE
EUGENIA MERCADANTE
DANIEL MERCADANTE

as per their low bid proposals on file in the Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (871-1995)

Co. Smith offered and Co. Maloney Seconded

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

BID #9-1996
UNIFORM MAINTENANCE SERVICE FOR CLARKSTOWN POLICE DEPARTMENT

is hereby awarded to

D&R Cleaners
T/A Finesse French Cleaners
63 East Central Avenue
Pearl River, NY 10965
Principals: Ralph Fighere, Jr.
John Chiarellire

as per the following item/price schedule

Trousers-Dry Cleaned.....	Per Unit....	\$1.75
Shirts - Dry Cleaned.....	Per Unit....	\$1.75
Leather Jackets - Dry Cleaned.....	Per Unit....	\$25.00
Poplin Jackets - Dry Cleaned.....	Per Unit....	\$4.50
Dacron/Wool Jackets - Dry Cleaned.....	Per Unit....	\$4.50
Hurricane Jackets - Dry Cleaned.....	Per Unit....	\$4.50
Honor Guard Blouses.....	Per Unit....	\$3.50
Hats - Dry Cleaned.....	Per Unit....	\$3.00
Ties.....	Per Unit....	\$1.50
White Dress Shirts - Laundered.....	Per Unit....	\$1.00
Blazers.....	Per Unit....	\$3.50
Slacks.....	Per Unit....	\$1.75

On roll call the vote was as follows:

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

RESOLUTION NO.(872-1995)

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that,

BID #54-1995
Residential Refuse Pick-Up Services
One, Two and Three Family Homes

is hereby awarded to :

Clarkstown Carting Associates, Inc,
10 Esquire Road, Suite 10B
New City, NY 10956
Principals: Pat Nazarro
Charles Capasso

as per their low bid proposal (Adjacent to premises Pick-Up)
as follows:

Continued on next page.

RESOLUTION NO. (872-1995) Continued

Price for Single Family Unit	\$15.00/month
Price for Senior Citizen Unit	\$10.00/month
Price for Two-Family Unit	\$26.25/month
Price for Three Family Unit	\$37.50/month

and be it

FURTHER RESOLVED, that said award is subject to, provisions of the bid specs relating to, but not limited to, signing the formal agreement included in bid package, submission of requested certificate of insurance, and posting of the performance security deposit.

On roll call the vote was as follows:

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

RESOLUTION NO. (873-1995)

Co. Dusanenko offered and Co. Smith Seconded

WHEREAS, the Rockland County Personnel Office has certified on November 29, 1995 that the position of Senior Clerk Typist #0211 can be reclassified to the position of Clerk Typist,

Now, therefore, be it

RESOLVED, that the position of Senior Clerk Typist - Town Clerk's Office - is hereby reclassified to the position of Clerk Typist - effective December 13, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (874-1995)

Co. Dusanenko offered and Co. Smith Seconded

RESOLVED, that Rabbi David Berkman, 14 Sylvan Lane, New City, New York, is hereby appointed to the position of Member - Board of Ethics - to fill the unexpired term of Reverend Patrick J. McGill - at the current 1995 annual salary of \$1,000.00, term effective December 13, 1995 and to expire on June 26, 2000.

On roll call the vote was as follows:

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

RESOLUTION NO. (875-1995)

Co. Dusanenko offered and Co. Smith Seconded

RESOLVED, that Peter Brega, Inc. is hereby authorized to provide supplemental bus service for residents of Monterey Gardens for the purpose of facilitating their grocery shopping at a cost to the Town not to exceed \$62.50 per week, and be it

FURTHER RESOLVED, that this service will be subsidized by a like weekly contribution from Waldbaum's Supermarket.

On roll call the vote was as follows:

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

RESOLUTION NO. (876-1995)

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that upon the recommendation of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed(s) from:

Ron-Jill Realty Corp. dated September 22, 1995, and Michael S. Mouacdie a/k/a Michael Mouacdie, dated September 22, 1995, conveying the following road(s):

PIPERS GLEN 710 L.F.

and other improvements to the Town of Clarkstown as shown on the dedication map for the PIPERS GLEN are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that a Maintenance Guaranty, dated December 12, 1995, secured by Passbook No. 2776017072-01 in the sum of \$3,525.00 is hereby accepted.

