

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/29/95

12:00 Noon

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

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

Supervisor Holbrook made presentations on behalf of the Town Board to elected officials who have served the Town and will be moving on to other areas.

The first presentation was to Judge Kenneth Rhones in grateful appreciation for his dedicated service as a Clarkstown Town Justice.

Judge Rhones said that it has been a total pleasure to serve the Town and the people in the Town. It has been a pleasure to work with the Town Board. Judge Rhones stated that this democracy of ours is wonderful because it wakes us up and tells us that we all serve at the pleasure of the people and the people decide when we come and when we go. It has been a delight to work with all the people here.

The second presentation was to Councilman Theodore Dusanenko who was formerly a Supervisor of the Town for six years and returned to the Town Board in 1991 as Councilman. Supervisor Holbrook stated that the past four years have been a pleasure working with Councilman Dusanenko and Ted has given tremendous service to the Town. Supervisor Holbrook then presented, on behalf of the Town Board, an official Town Flag of the Town of Clarkstown.

Councilman Dusanenko with a heavy heart stated that there is some sadness and some joy today. He has had his ups and downs in his life personally and politically. It is the will of the people and their decision that we serve at their pleasure. I have had the opportunity twice to serve as an official for the Town of Clarkstown both as Supervisor and Councilman. Things could have been much easier for me this year. I could have run for reelection as Councilman with the support of another party and had a secure seat, but I feel very strongly that the people of the Town needed a choice. The choice this year was that Supervisor Holbrook continue. I have no regrets in doing what I did, to run in an uphill election against a younger, more handsome, vulnerable candidate because the people of this Town deserved a choice of two slates. Not just one that had the support of so many different political parties. Some of the tactics used during the election and some of the scurrilous rumors, as Steve Liberman and others know, was unfounded and uncalled for. I am sure that God will take care of equalizing situations in the future. The staff of Town is super and they are dedicated. Whether they be CSEA or political appointees. These people for the most part do a job, but sometimes there is a need for more supervision because some of the people take the easy way out when they are not looked at. Councilman Dusanenko said as regarding his colleagues on the Town Board; Pat Sheridan is a sweetheart and every political party loves her. Murray, I am so happy personally to see you back and healthy. You have also made a comeback. When you fall off that political ladder or the ladder of health, it is great that you can come back and do the things that you can do so well. Eddie Duer, you were always a gentleman. I have the highest regard for Mr. Duer. Any requests for information on former budgets or anything else, he was always there, honest and sincere and I wish he and his family continued good luck. Ralph Mandia is not only my look alike he is and has been my salvation over the last several campaigns. So many times I have been

criticized or complimented (I have been in Congers and New City at the same time) because to many people Ralph looks like me. He has been a great Councilman, a good friend and also a political ally. John Maloney, we have differed, but never in malice with one exception, the cutting of my salary in half. At the same time, John is a super person and he brings a lot of humor and light heartedness to some serious questions and he is an absolute asset as well. Not just politically here on the Town Board keeping thing light and lively, but also with all he does with St. Anthony's plays, other charities and the Clarkstown senior citizens. I am going to miss him in Town Hall, but I am not going to miss him in the Town because we will still be running across each other. I only ask John, please, before you put another journal ad in, ask my permission because the checks and the bills keep coming for journals that I do not know about. Ann Marie is a sweetheart. We have run for the same offices of Councilman and Legislature and she too has had her ups and downs, but she has not cried. She has been a super person and I enjoy her company socially as well as in government service because she has always been a level headed person. We may disagree on philosophies, but at the same time, I think, the people of the Town of Clarkstown have her in their hearts. Charlie, besides being handsome, besides being younger than I and besides having almost as much time on this Town Board as John Maloney, I wish you and your family the very very best of good things in your life personally and politically. I have no malice towards you or members of your family. Some of your political associates, I wish other things for. You personally I would like to see your children succeed, be successful, educated and happily married with grandchildren. I just experienced my fifth grandchild. If there is any time that you need me to work with you on a Town matter, I will be happy to do so. I know that we will be working together for the next two years at the County. This presentation today, just as I mentioned last night about George Darden, you are both gentlemen to recognize people like Judge Rhones and myself and others. All too often people who have served in government are quickly forgotten as they attend their last meeting. Co. Dusanenko said that the presentation of both the Flag and the Plaque is an historic event which is very close to the Town of Clarkstown. He stated that he is appreciative and thanked everyone in the audience whether they supported him or not in the past. He wished everyone present and their families good health and good fortune in the future.