On roll call the vote was as follows:

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

RESOLUTION NO. (877-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, the New York State Department of Transportation has scheduled the construction of Route 59 Phase II Pascack Road/Route 59 Connector; and

WHEREAS some of the sanitary sewer system needs to be relocated or modified;

Continued on next page.

RESOLUTION NO. (877-1995) Continued

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to enter into a utility work agreement with the New York State Department of Transportation.

On roll call the vote was as follows:

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

RESOLUTION NO. (878-1995)

Co. Smith offered and Co. Maloney Seconded

WHEREAS claims have been made against the Town of Clarkstown and others by the owners of the premises designated as 41 and 43 Cranford Drive, New City, New York, alleging damage to their properties by reason of flooding; and

WHEREAS it has been brought to the attention of the Town of Clarkstown that there is an error in the flood elevations given by the Federal Emergency Management Agency; and

WHEREAS other property owners in the vicinity of Cranford Drive are concerned about the flooding of their properties; and

WHEREAS it is the desire of the Town Board to ascertain the cause and extent of the flooding within the subdivision of Long Meadow West, New City, New York;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to hire Kozma Associates to study the area and submit a proposal to improve the flooding conditions within the subdivision of Long Meadow West, New City, New York; and

BE IT FURTHER RESOLVED the fee for such work shall not exceed \$48,000.00 and shall be charged to Account No. H-1994-409-0-14-22.

On roll call the vote was as follows:

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

WHEREAS, as a condition to the granting of a variance from the requirements of Sections 290-11 B, Group G, Columns 5 and 6 and 290-11 B, Table 16, Group G, Columns 6 and 9, the Zoning Board of Appeals requested a deed for a road widening strip along the southerly line of Phillips Hill Road, New City, New York;

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town NOW, THEREFORE, be it

Continued on next page.

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RESOLUTION NO. (879-1995)

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, deed dated December 4, 1995 from Martin Feldi and Steven Kunis gratuitously conveying a strip of land along the southerly line of Phillips Hill Road, New City, New York is 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (880-1995)

Co. Smith offered and Co. Maloney Seconded

RESOLVED, that the Town Board hereby authorizes a street name change from "Woodland Drive" to "Autumn Drive," Nanuet, New York, which is a private street, to facilitate the E911 system, and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the following; the Clarkstown Superintendent of Highways, the School District, the Fire Department, the Ambulance Corps and the Clarkstown Police Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (881-1995)

Co. Smith offered and Co. Dusanenko Seconded

WHEREAS, the Rockland County Solid Waste Management Authority has been organized for the purpose of planning, developing, procuring and operating the solid waste management facilities to be built in accordance with the terms of the Final Integrated Solid Waste Management Plan, and

WHEREAS, the County's leaf composting program has limited capacity and cannot accommodate all the leaves collected in the County, and

WHEREAS, the Authority has determined that utilizing the Town's leaf composting program to provide this service to the residents of the Town of Clarkstown is the most practical and cost effective, and

WHEREAS, the Authority will provide composting services for the year 1995, and shall reimburse the Town of Clarkstown for a portion of the costs incurred in composting the leaves collected;

NOW, THEREFORE, be it

Continued on next page.

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RESOLUTION NO. (881-1995) Continued

RESOLVED, that the Town Board hereby authorizes Supervisor Holbrook to enter into an agreement with the Rockland County Solid Waste Management Authority, for the utilization of the Town of Clarkstown Leaf Composting Program, and be it

FURTHER RESOLVED, that such agreement shall be in a form satisfactory to the Town Attorney.

On roll call the vote was as follows:

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

RESOLUTION NO. (882-1995)

Co. Smith offered and Co. Dusanenko Seconded

WHEREAS, Clarksville Court Associates has notified the Town that it withdraws its permission for the Town to maintain a bus shelter on their property, which is located at the corner of Strawtown and West Nyack Roads, West Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to remove a bus shelter which is located at the corner of Strawtown and West Nyack Roads, West Nyack, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (883-1995)

Co. Maloney offered and Co. Smith Seconded

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK
ADOPTED OCTOBER 11, 1994

Recitals

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the construction of improvements to various Town roads, at the estimated maximum cost of \$850,000.00 which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on October 11, 1994, and hereinafter referred to, and it now has been determined that due to increased costs of labor and materials the estimated maximum cost necessary for said purpose is now estimated to be \$1,475,000.00 and it is necessary to increase the appropriation therefor by \$625,000.00;

NOW, THEREFORE, be it

Continued on next page.