Supervisor asked if anyone else wished to speak.

Present: Marty Michaelson
Bardonia, NY

Mr. Michaelson spoke in opposition to the appointment of Marcia Coopersmith, a candidate for Deputy Town Attorney and the growth in the Town Attorney's Office.

Supervisor Holbrook stated that over the years we can measure up our attorneys against any attorneys in Rockland County. Take a look at the Town to the south. We have been very well served by our attorneys. Government is not simply run by one individual. You need to have people who have the expertise and advice to guide and our attorneys have done that. We measure Mr. Jacobson and his staff up against any attorneys in Rockland County. We are not losing \$10,000,000.00 and that is the bottom line in all of this.

Present: John Lodico
New City

Mr. Lodico thanked the Town Board for improvement of Red Hill Road..

Present: Donald Tracy, Esq.
New City

Mr. Tracy asked if the successful bidder on the garbage contract has posed the necessary bond.

RESOLUTION NO. (888-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, a proposed local law entitled:
"AMENDMENT TO CHAPTER 262 (TAXATION)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilman Dusanenko at a Town Board meeting held on December 12, 1995, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on December 12, 1995, directed that a public hearing be held on December 29, 1995, at 12 o'clock Noon, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 18, 1995, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on December 7, 1995, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 29, 1995;

NOW, THEREFORE, be it
RESOLVED, that Local Law No. 9-1995, entitled:

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

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

RESOLUTION NO. (889-1995)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Town Board Minutes of December 12, 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.....Abstained
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (890-1995)

Co. Maloney offered and Co. Smith seconded

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

"AMENDMENT TO CHAPTER 249 (SPECIAL PERMITS)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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 February 13, 1996, at 8:05 P.M., 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 newspaper of general circulation 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 and posted 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
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (891-1995)

Co. Maloney offered and Co. Smith seconded

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

"AMENDMENT TO CHAPTER 143 (FIRE PREVENTION)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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 January 23, 1996, at 8:10 P.M., 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 newspaper of general circulation 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 and posted as aforesaid and file proof thereof in the Office of the said Clerk.

Continued on Next Page

RESOLUTION NO. (891-1995) 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. (892-1995)

Co. Maloney offered and Co. Smith seconded

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

"NUMBERING OF BUILDINGS AND PROPERTIES"

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 January 23, 1996, at 8:15 P.M., 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 newspaper of general circulation 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 and posted 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
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (893-1995)

Co. Dusanenko offered and co. Maloney seconded

WHEREAS, Pyramid Construction Company has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 59, Block A, Lot 20.35 for the year(s) 1993/94, 1994/95 and 1995/96, and

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

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such trial appraisal at a fee not to exceed \$3,000.

Continued on Next Page

RESOLUTION NO. (893-1995) 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. (894-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

In the Matter of the Application of

MIELE SANITATION CO., INC.,

Petitioner,

for a Judgment pursuant to Article 78

-against-

CHARLES HOLBROOK, Supervisor, THEODORE DUSANENKO, RALPH MANDIA, JOHN MALONEY, and ANN MARIE SMITH, constituting the TOWN BOARD OF THE TOWN OF CLARKSTOWN, THE TOWN OF CLARKSTOWN, and CLARKSTOWN CARTING ASSOCIATES, INC.,

Respondents.

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized 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

RESOLUTION NO. (895-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the newly installed sidewalks on Shetland Drive, New City are hereby designated as school sidewalks and can be added to the Clarkstown Highway Department's snow removal list.

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. (896-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes payment in the sum of \$651.76 for damage sustained to a motor vehicle owned by Harriet Cohn, Pomona, New York, in full payment of any and all claims which said Harriet Cohn may have as against the Town of Clarkstown, and be it

FURTHER RESOLVED, that such payment shall be made upon receipt and General Release of any and all claims which Harriet Cohn may have against the Town of Clarkstown, and be it

FURTHER RESOLVED, that such amount shall be charged to Account No. A-1640-406.

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. (897-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Building Department has received a request from Irving Reiser, Gail Drive, New City, New York, for a refund of \$512.00 for building permit fees (B.P. #93-815), and

WHEREAS, the Building Department has advised the Town that processing and review fees total \$100.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Building Inspector to refund the sum of \$412.00 to Irving Reiser.

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. (898-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Transportation Industry Committee was formed to provide a foundation to promote to the New York State Legislature the need to secure funding for local transportation; and

WHEREAS, the Transportation Industry Committee meets with the Senate and Assembly Transportation Committee to discuss concerns about transportation funding and to recommend alternative sources of future revenue; and

Continued on Next Page

RESOLUTION NO. (898-1995) Continued

WHEREAS, the Transportation Industry Committee plans to continue meeting with senators and assemblymen to further emphasize our mission of adequate and dependable transportation funding; and

WHEREAS, the Transportation Industry Committee supports all agencies, businesses and organizations in the transportation industry; and

WHEREAS, the transportation issues affect every New Yorker daily; the need for secure funding for local transportation in 1996-97 and beyond is immense; and

WHEREAS, local governments are responsible for 9,000 bridges and 95,000 miles of road (85% of New York State roads); and

WHEREAS, the Consolidated Highway Improvement Program (CHIPS) ends in 1996; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown goes on record strongly supporting the Transportation Industry Committee's efforts promoting to the New York State Legislature the need for secure and adequate funding for local transportation; and be it

FURTHER RESOLVED, that copies of this resolution be submitted to Governor George Pataki and all members of the New York State Legislature, as well as others deemed necessary and proper.

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. (899-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, JOSEPH MIELE has petitioned the Town Board seeking a special permit to operate a recycling facility pursuant to the provisions of Chapter 290-17R of the Zoning Ordinance of the Town of Clarkstown, in an M zone, at property known as "Lot 2 on Minor Subdivision Joe Walt Realty Corp., which subdivision is filed in the Rockland County Clerk's Office in Book 115 at Page 74 in Map No. 6842 (also known on the Clarkstown Tax Map as Map 90, Block A, Lot 11.06), and a copy of the description of said property is attached hereto as "Schedule A," and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on January 10, 1995, at 8:35 P.M., to consider such application and

WHEREAS, the Town Board of the Town of Clarkstown closed the public hearing without rendering a decision at the Town Board meeting of January 10, 1995;

Continued on Next Page

RESOLUTION NO. (899-1995) Continued

NOW, THEREFORF, be it

RESOLVED, that based upon the report of the Department of Fnvironmental Control, dated December 12, 1995, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the requested special permit shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEORA) is required, and be it

RESOLVED, that the Town Board makes the following Special Findings pursuant to Section 290-15B of the Zoning Ordinance of the Town of Clarkstown:

That, the proposed use as described and represented by the applicant:

1. Shall be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Shall not cause undue traffic congestion or create a traffic hazard;
3. Shall not create at any point of determination set forth in §290-13 F, G, and H any more dangerous and objectionable elements referred to in §290-13(A) than is characteristic of the uses permitted as of right in the same district;
4. Shall not adversely affect the character of/or property values in the area;
5. Shall not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Shall comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a recycling facility on the above described property is hereby GRANTED to the petitioner subject to the following conditions:

- (1) Compliance with §290-17R of the Zoning Ordinance of the Town of Clarkstown;
- (2) Compliance with map notes on the filed subdivision plat of Joe Walt Realty, Inc., in that the petitioner shall submit an easement agreement for review and approval by the Town Attorney's office;
- (3) Return to the Planning Board for site plan review and approval;
- (4) Petitioner's engineer must address how runoff from this site will be handled;
- (5) Indicate where parking for employees will be provided and where recycling vehicles will be stored;
- (6) Address all concerns in the Rockland County Department of Planning letter dated December 1, 1994;
- (7) Petitioner shall submit full EAF Part I, II & II;
- (8) Compliance with all requirements of the Rockland County Sewer District No. 1;
- (9) Review and approval by O & R for plans as it may involve their transmission lines;
- (10) Compliance with requirements of New York State Thruway, if any, as to drainage and lighting;
- (11) There shall be no traffic other than on Snake Hill Road and Route 303;

Continued on Next Page

RESOLUTION NO. (899-1995) Continued

(12) All material on the site must enter and exit the property in sealed containers, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (900-1995)

Co. Mandia offered and Co. Smith seconded

Resolution of the Town Board of the Municipality of the Town of Clarkstown agreeing to maintain, repair and energize a Highway Lighting System on or along State Highway within the geographical jurisdiction of the Municipality, such highway identified as Route 59, Forman Drive to Grandview Avenue, S.H. PIN 8030.23, County of Rockland.

WHEREAS, the State of New York Department of Transportation proposes to construct a State Highway identified as Route 59, Forman Drive to Grandview Avenue, S.H. 689, PIN 8030.23, County of Rockland, within the geographical jurisdiction of the Municipality of the Town of Clarkstown and

WHEREAS, the Municipality of the Town of Clarkstown approves of such project and desires to have a highway lighting system on such highway within its geographical jurisdiction, and

WHEREAS, the State of New York has agreed to provide as a part of the project the following items in connection with a street lighting system.

1. Poles, conduits, wire where new stand alone lighting is required. All luminaires will be provided by Orange and Rockland under separate agreement with the Town.

provide that the Municipality of the Town of Clarkstown agrees to maintain, repair and energize such highway lighting system for a period of 10 years or until such lighting and/or the maintenance of such lighting system is no longer necessary for such State Highway.

NOW, THEREFORE, the Town Board duly convened, does hereby

RESOLVE, the Municipality of the Town of Clarkstown approves of the above subject project; and it is hereby further

RESOLVED, that the Municipality of the Town of Clarkstown shall maintain, repair and energize such highway lighting system, and it is hereby further

RESOLVED, that the Town Board of the Municipality hereby authorizes the Supervisor of the Municipality of the Town

Continued on Next Page

TBM - 12/29/95
Page 11

RESOLUTION NO. (900-1995) Continued

of Clarkstown to enter into and execute an Agreement with the State of New York and through the Commissioner of Transportation to commit the Municipality of the Town of Clarkstown to maintain, at its own expense, the lighting system on the above identified project, such agreement to provide that the maintenance shall include the repair and replacement of equipment and the furnishing of electric current for the lighting system and be it

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

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. (901-1995)

Co. Mandia offered and Co. Smith

WHEREAS, the New York State Department of Transportation proposes the reconstruction of the Route 59, S.H. 689, in the Town of Clarkstown and

WHEREAS, the State will include as part of the improvement of the above mentioned project the construction of sidewalks, pursuant to Section 10, Subdivision 22, Section 46, or Section 349-c of the Highway Law, as shown on the contract plans relating to the project and

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown approves the construction of such existing sidewalks as shown on the contract plans relating to the project and that the Town of Clarkstown will maintain or cause to be maintained the constructed sidewalks as above stated and as shown on the contract plans, including the control of snow and ice, and be it

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

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. (902-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the New York State Department of Transportation proposes the reconstruction of the Route 59,

Continued on Next Page

TBM - 12/29/95
Page 12

RESOLUTION NO. (902-1995) Continued

Forman Drive to Grandview Avenue, S.H. 689 in the Town of Clarkstown and

WHEREAS, at the request of the Town, the State will include as part of the reconstruction of the above mentioned project the construction of landscaped medians and other areas within the highway boundary as shown on the contract plans relating to the project.

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown approve the construction of such landscaped medians and other areas, and the above mentioned work performed on the project and shown on the contract plans relating to the project and the Town of Clarkstown will maintain or cause to be maintained the landscaped medians and other areas performed as above stated and as shown on the contract plans, and be it

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

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. (903-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the New York State Department of Transportation proposes the reconstruction of the Route 59, Forman Drive to Grandview Avenue, PIN 8030.23, in the Town of Clarkstown, Rockland County.

WHEREAS, the State will include as part of the construction of the above mentioned project the construction of a parking facility and appurtenances on the north side of Route 59 at the northbound exit 14 of the New York State Thruway and the expansion of the existing parking facility and appurtenances on the south side of Route 59 at the northbound exit 14 of the New York State Thruway, pursuant to Section 10, subdivision 39 of the Highway Law, to satisfy the compelling need for additional parking facilities within the boundaries of the Municipality to permit their use in conjunction with public transportation systems serving urban areas, as shown on the contract plans, and

WHEREAS, the State will provide for the continued operation and maintenance of said parking facilities,

NOW, THEREFORE, be it

RESOLVED, that the Town Board approves the construction of this parking facility, and agrees to operate and maintain said facility according to the terms of the agreement drawn up by the State of New York, and the Town Supervisor is hereby directed to execute the agreement on behalf of the Town of Clarkstown.

Continued on Next Page

RESOLUTION NO. (903-1995) Continued

RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

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. (904-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, the Superintendent of Highways is hereby authorized to maintain the commuter parking lots located at Route 59/303, West Nyack, New York (Interchange 12 of the New York State Thruway) and Route 59, Nanuet, New York (Interchange 14 of the New York State Thruway).

WHEREAS, the New York State Department of Transportation has constructed parking facilities at the ramp of Route 303/59 P.I.N. 8006.45 in the Town of Clarkstown, Rockland County and

WHEREAS, the State of New York has also completed an additional section on the southeast ramp of Route 303/59 and appurtenances, pursuant to Section 10, Subdivision 39 of the Highway Law, to satisfy the compelling need for additional parking facilities within the boundaries of the municipality to permit their use in conjunction with public transportation systems serving urban areas, as shown on the contract plans;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the construction of this parking facility and agrees to operate and maintain the facility according to the terms of the agreement drawn up by the State of New York; and the Town Supervisor is hereby directed to execute the agreement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to transmit five (5) copies of the foregoing resolution to the State Department of Transportation.

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. (905-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, a dangerous condition exists within an existing drainage easement located in the vicinity of 9 Crimson Court, Bardonia, New York; and

Continued on Next Page

RESOLUTION NO. (905-1995) Continued

WHEREAS, the Department of Environmental Control has recommended to pipe the open six-foot ditch which would eliminate; erosion, stagnant water, silting unwanted vegetation and the hazardous conditions for local children and;

WHEREAS, the Department of Environmental Control has obtained a proposal from Cal Mart Construction Corporation, West Nyack, New York, to perform the corrective drainage work;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Cal Mart Construction to perform the corrective work in accordance with the requirements of the Department of Environmental Control; and be it

FURTHER RESOLVED, that the cost of said work shall not exceed \$19,968.00 and shall be a proper charge of Account H-1994-409-0-14-24.

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. (906-1995)

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,

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 location:

Old Nyack Turnpike, Central Nyack
(Install one (1) 5800 lumen sodium vapor
street light - existing utility pole number
60744/39820)

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. (907-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, to increase Revenue Account 2001 (Parks & Recreation) in the amount of \$18,000.00 and increase Account

Continued on Next Page

RESOLUTION NO. (907-1995) Continued

7020-203 (Motor Vehicles) in the amount of \$18,000.00

On roll call the vote was as follows:

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

RESOLUTION NO. (908-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has received \$535.00 from New City Little League, and be it

THEREFORE RESOLVED, to increase Appropriation Account A-7140-306 (Maintenance Supplies) and Revenue Account 01 3 2001 (General Fund - Parks & Recreation) by \$535.00

On roll call the vote was as follows:

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

RESOLUTION NO. (909-1995)

Co. Maloney offered and Co. Dusanenko seconded

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

BID # 10-1996
PRINTING OF 1996 PARKS & RECREATION BROCHURES

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 January 25, 1996 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. (910-1995)

Co. Maloney offered and Co. Dusanenko seconded

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

BID # 11-1996
GROUNDSKEEPING & LANDSCAPING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on January 24, 1996 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. (911-1995)

Co. Maloney offered and Co. Dusanenko seconded

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

BID # 14-1996
SECURITY GUARD SERVICES FOR
CLARKSTOWN SOLID WASTE FACILITY

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 Monday, January 22, 1996 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. (912-1995)

Co. Maloney offered and Co. Dusanenko seconded

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

BID #8-1996
PAPER & PLASTIC SUPPLIES

RESOLUTION NO. (912-1995) Continued

is hereby awarded to:

E.A. MORSE & COMPANY
11-25 HARDING STREET
MIDDLETOWN, NY 10940

PRINCIPALS: WINIFRED V. MORSE
EMERSON A. MORSE II
JOHANNF N. CORTRIGHT

STRAUSS PAPER
10 SLATER STREET
PORT CHESTER, NY 10573

PRINCIPALS: STEWART J. STRAUSS
RUTH F. STRAUSS
JOYCE S. JONAP

AETNA JANITORIAL & MAINTENANCE SUPPLY, INC.

137 N. MAIN STREET
SPRING VALLEY, NY 10977

PRINCIPAL: HARRY FRIEDMAN
FAY FRIEDMAN

PHOENIX PAPER & SUPPLY CO.
27 NORTH MADISON AVE. SUITE 2

SPRING VALLEY, NY 10977
PRINCIPAL: PHILIP SCHWARTZ

CENTRAL POLY CORP.

19 W. 21 STREET
P.O. BOX 4097

LINDEN, NJ 07036
PRINCIPALS: AGNES SERHOFER
ANDREW HOFFER

CLEANING SYSTEMS

44A SECOR LANE
PELHAM MANOR, NY 10803

PRINCIPALS: B. TRISTER
E. CULLEN

"Price schedule on file in Town Clerk's Office"

On roll call the vote was as follows:

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

RESOLUTION NO. (913-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, in accordance with Resolution No. 855-1995,
the Superintendent of Highways was duly authorized to remove
snow on undedicated streets within the Town of Clarkstown, and

WHEREAS, it is necessary to obtain the services of
private contractors to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the following companies are hereby
authorized to perform snow removal on undedicated streets within
the Town of Clarkstown:

Joseph F. Mutinsky
66 North Grant Avenue
Congers, NY 10920

Douglas C. Grando
160-4 Route 303
Congers, NY 10920

W. Harris & Son, Inc.
37 West Washington Avenue
Pearl River, NY 10965

Continued on Next Page

RESOLUTION NO. (913-1995) 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. (914-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the County of Rockland has notified the Town of Clarkstown that it is no longer in need of a parcel of land designated on the Clarkstown Tax Map as Map 17, Block A, Lot 12.21, and proposes to gratuitously convey such parcel to the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes acceptance from the County of Rockland, of the gratuitous conveyance of a tax parcel known as Map 17, Block A, Lot 12.21.

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. (915-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town is responsible for maintenance and integrity of an existing drainage watercourse known as "Frenchman's Creek", and

WHEREAS, recent storms have caused erosion and blockages in said watercourse, and

WHEREAS, the Department of Environmental Control has determined that maintenance and improvement work is required to maintain the proper functioning of said watercourse and insure the safety of adjoining properties, and

WHEREAS, Cal Mart Construction Corp. has submitted a proposal to perform said work,

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is hereby authorized to hire Cal Mart Construction Corp. to perform work in accordance with their proposal dated December 19, 1995, and be it

Continued on Next Page

RESOLUTION NO. (915-1995) Continued

FURTHER RESOLVED, That the cost of such work shall not exceed \$15,000.00 and shall be a proper charge to Account Number H 1994 409 0 14 23.

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. (916-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the resignation of Oona Fitzpatrick, 64 So. Grant Avenue, Congers, New York, Deputy Town Clerk - Town Clerk's Office - is hereby accepted effective January 1, 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. (917-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished certification of Eligibles #94095 Clerk Typist which contains the name of Jacqueline M. Bambauer.

NOW, THEREFORE, be it

RESOLVED, that Jacqueline M. Bambauer, 1 South Park Lane, Nanuet, New York, is hereby appointed to the position of Clerk Typist - Town Clerk'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.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (918-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished certification of Eligibles #94032 Recreation Leader which contains the name of Vincent A. Walker,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the
Continued on Next Page

RESOLUTION NO. (918-1995) Continued

appointment by the Parks Board and Recreation Commission of Vincent A. Walker, 7 Anoroc Court, Congers, New York to the position of Recreation Leader - at the current 1995 annual salary of \$25,852.00, effective and retroactive to December 8, 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. (919-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Rudy Damonti, 911 Stockton Road, Valley Cottage, New York, is hereby appointed to the position of Clerk (Seasonal) - Receiver of Taxes Office - at the current 1995 hourly rate of \$10.40 - effective and retroactive to December 18, 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. (920-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the condition complained of in the Order and Notice dated November 1, 1995 regarding premises designated on the Tax Map of the Town of Clarkstown as Map 141, Block B, Lot 53.10 has been corrected, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to discontinue all further proceedings.

On roll call the vote was as follows:

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

Supervisor Holbrook wished everybody a healthy and happy New Year.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the Town Board Meeting was declared closed, time: 12:58 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/29/95

12:05 PM

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

Re: Proposal to Increase Income Levels to Qualify for
Senior Citizen Property Tax Exemptions (Amendment
to Chapter 262 - Taxation - of the Town Code)

On motion of Councilman Maloney, seconded by
Councilman Mandia and unanimously adopted, the public hearing
was declared open.

Supervisor asked if anyone wished to speak for or
against this Public Hearing.

No one appeared.

On motion of Councilman Dusanenko, seconded by
Councilman Maloney and unanimously adopted, the Public Hearing
was declared closed, RESOLUTION ADOPTED, time: 12:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (888-1995) ADOPTED