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RESOLUTION NO. (883-1995) Continued

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

Section (A) The bond resolution of said Town duly adopted by the Town Board on October 11, 1994, entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted October 11, 1994, authorizing the construction of improvements to various Town Roads, stating the estimated maximum cost thereof is \$850,000.00, appropriating said amount therefor, and authorizing the issuance of \$850,000.00 serial bonds of said Town to finance said appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN NEW YORK, ADOPTED OCTOBER 11, 1994, AND AMENDED DECEMBER 12, 1995, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN ROADS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,474,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,475,000.00 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct improvements to various Town roads, including: South Mountain Road, Old Haverstraw Road, Red Hill Road and Brewery Road. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,475,000.00 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,475,000.00 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. The Town expects that, with respect to the road improvements herein authorized, grant funds from the State of New York pursuant to the Suburban Highway Improvement Program ("SHIPs") will be available to pay a portion of the cost thereof, and any amounts so received are hereby authorized to be expended towards the cost thereof, or to be applied to the redemption of the bonds issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on any bonds or bond anticipation notes issued therefor.

Section 2. Serial bonds of the Town in the principal amount of \$1,475,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

Continued on next page.

RESOLUTION NO. (883-1995) Continued

(a) The Period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20. (c) of the Law, is fifteen (15) years; however, the bonds authorized pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years from the date of original issuance of said bonds or notes.

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

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, forms and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

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

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the Provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

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

Continued on next page.

RESOLUTION NO. (883-1995) Continued

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

Section 7. This bond resolution, as amended, shall take effect immediately, and the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in "THE JOURNAL NEWS," a newspaper published in Nyack, New York, having a general circulation in the Village and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

Section (B) The amendment of the bond resolution set forth in Section A of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

On roll call the vote was as follows:

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

RESOLUTION NO. (884-1995)

Co. Maloney offered and Co. Smith Seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to construct a curb cut on Scarlett Court, 100 ft. north of Second Street, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (885-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, the Rockland County Personnel Office has certified on December 6, 1995 that the position of Receptionist - Supervisor's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Receptionist - Supervisor's Office - is hereby created - effective December 18, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (886-1995)

Co. Maloney offered and Co. Smith Seconded

RESOLVED, that Patricia E. Parke, 73 Third Street, New City, New York, is hereby appointed to the position of (Provisional) Receptionist - Supervisor's Office - at the current 1995 annual salary of \$19,983.00, effective January 2, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (887-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, the Rockland County Personnel Office has certified on December 6, 1995 that the position of Confidential Secretary to Town Superintendent of Highways (PJC) exempt - can be created,

RESOLVED, that the position of Confidential Secretary to Town Superintendent of Highways (PJC) Exempt - is hereby created - effective December 13, 1995.

On roll call the vote was as follows:

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

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

12/12/95

8:22 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Maloney, & Smith
Councilman Mandia absent due to surgery.
Harold Mac Cartney, Jr., Deputy Town Attorney
Patricia Sheridan, Town Clerk

Re: Violation Hearing re: (Chapter 216 Property Maintenance -
2 Albert Court, Congers, New York)

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

Supervisor asked if there was anyone from 2 Albert Court present.

No one appeared.

Supervisor asked Building Inspector Adolph Milich if he had anything to report.

Building Inspector Adolph Milich testified that he was out to inspect the property a little while before the hearing and that it was pretty well cleaned up. Two plastic bags were left by the mailbox but they were tied up neatly.

Supervisor asked if he had a letter recommending discontinuance.

Mr. Milich responded no, that he had only been out to the property a short while ago to inspect the condition.

Supervisor directed Mr. Milich to write a report to the Board and a resolution would be prepared disposing of the matter.

On motion of Councilman Dusanenko, seconded by Councilwoman Smith and unanimously adopted, the violation hearing was declared closed, time 8:30 p.m.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk